

**Cyngor Sir Caerfyrddin
Carmarthenshire County Council**

**PWYLLGOR CYNLLUNIO
PLANNING COMMITTEE**

**Adroddiad Pennaeth Lle a
Chynaliadwyedd
Lle a Seilwaith**

**Report of the Head of Place
and Sustainability
Place and Infrastructure**

01/02/2024

**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.

COMMITTEE:	PLANNING COMMITTEE
DATE:	01.02.2024
REPORT OF:	HEAD OF PLACE AND SUSTAINABILITY

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
PL/04244	8 new affordable houses at Land Adjacent to 91 Maes Yr Haf, Pwll, Llanelli, SA15 4AU
PL/05187	The erection of new residential dwellings, vehicular access, open space and other associated infrastructure at Land at Cefncaeau, Llanelli
PL/05853	Siting of a neighbourhood retail convenience store, including provision for a drive-thru hot food take-away facility at Land opposite Ffos Las, Culla Road, Trimsaran, SA17 4HD

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL
PL/00895	Rural Enterprise Dwelling with associated Agricultural Shed at Land at Derwen Fawr, Crugybar, Llanwrda
PL/06296	Timber store and associated hardstanding (re-submission of Planning Application PL/05564) at Land opposite Gilfach Wen, formerly known as Penroc, Caio, Llanwrda, SA19 8UH
PL/06643	Proposed two storey side extension and alterations to existing bungalow, together with an extension of its domestic curtilage at Golygfa, Kidwelly, SA17 5AR

REF.	ADDITIONAL ITEMS
PL/04027	Proposed Local needs 3/4 bed detached dwelling house, with 3 parking spaces, internal road, upgrading of existing field access and accompanying site works. These proposals will require a change use of agricultural land to C3 Dwelling house at Land opposite Sparrows Nest, Whitland, SA34 0LG

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	PL/04244
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Application Type	Outline planning consent - all matters reserved
Proposal	8 new affordable houses
Location	Land Adjacent to 91 Maes Yr Haf, Pwll, Llanelli, SA15 4AU

Applicant(s)	Mr Jason Jones Carmarthenshire County Council
Officer	Hugh Towns
Ward	Hengoed
Date of validation	22/07/2022

Reason for Committee

This application is being reported to the Planning Committee following the receipt of three or more objections from different households, a call-in request by Cllr Martyn Palfreman and the application relates to development by the Council on land within the ownership of the Council. It should be noted that Cllr Palfreman has also requested a site visit by the Planning Committee so members can meet with local residents.

Site

The application site comprises an area of 0.29 hectares of amenity grassland on the north eastern edge of the existing Maes Yr Haf housing estate. Land to the north and east is woodland and pasture. The application site slopes relatively steeply from the north west to south east. The highest point at the northwest corner is approx 36m AOD whilst the lowest point in the south east corner is approximately 22m AOD. Access to the site is from the existing Maes Yr Haf Estate Road which runs along the south western boundary of the application site.

Proposal

The proposal seeks outline planning permission for 8 affordable dwellings, with all details of siting, design, external appearance, means of access and landscaping reserved for consideration at a later date. The applicant has however provided some indicative details to demonstrate that the site is capable of accommodating the number of dwellings proposed.

The indicative proposals show 3 pairs of semi detached two-bedroom houses and one pair of semi detached one-bedroom houses with each dwelling provided with 2 off-road parking spaces. Even though the application is in outline, due to the sloping nature of the site it is envisaged that there will be need for retaining walls and retaining structures to enable the building of the dwellings.

It is proposed that the affordable dwellings will be retained by the Council.

Planning Site History

There is no relevant planning history.

Planning Policy

In the context of the Authority's current Development Plan, the application site is located partly within and partly outside the defined development limits as contained in the adopted [Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP').

Reference is drawn to the following policies of the Plan which are of relevance to the proposal.

SP1 - Sustainable Places and Spaces;
SP2 - Climate Change;
SP3 - Sustainable Distribution- Settlement Framework;
SP5 - Housing;
SP6 - Affordable Housing;
SP14 - Protection and Enhancement of the Natural Environment;
GP1 - Sustainability and High Quality Design;
GP2 - Development Limits;
GP3 - Planning Obligations;
H2 - Housing within Development Limits;
AH1 - Affordable Housing;
AH2 - Affordable Housing - Exceptions Sites
TR2 - Location of Development- Transport Considerations;
TR3 - Highways in Developments- Design Considerations;
EQ4 - Biodiversity;
EQ5 - Corridors, Networks and Features of Distinctiveness;
EQ6 - Special Landscape Areas
EP1 - Water Quality and Resources;
EP2 - Pollution;
EP3 - Sustainable Drainage;
REC1 - Protection of Open Space and
REC2 - Open Space Provision and New Developments.

Supplementary Planning Guidance (SPG) has been produced to provide further detail on certain policies and proposals contained within the Carmarthenshire LDP. They help ensure certain policies and proposals are better understood and applied more effectively. Of particular note within the context of this proposal are the following SPG's:

- Placemaking and Design (2016);
- Leisure & Open Space Requirements for New Developments (2016);

- Planning Obligations (2014);
- Affordable Housing (2018), and
- Nature Conservation and Biodiversity (2016).

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government. The below TANs are considered to be of particular relevance to this proposal:

TAN 2 - (Planning & Affordable Housing, 2006);
 TAN 5 - (Nature Conservation and Planning, 2009);
 TAN 11 - (Noise, 1997);
 TAN 12 - (Design, 2016);
 TAN 15 - (Development and Flood Risk, 2004);
 TAN 16 - (Sport, Recreation & Open Space, 2009), and
 TAN 18 - (Transport, 2007)

Summary of Consultation Responses

Head of Infrastructure - Recommends approval subject to conditions.

Environmental Health Officer - Request conditions to ensure the mitigation of noise and dust during the construction phase and in relation to Contaminated Land Risk Assessment

SAB Approval Body - A SAB approval will be required for this development.

Llanelli Rural Council - No objection.

Local Members - Councillor Martyn Palfreman has supported the objections submitted by residents and considers that whilst the provision of affordable housing within Carmarthenshire should be a priority there are several factors that suggest this site is inappropriate and would have a serious detrimental impact on residents, businesses and the general area. There are significant topographical challenges, the development would deprive residents of a valued communal area and the alternative at Pwll Park requires people to cross the A484, the development would add to traffic pressures on the A484, existing parking problems in the area would be exacerbated, traffic and noise associated with construction. Concerns have also been expressed regarding inadequate consultation with Local Residents. Councillor Palfreman has also requested that the Committee visit the site and meet local residents. Councillor Edward Skinner is a Member of the Planning Committee and has therefore made no prior comment.

Dwr Cymru Welsh Water - No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network. The proposed development site is crossed by a public sewer and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

Natural Resources Wales - Request that a Test of Likely Significant Effects and Appropriate Assessment is undertaken to demonstrate that there is no adverse effect on the Carmarthen Bay and Estuaries Special Area of Conservation. Express concerns about the impact of construction dust on the Pwll Lagoon SSSI. Request a condition requiring a Construction Environmental Management Plan. Having reviewed the Phase II: Ground Investigation Interpretative Report, Report No. Q1019/GIR JULY 2023 that was submitted

as part of Appendix B of The Flood Risk and Drainage Strategy Report Maes yr Haf, Pwll, Llanelli, August 2023 we concur with the conclusions outlined in the report. We request that a unsuspected Contamination Condition be applied.

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

Summary of Public Representations

Article 12 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 requires the application to be publicised by either (a) site display in at least one place on or near the land to which the application relates for not less than 21 days; or (b) by serving the notice on any adjoining owner or occupier. As the proposed development was likely to be of wider interest than just the adjoining owners or occupiers, publicity was undertaken by the display of a site notice.

Twenty four letters of objection and a petition containing 68 signatories has been received as a result, which suggests that the publicity exercise achieved its intended purpose. The grounds of objection are summarised as follows:

- Loss of an area of recreational space which is well used
- exacerbate existing parking problems in the area
- construction noise and disturbance
- loss of trees and wildlife
- site is not allocated in the Local Development Plan
- loss of view

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

Appraisal

Principle of Development

The vast majority of the site lies inside the development limits of Llanelli as defined in the Carmarthenshire Local Development Plan but is not allocated for development. A small part of the northern extremity of the site extends outside the development limits, into the Special Landscape Area. However, there would be no adverse impact on the Special Landscape Area. The development limits do not follow natural physical boundaries at this location and extending the development to the natural boundaries would have no discernible visual impact. Policy H2 therefore applies and states that proposals for housing developments on unallocated sites within the development limits of a defined settlement will be permitted, provided they are in accordance with the principles of the Plan's strategy and its policies and proposals. In addition, as the site is proposed as 100% affordable housing it can be considered under Policy AH2 as an exception site. Such sites being permitted immediately adjacent to development limits where it represents a logical extension and meets a genuine identified local need; where it is of a scale appropriate and in keeping with the character of the settlement; the benefits of the initial affordability will be retained for all subsequent

occupants; it is of a size, scale and design compatible with an affordable dwelling and available to low or moderate income groups and where there are no market housing schemes within the settlement being, or projected to be developed which include a requirement for affordable housing.

The development of 8 affordable homes is an appropriate scale and density for this site and being two storey dwellings they are compatible with the surrounding development. The affordable homes (6 x 2 bed and 2 x 1 bed) are also of a size, scale and design compatible with an affordable dwelling. The scheme is being promoted by the Council as there is a genuine local need for such dwellings and the site is considered to form a logical extension to the development limits and aligns with identifiable physical boundaries. There are therefore no in principle objections.

Loss of amenity space

One of the biggest concerns promoted by objectors is the loss of the existing open greenspace which they consider to be an important area of open space well used by local residents. Objectors claim that it is used by children to play, as an informal meeting place and an area to exercise dogs, which contributes to their well-being. As part of the Revised Local Development Plan evidence base the Local Planning Authority undertook work on the open space assessment which looked at the various standards associated with Open Space Needs. The site falls within the Hengoed electoral ward and is not allocated as recreational open space in the current LDP, As a result, the land is not currently considered as part of the Open space assessment, and the potential for the site to be used for housing would not be to the detriment of the open space standards for the Hengoed ward. In terms of the provision of open space, Hengoed provides sufficient provision in the following categories:

- Overall Play space per 1000 population
- Provision of outdoor sports per 1000 population
- Amenity Green space per 1000 population
- Public Open space per 1000 population (Parks and gardens)

The only provision which falls below the FIT standard is for children and young people, which is not met in any of the electoral wards within the County. On this basis, there is requirement for a financial contribution of £2,463 per plot (8 x £2,463 = £19,704) to be used to provide for recreation facilities for children and young people within the Hengoed Ward.

In terms of it being a usable piece of land, colleagues in Leisure consider that the topography of the site does not lend itself to any formal type of play or sporting activity and the proximity of the road that surrounds it is a potential danger that would restrict such activity. The site is quite close to Pwll Park and the Millennium Coastal Park where there is plenty of green open space along with a formal playground and sports pitches. Objectors have expressed concern that use of these sites necessitate crossing the A484 but it must be noted that there is a formal crossing point some 60m to the west of the C2207 junction onto the A484. The crossing point has a central island refuge and is within an area restricted to 20 mph, with visibility for a significant distance in either direction. For these reasons, limited weight has to be given to the loss of this area of open space.

Highways & Parking

The vast majority of objectors refer to the existing roads being unsuitable to cope with existing traffic and on street parking issues causing congestion. Objectors consider that the

development, although providing adequate on-site parking in accordance with parking standards, will mean the loss of existing on street parking and increased parking issues. However, the Head of Infrastructure has not indicated any objection to the development in highway safety terms, recommending approval subject to the imposition of suitable conditions on any grant of planning permission.

Drainage & Flooding

The application is accompanied by a Flood Risk and Drainage Strategy Report which identifies the site as being located in Zone A, as categorised by NRW's Development Advice Maps. Zone A is classified as an area at little or no risk of fluvial or tidal/coastal flooding. However, Flood Zone 3 of the Flood Map for Planning - Small Watercourse encroaches slightly onto the south eastern boundary of the site. This is roughly in the same location as an existing culvert which will need to be provided with 3m clearance either side to allow for maintenance. The SAB Approval Body initially raised concerns in relation to flooding but these concerns have been addressed within the Flood Risk & Drainage Strategy.

Ecology & Biodiversity

The application site is within 500 m of the Carmarthen Bay and Estuaries Special Areas of Conservation (SAC) and Burry Inlet and Loughor Estuary SSSI, Ramsar and Proposed SAC. As a competent authority under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended) the council has to consider the impact of development on the features for which the aforementioned site is designated. A Test of Likely Significant Effect (TLSE) and Appropriate Assessment has been done for the site which concludes that the proposed development will not have a significant effect on the Carmarthen Bay and Estuaries Special Area of Conservation (SAC), the Burry Inlet Special Protection Area (SPA) and/or Burry Inlet Ramsar Site as the proposal is not likely to undermine the area's conservation objectives provided a Construction Environmental Management Plan is provided demonstrating provisions to prevent pollution from surface water run-off. The Appropriate Assessment has been sent to NRW for comment as required.

The site is predominantly amenity grassland with a few isolated immature trees, therefore the Planning Ecologist does not consider it suitable for dormice or that it would be proportionate to request additional ecological surveys at this stage. However, the ecologist recommends conditions in relation to securing nett benefit for biodiversity and to control external lighting to minimise impact on bats.

Construction noise, dust and disturbance

Concerns about construction noise and disturbance are often promoted by objectors as reasons for opposing development. However, whilst it is accepted that there would be disruption to neighbours during construction this would be temporary in duration and would not be sufficient to justify the refusal of a development.

In this case, Natural Resources Wales have expressed concerns about the potential impact of dust from construction on the Pwll Lagoon SSSI some 217m distant. However, the Planning Ecologist considers that a condition requiring the provision of a Construction Environmental Management Plan, the nature of the site (amenity grassland) and the distance/physical separation of site by intervening urban form will be sufficient to prevent construction phase harm to the Pwll Lagoon SSSI.

Other matters

Loss of view has been promoted as a concern but as members will be aware this is not a material planning consideration.

Planning Obligations

With reference to the requirements of the policy framework of the LDP, most notably policies REC2 and GP3, the LPA has negotiated an appropriate level of community benefits to provide for additional leisure. To this end, it should be noted that the applicants have agreed to a financial contribution of £19,704 towards Play Facilities/Open Space within the area.

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

It is concluded, on balance, after careful examination of the planning policy position, the site and its surrounding environs, together with the representations received, that the proposal is acceptable.

The provision of affordable housing, which is a strategic corporate objective, has to be afforded significant weight and none of the concerns expressed can be afforded enough weight to substantiate a refusal of planning permission. The applicant has demonstrated that the site can accommodate 8 affordable dwellings of a suitable size, the loss of open space must be afforded some weight but this is considered to be limited given the alternative facilities nearby and the financial contribution of £19,704 towards provision of additional facilities, highway concerns are not supported by the Head of Infrastructure and it has been concluded that there is no adverse impact from flooding and drainage on the site or on the integrity of the Special Area of Conservation.

Therefore, on balance, the application is recommended for approval subject to conditions and the payment of a financial contribution of £19,704 towards open space/recreational facilities within the area.

RECOMMENDATION - Approval

Conditions & Reasons

Condition 1

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

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

Reason:

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

Condition 2

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

Reason:

The application is in outline only.

Condition 3

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

Reason:

In the interests of visual amenity.

Condition 4

The land subject to this permission is as identified on the Site Location Plan (8845-212-CCC-A-DR-001C) received 11 August 2023.

Reason:

For the avoidance of doubt.

Condition 5

The buildings/dwellings hereby approved shall be limited to the following scale parameters:

Two-bedroom houses

- Height: 7.75m – 8.75m
- Length: 5.5m – 6.5m

- Depth: 8m – 9m

One-bedroom houses

- Height: 7.75m – 8.75m
- Length: 6m – 7m
- Depth: 5.5m – 6.5m

Reason:

For the avoidance of doubt or confusion as to the extent of the permission hereby granted and in the interests of visual amenity – Policies SP1 and GP1 of the adopted Carmarthenshire Local Development Plan

Condition 6

No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.

The CEMP 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, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures and measures to control light spill.
- 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 wash 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:

A CEMP is required to ensure necessary management measures are agreed and implemented for the protection of the environment during construction so as to ensure no adverse impact on the integrity of the Carmarthen Bay and Estuaries Special Areas of Conservation (SAC) and Burry Inlet and Loughor Estuary SSSI, Ramsar and Proposed SAC

Condition 7

Prior to the commencement of development on the site, an external lighting scheme shall be submitted for the written approval of 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 (see Guidance Note 08 Bats and Artificial Lighting at Night, Bat Conservation Trust and the Institution of Lighting Professionals, 2023).

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 and at the boundary of the site. The level of illuminance should be appropriate to the character of the surrounding area as a whole.
- A statement which demonstrates how the lighting scheme will be viewed against the wider landscape and, where appropriate, the potential role of landscaping in minimising the day and night-time visual impact of the installation.
- An Environmental Lighting Impact Assessment against conservation requirements for protected species and designated landscapes.

Once approved in writing, the lighting scheme shall be implemented and thereafter operated in accordance with the approved details.

Reason:

To avoid/mitigate the impact of lighting on protected species.

Condition 8

Prior to the commencement of development, a Scheme of Landscaping & Ecological Enhancement Measures and a Detailed Implementation Timetable shall be submitted to and approved by the Local Planning Authority. The Landscaping and Ecological Enhancement Measures shall thereafter be undertaken in accordance with the approved scheme and Implementation Timetable and retained thereafter for the lifetime of the development.

Reason:

In the interests of maintaining and enhancing biodiversity, in accordance with Future Wales Policy 9.

Condition 9

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved

in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason:

To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

Condition 10

Prior to the commencement of development, a scheme shall be submitted for junction improvements detailing that the C2207 / W5903 junction shall be laid out and constructed with 8 metre kerbed radii (northern carriageway) and 6 metre kerbed radii (southern carriageway). The scheme shall then be implemented in full as agreed prior to the occupation of the first dwelling.

Reason:

In the interests of highway safety.

Condition 11

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

Reason:

In the interests of highway safety.

Condition 12

There shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent carriageway crown, over the site's whole W5903 frontage within 2.4 metres of the near edge of the carriageway.

Reason:

In the interests of highway safety.

Condition 13

Prior to any use of the C2207 / W5903 junction by vehicular traffic, a visibility splay of 2.4 metres x 33.0 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the road in relation to the nearer edge of carriageway.

Reason:

In the interests of highway safety.

Condition 14

Prior to the commencement of development the written approval of the Local Planning Authority shall be obtained for a scheme of parking within the curtilage of the site, and this shall be dedicated to serve the proposal. The approved scheme is to be fully implemented

prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity.

Reason:

In the interests of highway safety.

Condition 15

The development shall be related to a Highway Improvement Line set back 2.0 metres from the existing nearer edge of the C2207 carriageway. Any permanent structures such as forecourt walls, etc should be erected on or behind the Improvement Line.

Reason:

In the interests of highway safety.

Condition 16

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

Reason:

In the interests of highway safety.

Condition 17

Unless a specific SAB approval is obtained, no surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.

Reason:

In the interests of highway safety.

Condition 18

The existing 1.8 metre-wide footway along the western site frontage shall be extended south to encompass the northern radius of the C2207 / W5903 junction, together with a tactile crossing point at the junction to link with the opposite/southern side of Maesyrfhaf (W5903). This work shall be implemented prior to the occupation of any dwellings on the site.

Reason:

In the interests of highway safety.

Notes / Informatives

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.

he proposed development complies with Policies SP1, SP2, SP3, SP5, SP6, SP14, GP1, GP2, GP3, H2, AH1, AH2, TR2, TR3, EQ4, EQ5, EQ6, EP1, EP2, EP3, REC1 and REC2 of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') in that the

proposed development is located in a sustainable location makes provision for affordable housing and Parks/Leisure facilities; would have an acceptable scale and would not have an adverse impact on the character and appearance of the site or area within which it is located. In addition, there are no significant adverse effects to residential amenity, biodiversity, drainage or highway safety.

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).

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 100m². 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.

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.

Note 4

This permission is subject to a financial contribution of £19,704 being made towards the provision of open space/recreation facilities within the area

Note 5

Any amendment or alteration of an existing public highway in connection with a new development shall be undertaken under a Section 278 Agreement of the Highways Act 1980. It is the responsibility of the developer to request the Local Highway Authority to proceed with this agreement and the developer is advised that the total costs of entering into such an agreement, as well as the costs of undertaking any physical works on site, shall be met by them.

Note 6

It is the responsibility of the developer to contact the Streetworks Manager of the Local Highway Authority to apply for a Streetworks Licence before undertaking any works on an existing Public Highway.

Application No	PL/05187
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Application Type	Outline planning consent - some matters reserved
Proposal	The erection of new residential dwellings, vehicular access, open space and other associated infrastructure
Location	Land at Cefncaeau, Llanelli

Applicant(s)	c/o agent c/o agent Tata Steel
Agent	Mr Gareth Barton Turley
Officer	Hugh Towns
Ward	Llwynhendy
Date of validation	23/12/2022

Reason for Committee

This application is being reported to the Planning Committee following the receipt of seven or more objections from different households and following a call-in request by Cllrs Sharen Davies and Jason Hart. It should be noted that both councillors have requested a site visit by the Planning Committee but have not provided any justification for that request in terms of what they want the Committee to see.

Site

The application site is situated north of the A484 approximately 2.5km from the town centre. The site extends to approximately 4.08 hectares and comprises two field parcels characterised by rough grassland and scrub, enclosed by areas of woodland. The field parcels are divided by overgrown hedges. The site levels are highest along the northern boundary of the site and levels generally fall in a southerly direction. Ground levels are approximately 12.34m AOD at the highest point along the northern boundary of the site and fall to 3.51m AOD in the south of the site.

The site is bounded by residential dwellings to the north (on Tir Einon and Parc Gitto), and an area of public open space (Tir Einon Park). The south western boundary is formed by the A484, beyond which is the Trostre Works operated by Tata Steel. Further greenfield land within the control of Tata Steel lies to the south.

Overhead electricity lines cross the northern field parcel, orientated north-west to south-east. A water main also crosses the site in a north west to south east direction.

Access to the site is currently gained via a field gate from Erw Las (via wider land within Tata Steel's control to the east). The site is accessible to pedestrians via a public right of way from Parc Gitto (ref: 36/130).

The Dafen Pil, an NRW designated Main River, flows in a south-westerly direction approximately 125m south of the site. Several tributaries flow into the Dafen Pil including a small drainage channel present along the western boundary of the proposed development site. These watercourses are designated as ordinary watercourses and link the site to the Carmarthen Bay and Estuaries Special Areas of Conservation (SAC) and Burry Inlet and Loughor Estuary SSSI, Ramsar and Proposed SAC.

Proposal

The application seeks outline planning permission for the erection of new residential dwellings, vehicular access, open space and other associated infrastructure. The planning application is made in outline, with all matters reserved with the exception of the means of access from the A484. The application proposes up to 91 dwellings, although the precise number of dwellings will be determined by a subsequent reserved matters application(s).

A Land Use Strategy Plan is submitted in support of the application, which establishes the key development parameters. A detailed plan is also submitted to show the vehicular access point from the A484. The application is also supported by a series of strategy plans, which set out further details relating to street hierarchy, landscape, density and building height. An Illustrative Masterplan has also been submitted for indicative purposes only. The masterplan demonstrates how a proposed development of up to 91 dwellings could be accommodated on the site in accordance with the known site constraints and opportunities.

The Strategy indicates that the development area would be set back approximately 85m from the A484 carriageway. The intervening land comprising green space, space for surface water attenuation and a buffer from noise from the traffic along the A484. The proposal involves the raising of some parts of the south western parts of the site by up to 3.5m in order to raise it out of the flood zone.

The indicative plans show the site is served by a central main access road. The Building Height Strategy indicates 2-storey development to the north east of the central access road and 2 or 2.5 storey dwellings to the south west and north west. The density of development would be approximately 40 dwellings per hectare.

Planning Site History

S/15581 - Residential development together with associated highway and junction improvements, car parking and servicing, open space and landscaping, and other ancillary uses and activities - Withdrawn - 6/6/2014

Planning Policy

In the context of the Authority's current Development Plan, the application site is located within the defined development limits as contained in the adopted [Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP') and is specifically allocated for housing as part of a wider allocation of 300 dwellings (GA2/h35)

Reference is drawn to the following policies of the Plan which are of relevance to the proposal.

SP1 - Sustainable Places and Spaces;
SP2 - Climate Change;
SP3 - Sustainable Distribution- Settlement Framework;
SP5 - Housing;
SP6 - Affordable Housing;
SP9 - Transportation
SP14 - Protection and Enhancement of the Natural Environment;
SP16 - Community Facilities;
SP17 - Infrastructure;
GP1 - Sustainability and High Quality Design;
GP2 - Development Limits;
GP3 - Planning Obligations;
H1 - Housing Allocations
AH1 - Affordable Housing;
TR1 - Primary and Core Road Network
TR2 - Location of Development- Transport Considerations;
TR3 - Highways in Developments- Design Considerations;
EQ4 - Biodiversity;
EQ5 - Corridors, Networks and Features of Distinctiveness;
EP1 - Water Quality and Resources;
EP2 - Pollution;
EP3 - Sustainable Drainage;
EP6 - Unstable Land and
REC2 - Open Space Provision and New Developments.

Supplementary Planning Guidance (SPG) has been produced to provide further detail on certain policies and proposals contained within the Carmarthenshire LDP. They help ensure certain policies and proposals are better understood and applied more effectively. Of particular note within the context of this proposal are the following SPG's:

- Placemaking and Design (2016);
- Leisure & Open Space Requirements for New Developments (2016);
- Planning Obligations (2014);
- Affordable Housing (2018), and
- Nature Conservation and Biodiversity (2016).

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government. The below TANs are considered to be of particular relevance to this proposal:

TAN 2 - (Planning & Affordable Housing, 2006);

TAN 5 - (Nature Conservation and Planning, 2009);
TAN 11 - (Noise, 1997);
TAN 12 - (Design, 2016);
TAN 15 - (Development and Flood Risk, 2004);
TAN 16 - (Sport, Recreation & Open Space, 2009), and
TAN 18 - (Transport, 2007)

Summary of Consultation Responses

Head of Infrastructure - It is understood that there are no objections to a left-in and left-out access arrangement onto the A484 but written confirmation is awaited.

Environmental Health Officer - Request all the detailed mitigation measures in the Air Quality Assessment Report be conditioned through all stages of construction.

Contaminated Land Officer - Consider that an appropriate Preliminary Risk Assessment has been undertaken for the development. Request conditions relating to the investigation, recording and reporting contamination.

Education - Require a Section 106 contribution of £219,000 based on 91 dwellings.

Leisure Services - It is noted that there is reference to a Landscape Strategy in the Design and Access Statement that refers to the provision of public open space. For such a development it is key that there is sufficient provision for both structured and open play activities. There is an existing play facility adjacent to the development, Tir Einon Playing Field which looks to have green open space and some play equipment. A S106 contribution could be made to the upgrading of facilities at this site. Consultation with Llanelli Rural Council should be sought on how best to make use of any contributions.

SAB Approval Body - *Surface Water and Small Watercourse Flood Risk:* NRW Flood Maps for Planning indicate that the southern section of the proposed development is at small risk of surface water flooding. None of the proposed dwellings are located in areas at risk. To the north of the development site is a small Surface Water Flood Zone 3.

Rivers and Sea Flood Risk: NRW Flood Maps for Planning indicate that the proposed development site is partially located in a Flood Zone 3. Based on the information and methodologies submitted it is considered that the SuDS proposed at the development are sufficient in principle to proceed at this stage. A SAB approval is required for this development.

Public Rights of Way - The site abuts footpath 36/130. If the application is approved, reference should be made to the Applicant/Developer of the route of the said footpath and in order to avoid difficulties later in the development a reminder that there is a legal requirement not to obstruct or encroach upon any public right of way either during construction, or at any time thereafter. Further, any alterations to the surface of the footpath will require prior approval from the Local Authority. During any construction period, care must be taken to ensure the safety of any user of the said Public rights of Way.

Llanelli Rural Council - Object on the following grounds:

- Site is unsuitable for such large scale of development, notwithstanding that it is allocated for 300 dwellings in the LDP

- Highway safety concerns in relation to access from the A484
- Raising the ground level to 7.1m AOD to prevent flooding will divert floodwater elsewhere
- The Coal Mining Risk Assessment highlights the potential for unrecorded underground workings and these are likely to cause significant subsidence to site infrastructure
- Impact of the development on local biodiversity
- If the LPA is minded to approve the application it is important that Section 106 contributions are obtained to support community infrastructure projects in the Llwynhendy/Pemberton Ward

Local Members - Councillor Sharen Davies and Councillor Jason Hart object to the application on the following grounds:

- Concerns on the general scale of the development and highway safety concerns, with regards to the access and egress onto a very busy main road. Especially with the proposed vehicular access via the A484. Traffic Generation onto the A484.
- Concerns regarding raising the ground level to a 7.10m above ordinance datum to prevent flooding risk. This area is a risk from sea flooding, raising this ground may have a major impact on surrounding area.
- Concerns of the impact on local biodiversity.
- Overlooking / loss of privacy on neighbouring properties
- Overdevelopment in the local area.
- Unrecorded mining entries in the area.

If the development is approved Section 106 money needs to be negotiated and be used at Tir Einon Park and Llwynhendy Library Hub.

Cllr Davies and Cllr Hart also request that the Planning Committee Visit the site.

Health & Safety Executive - No comment to make.

Mid & West Wales Fire & Rescue Service - No adverse comments.

Dyfed Powys Police - Recommend that the developer meet a Secured By Design Award.

Coal Authority - Has no objection to the LPA granting outline consent at this site, subject to the imposition of conditions to secure a scheme of intrusive site investigations adequate to properly assess the ground conditions on the site and establish the risks posed to the development by past coal mining activity and the submission of a report of findings of the intrusive ground investigation together with remedial measures necessary.

Dyfed Archaeological Trust - No further action required to safeguard the historic environment.

Dwr Cymru Welsh Water - Only foul water from the development site shall be allowed to discharge to the public sewerage system to prevent hydraulic overload. The proposed development site is crossed by a public sewer the position shall be accurately located, marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer. No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site. In order to establish what would be required to serve the site with an adequate

water supply, it will be necessary for the developer to fund the undertaking of a hydraulic modelling assessment on the water supply network.

Natural Resources Wales - Do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range, provided that the mitigation measures stipulated in the reports are adhered to, and any new on-site lighting is designed to minimise impacts on light-sensitive species. The main area of bird interest is to be retained in the development. Therefore we have no adverse comments.

In consideration of the mitigation measures detailed in the HRA we agree with the conclusion that the development is unlikely to have an adverse effect upon the integrity of the SAC/SPA/Ramsar site.

The planning application proposes highly vulnerable development and lies within Zone A of the Development Advice Map (DAM) contained in TAN15 (2004). However, our Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and lies partially within Flood Zone 2/3 Rivers/Sea. The proposed development site is partially located in Flood Zones 2 and 3 (Sea), with approximately one quarter of the houses shown to be at risk of flooding. The FCA proposes to raising site levels to a minimum of 7.10 meters Above Ordnance Survey (AOD) which will eliminate the risk of flooding during the 0.5% Annual Event Probability (AEP), ensuring compliance with Table A1.14 of TAN 15. During the 0.1% AEP event the site will flood up to 200mm, which is within the tolerance levels of Table A1.15. The FCA states that 'it is likely that finished floor levels would be raised above this level and probably above the 0.1% AEP 2122 flood level', which we would support.

The FCA states that the proposed ground raising will not impact upon the flood risk to third party land, owing to the flood risk being tidal and the ground raising is located on the periphery of the floodplain. We accept these conclusions and have no concerns regarding flood risk to third parties.

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

Summary of Public Representations

Article 12 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 requires the application to be publicised by either (a) site display in at least one place on or near the land to which the application relates for not less than 21 days; or (b) by serving the notice on any adjoining owner or occupier and by advertisement in the local press. As the proposed development was likely to be of wider interest than just the adjoining owners or occupiers, publicity was undertaken by the display of a site notices.

Nine letters of objection have been received as a result. The grounds of objection are summarised as follows:

- The access directly onto the A484 is dangerous
- Traffic issues are already experienced at Parc Gitto, Parc Hendre and Erwlas
- Raising of the land will displace floodwater elsewhere
- Impact on biodiversity and protected species

- The site contains a former landfill site so the land is contaminated
- Danger of subsidence of old mine workings
- There is no capacity in the sewer system
- Noise and disturbance
- Lack of supporting infrastructure to deal with drainage
- Schools are full and surgeries are struggling to cope
- Loss of privacy

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

Appraisal

Principle of Development

The application site is part of a wider area of land allocated for 300 houses under Policy H1 of the Local Development Plan. This proposal is for up to 91 dwellings at an density of 40 dwellings per hectare on approximately half of the allocated site. Therefore, in planning policy terms the principle of residential development on the site is established in the LDP.

Highways and Transportation

The application proposes that vehicular access is provided directly from the A484 via a left-in and left-out junction arrangement so that vehicles entering and exiting the site do not cross the carriageway. To facilitate this arrangement a traffic island will be provided in the centre of the access, engineered to prevent right turn manoeuvres. It is understood that this is acceptable to the Head of Infrastructure and at the time of writing written confirmation is awaited.

Some objectors have expressed concern about access via Parc Gitto but no such vehicular access is proposed.

The developer has offered a contribution of £40,750 towards Active Travel - essentially upgrading 163m of the public footpath along the site boundary to shared use standard.

Flooding and Drainage

As part of an outline planning application on a site to the north of this application site (ref S/34991), a Hydraulic Modelling Assessment (HMA) was undertaken by DCWW to determine whether a viable point of connection was available for the proposed development site, and the land covered under application ref S/34991. The HMA identified a point of connection for the development site at a manhole near Tir Einon which would result in no detriment to the existing foul sewer network. It is therefore proposed to drain foul flows from the development to DCWW infrastructure.

Since 2007, there have been issues regarding foul and surface water drainage networks in this area. This has resulted in additional pollution and nutrient loading spilling into the Burry

Inlet. As such, the Carmarthen Bay and Estuaries European Marine Site Memorandum of Understanding (MOU) has been prepared to enable development in this area to go forward. As this development falls within the Llanelli Coastal Catchment, it must therefore accord to the requirements outlined within the aforementioned MOU. Foul connections should only be allowed when compensatory surface water removal or suitable improvement scheme has been implemented within the same catchment.

The proposed surface water removal scheme was developed and approved by the LPA/DCWW under application ref S/34991. The scheme provides sufficient surface water removal from the DCWW network for both the proposed development site and the parcel of land covered under application ref S/34991. The proposed surface water removal scheme identifies an area of highway drainage within Maesyrfhaf and Maestir, approximately 2.5 km west of the proposed development site. Highway drainage within Maesyrfhaf and Maestir serves the highway, footpaths and surrounding dwellings, with a catchment area of 3966.7m². The highway network discharges into the DCWW network, and it is proposed to disconnect the highway network from the DCWW network, and instead divert surface water to the nearby Afon Lliedi via a new outfall headwall. DCWW approved the scheme under application ref S/34991. The proposed surface water removal scheme is sufficient to enable the development of 268 properties.

The parcel of land approved under S/34991 comprises a development of 94 properties. The proposed development site is to comprise of up to 91 dwellings, totalling 185 dwellings. This is comfortably within the permitted number of dwellings under the proposed surface water removal scheme. It is proposed to drain surface water from the development via the use of SuDS techniques, draining surface water at greenfield runoff rate to an existing small drainage channel at the southern boundary of the site via a surface water attenuation feature.

The application is accompanied by a Flood Consequences Assessment which identifies the site as being located in Zone A, as categorised by NRW's Development Advice Maps. Zone A is classified area at little or no risk of fluvial or tidal/coastal flooding. However, the site is partially located within Flood Zone 3 of the Flood Map for Planning - Sea. This suggests that the site may be at future flood risk from the sea due to climate change. The 1 in 200 year tidal flood event from seawater is 6.04m AOD in 2022 and 7.05m AOD in 2122. The predicted 1 in 1000 year flood event is 6.29m AOD in 2022 and 7.30m AOD in 2122. The proposal involves raising the developed area to 7.1m AOD which will satisfy the 1 in 200 year event but will leave part of the site subject to 200mm of floodwater in a 1 in 1000 year event. Such a level of inundation is well within the indicative guidance provided in TAN15 - i.e. 600mm.

The FCA concludes that proposed ground raising will not impact upon the flood risk to third party land. The essentially infinite volume of the sea results means that it is not possible to further increase flood levels through the displacement of tidal floodwater. NRW concur with this view.

Small areas on the periphery of the site are within Flood Zone 2 or 3 of the Flood Map for Planning - Small Watercourse. NRW Mapping shows the site as being at very low risk of flooding from Surface water and Small Watercourses.

Ecology & Biodiversity

The Dafen Pil, an NRW designated Main River, flows in a south-westerly direction approximately 125m south of the site. Several tributaries flow into the Dafen Pil including a small drainage channel present along the western boundary of the proposed development site. These watercourses are designated as ordinary watercourses and link the site to the Carmarthen Bay and Estuaries Special Areas of Conservation (SAC) and Burry Inlet and Loughor Estuary SSSI, Ramsar and Proposed SAC. As a competent authority under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended) the council has to consider the impact of development on the features for which the aforementioned site is designated. A Test of Likely Significant Effect (TLSE) and Appropriate Assessment has been done for the site which concludes that the proposed development will not have a significant effect on the Carmarthen Bay and Estuaries Special Area of Conservation (SAC), the Burry Inlet Special Protection Area (SPA) and/or Burry Inlet Ramsar Site as the proposal is not likely to undermine the area's conservation objectives provided a Construction Environmental Management Plan is provided demonstrating provisions to prevent pollution from surface water run-off. The Appropriate Assessment has been agreed by NRW.

The Preliminary Ecological Appraisal (PEA) identifies an area of neutral grassland characteristic of semi improved meadows will be lost. The PEA identifies opportunities for biodiversity enhancement including improving the condition of lowland deciduous woodland, hedgerows and freshwater habitats. The PEA also identifies that the development has the potential to support a wide variety of breeding birds, bats, reptiles and water voles. However, there are opportunities to mitigate and potentially enhance the site in terms of biodiversity. The Planning Ecologist has no objections subject to conditions requiring a Landscape & Ecological Design Scheme, Landscape & Ecological Management Plan, Construction Environmental Management Plan, control of external lighting, which reflect the ecological features identified at the site.

Land Contamination & Stability

A Preliminary Geo-Environmental Assessment has been submitted in support of the application. The site itself is recorded to have been licensed for the 'Techon Tip' between 1965 to 1974 for landfilling, accepting wastes including inert, industrial, commercial, household and special waste. However, it is believed that this landfill was licensed but never actually accepted deposition of waste. Preliminary site investigation did not find any landfill materials associated with the Techon Tip. Laboratory testing of soils did not record any significant contamination. There is potential for elevated levels of ground gases and further work will be required prior to any development commencing. The details will need to form part of any reserved matters application and can be required by condition. NRW and the Contaminated Land Officer have suggested planning conditions requiring additional ground investigation.

A Coal Mining Risk Assessment has been submitted. This assessment has identified the principal risks to the proposed development to be the presence of made ground, recorded and potential unrecorded mine entries, the potential for unrecorded mine entries, the presence of geological faulting and the potential for unrecorded abandoned, unstable mine workings within influencing depth of the ground surface. The Coal Authority indicates that there are underground coal workings in 9 seams of coal at depths from 28m to 291m. It also states that there are probably no unrecorded shallow workings (<30m) below the site. However, evidence of shallow workings has been recorded within the vicinity of the site and

with five coal seams shown to outcrop at the site, shallow workings should be considered possible. The overall risk is likely to be ground subsidence and ground instability, loss of ground and the generation of crown holes. The proposed development is regarded to be sensitive to residual risks presented by potential unrecorded shallow mine workings (crown hole type collapse) representing a risk to both public safety and the structural integrity of the built development. It is therefore recommended that an intrusive investigation is undertaken at the site to determine whether remnant abandoned mine workings are present. In the event that evidence of mine workings is encountered, the risk to the proposed development should be calculated and if deemed necessary a stabilisation programme by drilling and pressure grouting should be undertaken to secure against potential significant risks of ground loss. This can be adequately covered by condition.

There are two recorded mine entries present on the site as recorded by the Coal Authority. Currently no details of any treatment of these shafts are known. The shafts are not present on the historical plans for the site. These are likely to be part of a small works into the shallower coal seams outcropping on the site, similar to those recorded 300m west of the site. The proposed development layout indicates that the area of the mineshafts is not within the proposed built development area.

The Coal Authority has no objection to the LPA granting outline consent at this site, subject to the imposition of conditions to secure a scheme of intrusive site investigations adequate to properly assess the ground conditions on the site and establish the risks posed to the development by past coal mining activity and the submission of a report of findings of the intrusive ground investigation together with remedial measures necessary.

Noise, Disturbance & Loss of Privacy

Concerns about construction noise and disturbance are often promoted by objectors as reasons for opposing development. However, whilst it is accepted that there would be disruption to neighbours during construction this would be temporary in duration and would not be sufficient to justify the refusal of a development.

Loss of privacy cannot be assessed at this juncture as layout, scale and appearance are matters reserved for future consideration. Impact on privacy will be a material consideration for such detailed applications.

Impact on Schools and Medical facilities

Concern has been expressed about the impact on schools that are already considered to be full, and the availability of medical facilities. As part of this application the developer will have to make a contribution towards the provision of educational facilities which has been calculated at £219,000. The availability of medical facilities has been considered by PEDW at a recent Appeal to be something that is subject to market forces and would therefore not justify a refusal.

Planning Obligations

With reference to the requirements of the policy framework of the LDP, most notably policies AH1, REC2 and GP3, the LPA will have negotiated an appropriate level of community benefits in accordance with identified need. To this end, it should be noted that the applicants have agreed to enter into a section 106 agreement that will secure the following:

1. Affordable Housing – Policy AH1 indicates that a 20% contribution is required
2. Play Facilities/Open Space - A financial contribution of £77,000 towards the upgrading of Tir Einon Park
3. Education Facilities – A commuted sum contribution of £219,000
4. Active Travel - A commuted sum contribution of £40,750

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 site forms part of a larger area allocated for housing development in the Local Development Plan. The application is in outline but the indicative proposals contained within the Illustrative Masterplan, Land Use Strategy, Building Density Strategy, Street Hierarchy Strategy, Building Height Strategy and Landscape Strategy adequately demonstrate that an acceptable development can be accommodated.

A suitable left-in and left-out access can be provided to the satisfaction of the Head of Infrastructure; the Drainage Strategy is acceptable; flood risk is mitigated to an acceptable level as set out in TAN15; biodiversity impacts can be mitigated and enhanced; further work is required at the detailed application stage in respect of ground conditions and contamination but sufficient information has been provided for an outline application.

The applicant has also accepted the required planning obligations in respect of affordable housing, active travel, education and recreation.

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 site is allocated within the LDP and there are no material considerations that suggest a determination other than in accordance with the Plan. The application is therefore recommended for approval subject to conditions and the applicant entering into the required Section 106 Agreement.

RECOMMENDATION - Approval

Conditions & Reasons

Condition 1

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

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

Reason:

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

Condition 2

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

Reason:

The application is in outline only.

Condition 3

Development shall not commence until detailed plans of the layout, scale, appearance and landscaping of the development, have been submitted to and been approved in writing by the Local Planning Authority. The detailed plans shall reflect the submitted Illustrative Masterplan, Land Use Strategy, Building Density Strategy, Street Hierarchy Strategy, Building Height Strategy and Landscape Strategy.

Reason:

In the interests of visual amenity.

Condition 4

The land subject to this permission is as identified on the Site Boundary Plan (1008 Revision D) received 1 February 2023.

Reason:

For the avoidance of doubt.

Condition 5

The buildings/dwellings hereby approved shall be limited to the following scale parameters:

- Height: 8.5m – 10.0m
- Length: 4m – 50m
- Depth: 7m – 25m

Reason:

For the avoidance of doubt or confusion as to the extent of the permission hereby granted and in the interests of visual amenity – Policies SP1 and GP1 of the adopted Carmarthenshire Local Development Plan

Condition 6

The number of dwellings constructed on the site shall not exceed 91 units.

Reason:

The impact of the proposed development has been based on a maximum of 91 dwellings as has the necessary scale of planning obligations.

Condition 7

No part the site identified for land raising shall be raised to a level greater than 7.3m AOD

Reason:

To avoid any excessive and unnecessary infilling of the land and in the interests of visual amenity.

Condition 8

No development shall commence until details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include a programme of implementation of the scheme and shall be implemented in accordance with the approved details prior to the residential use of the development and retained in perpetuity.

Reason:

To ensure the development is drained in a sustainable and acceptable manner.

Condition 9

No development shall commence until details of the design and implementation of the scheme of surface water removal from the public sewerage system has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and to the written approval of the Local Planning Authority prior to the occupation of any of the residential units hereby approved.

Reason:

To protect the existing community and the environment from the adverse effects of sewage flooding.

Condition 10

No development (including any demolition, earthworks or vegetation clearance) shall take place until a Landscape and Ecological Design Scheme (LEDS), has been submitted to and approved in writing by the local planning authority. The scheme shall clearly define the location and extents of the following: -

- all existing landscape and ecological elements and areas which are to be retained; and those to be removed; and the donor locations of those to be translocated.
- all new landscape and ecological elements and areas which are to be planted, seeded, installed, and constructed; and the receptor locations of those to be translocated.

The scheme shall define landscape and ecological proposals which fully integrate the design objectives and recommendations set out in the following submitted documents:

- Preliminary Ecological Appraisal - RSK Biocensus – October 2022 (PEA)
- Water Vole and Otter Survey Report - RSK BioCensus - October 2022
- Breeding Bird Survey Report - RSK BioCensus - September 2022
- Ecological Impact Assessment - RSK BioCensus - November 2022
- National Vegetation Classification Survey of Grassland and 'Important Hedgerow' Assessment - RSK BioCensus - July 2022
- Landscape Strategy [3203 - Rev F] – Turley – January 2023
- Bat Activity Survey Report - RSK BioCensus - December 2022
- Stage 1 and 2 Arboricultural Impact Assessment - Report RSK BioCensus - October 2022
- Preliminary Roost Assessment of Trees - Report RSK BioCensus - September 2022
- Reptile Survey Report - Report RSK BioCensus - October 2022

The scheme shall provide sufficient specification information to fully describe the proposals for all landscape and ecological elements and areas and to demonstrate the potential for effective delivery of the design objectives. The scheme shall be fully implemented as approved.

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 11

No development or site clearance shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP shall include the following: -

- i) Clearly mapped definition of all areas subject to transfer to future private ownership and management responsibility, and those to be maintained and managed as part of the LEMP including a GIS shape file of LEMP boundaries to enable monitoring of ongoing Net Benefit for Biodiversity planning policy objectives.
- ii) A report detailing the management objectives for all landscape and ecological elements and areas retained or translocated; and new elements installed, constructed, planted or seeded as part of the Landscape and Ecological Design Scheme (LEDS).

The report shall provide clearly defined proposals and sufficient information to assure effective delivery of the identified objectives, and include, specifically: -

- maintenance and management proposals for the establishment phase (years 1-3 after implementation); and long term (years 4-25 after implementation).
- plans, specifications, schedules, and timescales.
- proposals for monitoring the effectiveness of the delivery of all landscape and ecological objectives (years 1-25 after implementation)

- timescales for monitoring reviews and reactive identification of any remedial operations, rectification of defects, or required changes to maintenance and management operations, and the mechanism for their implementation.
- details of the management agent (body or organisation) responsible for implementation of the LEMP; and the legal and funding mechanism(s) by which delivery of the LEMP will be secured.

The LEMP shall be fully implemented 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 12

No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.

The CEMP 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, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
- 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.
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill and the conservation of dark skies.
- 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 wash 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.
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.
- Recommendations set out in the Outline Construction Ecological Management Plan - RSK Biocensus - April 2023

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

Reason:

A CEMP should be submitted to ensure necessary management measures are agreed and implemented for the protection of the environment during construction including the protection of Carmarthenshire Bay and Estuaries SAC and the Burry Inlet SPA/RAMSAR.

Condition 13

External lighting schemes for both construction and operational stages of development must be submitted prior to commencement of works. These 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. They shall be specifically designed to minimise the risk of light spillage beyond the development site boundary and within ecologically sensitive areas (see Guidance Note 8 Bats and Artificial Lighting / Bat Conservation Trust and the Institution of Lighting Professionals, 2018). The schemes 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, at the boundary of the site and spillage beyond the site. The level of illuminance should be appropriate to the character of the surrounding area as a whole.
- The plans should take in account recommendations in the Ecological Impact Assessment - RSK BioCensus - November 2022

Reason:

A lighting plan should be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of protected species, and their habitats and commuting corridors.

Condition 14

Prior to, or concurrent with the submission of the first reserved matters application the developer shall:

- a. Undertake a scheme of intrusive site investigations, designed by a competent person and adequate to properly assess the ground conditions on the site and establish the risks posed to the development by past coal mining activity (shallow mining / mine entries);
- b. submit a report of findings arising from the intrusive site investigations and any remedial and / or measures necessary, including the submission of the proposed layout plan which identifies the location of any on-site mine entries (if found present) including appropriate zones of influence for all mine entries, and the definition of suitable 'no-build' zones;
- c. provide a scheme for implementing the remedial works prior to the commencement of development.

Reason:

To ensure that the development is not adversely impacted by ground instability.

Condition 15

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

- a. Designed and implemented a scheme for the investigation and recording of contamination on the site (where necessary). The detailed site investigation report (Quantitative Risk Assessment) should aim to provide information to refine and update the conceptual model outlined in the Preliminary Risk Assessment. This investigation should confirm and evaluate the significance of the identified potential contaminant linkages. All aspects of mine gas risk assessment shall be undertaken by a competent person as defined in the National Planning Policy Framework and conducted in accordance with 'CL:AIRE - Good Practice for Risk Assessment for Coal Mine Gas Emissions; October 2021'. The report shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation, and British Standards. The report shall be submitted to and approved by the Local Planning Authority.
- b. Based on the findings of the site investigation and risk assessment, submit detailed proposals for site remediation and verification (Options Appraisal and Remediation Strategy) giving full details of the remediation measures required and how they are to be undertaken. This will demonstrate how the site will be brought to a condition suitable for the intended use by removing any unacceptable risks posed from contamination. The proposals shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation, and British Standards. The proposals shall be submitted to, and have received in writing the approval of, the Local Planning Authority prior to commencing the works.

Reason:

The prevention of pollution of the environment.

Condition 16

Prior to occupation of the proposed development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. 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 in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason:

The prevention of pollution of the environment.

Condition 17

Prior to occupation of the proposed development, a long-term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority (where necessary). The long-term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken
- Timescales for the long-term monitoring and curtailment mechanisms
- Timescales for submission of monitoring reports to the Local Planning Authority
- Details of any necessary contingency and remedial actions and timescales for actions
- Details confirming that the contingency and remedial actions have been carried out.

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Reason:

The prevention of pollution of the environment.

Condition 18

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason:

To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

Condition 19

Any imported materials must be suitable for use and any materials arising from elsewhere on the development site must be subject to the same requirements as imported materials. Further information can be found in section 4 of the WLGA guidance document "Development of Land Affected by Contamination: A Guide for Developers".

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 details that need to be submitted. The document outlines the process for ensuring all required information is submitted in a series of step-by-step actions.

Reason:

The prevention of pollution of the environment.

Notes / Informatives

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 Policies SP1, SP2, SP3, SP5, SP6, SP9, SP14, SP16, SP17, GP1, GP2, GP3, H1, AH1, TR1, TR2, TR3, EQ4, EQ5, EP1, EP2, EP3, EP6 and REC2 of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') in that the proposed development is allocated for housing development, is located in a sustainable location, makes provision for affordable housing, education, active travel and Parks/Leisure facilities; would have an acceptable scale and would not have an adverse impact on the character and appearance of the site or area within which it is located. In addition, there are no significant adverse effects to residential amenity, biodiversity, drainage or highway safety.

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).

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 100m². 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.

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.

Note 4

This permission is subject to an Agreement under the provisions of Section 106 of the Town & Country Planning Act 1990 to provide for a minimum of 20% affordable housing on the site; provide a financial contribution of £219,000 for the provision of educational facilities , provide a financial contribution of £77,000 towards the provision of recreation facilities at Tir Einon Park; make a financial contribution of £40,750 towards Active Travel.

Note 5

Any amendment or alteration of an existing public highway in connection with a new development shall be undertaken under a Section 278 Agreement of the Highways Act 1980. It is the responsibility of the developer to request the Local Highway Authority to proceed with this agreement and the developer is advised that the total costs of entering into such an agreement, as well as the costs of undertaking any physical works on site, shall be met by them.

Note 6

It is the responsibility of the developer to contact the Streetworks Manager of the Local Highway Authority to apply for a Streetworks Licence before undertaking any works on an existing Public Highway.

Note 7

Public Right of Way 36/130 abuts the proposed development site. It is a legal requirement not to obstruct or encroach upon the PROW either during construction, or at any time thereafter. During the construction period, care must be taken to ensure the safety of any user of the said Public rights of Way. Further, any alterations to the surface of the footpath will require prior approval from the Local Authority. The Applicant/Developer is advised to contact the Councils Countryside Access Team if they have any queries in respect of the Public Footpath.

Application No	PL/05853
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Application Type	Outline planning consent - all matters reserved
Proposal	Siting of a neighbourhood retail convenience store, including provision for a drive-thru hot food take-away facility
Location	Land opposite Ffos Las, Culla Road, Trimsaran, SA17 4HD

Applicant(s)	Mr A. Quaglia
Agent	Richard Banks Evans Banks Planning Limited
Officer	Paul Roberts
Ward	Llangyndeayrn
Date of validation	12/06/2023

Reason for Committee

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

Site

The application site consists of a small irregular shaped field enclosure located on the northern flank of the B4317 on the outskirts of the village of Carway. The site extends to some 0.3 hectares in area and is generally level consisting of semi-improved rough pasture. It is bounded by mature trees on its western, northern and eastern boundaries and has a road frontage of some 25 metres with the B4317 to the south which is set at an elevated position above the site. The site has the benefit of an existing vehicular access in its south-western corner that is set back from the road and there is bus shelter and associated lay-by located adjacent to its eastern frontage with the road.

The site is detached from the main built form of Carway with the Rhoda'r Ceffyl housing estate being located approximately 120 metres to the south-east beyond the roundabout interchange that provides access to the housing estate and wider residential area to the east. The neighbouring Ffos Las Racecourse is also accessed via the same roundabout and is located approximately 200 metres to the south of the site. The site has good pedestrian

links with the racecourse, neighbouring residential development and the centre of the village of Carway in the form of connecting footways that flank the highway network.

The land to the north of the site consists of a large wooded area, Tre-goch Wood, with Glyn Abbey Golf Club located beyond this. Vehicular access to the golf club is via a private roadway that extends northwards from its junction with the B4317 to the west of the site. The village of Trimsaran is located 1.5 kilometres to the south-west of the site.

Proposal

The application seeks outline permission for the siting of a neighbourhood retail convenience store and drive-thru hot food take-away facility on the site together with associated works. All detailed matters relating to the proposal have been reserved for future consideration whereby the application is seeking to establish the principle of developing the convenience store and drive-thru facility on the site.

The application has been accompanied by an indicative layout of the development which shows the siting of a single storey building centrally in the site that will incorporate both the convenience store and hot food take-away. The latter will be served by a one-way drive-thru access arrangement around the building while provision is made for a large parking area with some 23 spaces in its front forecourt area. The building has a gross floor space of 660 square metres having an indicative width and depth of 33 metres and 20 metres respectively, and a maximum height of 5.5 metres.

Vehicular access will be achieved via a new access onto the B4317 in the south-eastern part of the site that will require the relocation of the existing bus stop and lay-by to the area of grassed verge located immediately to the east of the site. Indicative details of the new location of the bus stop and lay-by have been provided in support of the application.

The application indicates that the proposal is to serve passing motorists and local residents, as well as visitors to the nearby racecourse.

The application has been accompanied by a tree survey report of the site, coal mining risk assessment and an assessment of the transport and highway impacts of the proposal. The former sets out a suite of mitigation measures for the protection of the existing trees bordering the site, while the transport assessment focuses on the sustainable location of the site close to existing settlements and facilities and its good accessibility via the wider road network, as well as public transport, walking and cycling.

Planning Site History

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

W/11636 - Planning permission for the construction of one residential house with double garage - Outline refusal – 23 December 2005

W/29036 - Proposed development of petrol filling station and retail convenience store - Outline planning permission granted – 4 April 2014

Planning Policy

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

SP1 - Sustainable Places and Spaces
SP3 - Sustainable Distribution - Settlement Framework
SP8 - Retail
SP9 - Transportation
SP14 - Protection and Enhancement of the Natural Environment
SP17 - Infrastructure
GP1 - Sustainability and High Quality Design
GP2 - Development Limits
TR2 - Location of Development – Transport Considerations
TR3 - Highways in Developments – Design Considerations
GP4 - Infrastructure and New Development
EQ4 - Biodiversity
EP2 - Pollution
EP3 - Sustainable Drainage
EP6 - Unstable Land

National Planning Policy

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021, as updated by the Minister for Climate Change's letter to Local Planning Authorities dated 11 October 2023, and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Head of Transportation & Highways - Has no objection.

Natural Resources Wales - Have not commented on the application.

Llangydeyrn Community Council - Support the proposal for a convenience store on the site but object to the proposed hot food drive-thru facility on the basis that it would potentially result in litter being thrown from vehicles visiting the site.

Local Members - County Councillor T Evans is a member of the Planning Committee and has not commented on the application to date. County Councillor M James supports the application and, in doing so, comments that the new facilities will be of benefit to local residents.

Dwr Cymru/Welsh Water - Have no objection.

Coal Authority - Have no objection.

Sustainable Drainage Approval Body (SAB) - Have confirmed that the surface water drainage scheme proposed to serve the development will require separate SAB approval.

Head of Public Protection - Have requested that the application be accompanied by a noise impact assessment and noise mitigation plan to protect the amenity of nearby residential or noise sensitive premises.

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

Summary of Public Representations

The application has been publicised with the posting of a site notice within the vicinity of the site. In response, 5 letters of representation have been received from neighbouring residents. These include one letter of support from a local resident who opines that the proposal will provide a much needed facility in the area, while the 4 remaining respondents object to the proposal and raise the following issues of concern primarily in relation to the takeaway drive-thru proposed :

- There are already a number of takeaway outlets in the area that create a litter problem and the proposal to create a new drive thru takeaway will exacerbate this as well as generate additional traffic in the area.
- Negative impact of the drive thru takeaway on property prices.
- The drive-through would bring undesirables to the area with a potential increase in crime in the local area.
- The area already has a number of takeaway outlets in Carway, Trimsaran and Pontyates.

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

Appraisal

Principle of the development and impact upon the character and appearance of the area

Policies SP8 'Retail' and GP2 'Development Limits' of the LDP provide the principal policy context for the proposal. Policy GP2 defines development limits for a range of settlements within the Plan area and permits proposals within these limits subject to compliance with the policies and proposals of the Plan. In doing so, it seeks to prevent inappropriate development in the countryside including the coalescence of settlements, ribbon development or a fragmented development pattern. Policy SP8 supports proposals that maintain and enhance the existing retail provision in the County and in particular proposals for small scale local convenience shopping facilities in rural and urban areas where they accord with the settlement framework of the Plan.

The site is located outside the development limits of Carway as defined in the LDP. Carway is designated a Sustainable Community (reference SC40) under Policy SP3 of the Plan in recognition of its sustainable location and services and facilities, as well as its links and interdependence with neighbouring settlements such as Pontyates. The Plan has also designated land for approximately 500 new dwellings in the settlement which includes a large housing allocation of approximately 480 dwellings on land between the main built form of the village and the Ffos Las racecourse. This land was designated in association with the development of the neighbouring racecourse and the objective of regenerating the area which previously consisted of a large open cast mine. Approximately 340 of the dwellings in this allocation have been completed to date and the Council have recently granted reserved

matters permission for a further 141 dwellings on the remainder of the land which, once constructed, will complete the development of the housing allocation.

The application site has previously had the benefit of outline planning permission for the development of a petrol filling station and retail convenience store under planning application reference W/29036. Whilst the permission granted was in outline, the details submitted included the provision of convenience store of approximately 350 square metres in floor area and although the permission lapsed in April 2019, nonetheless, considerable weight must be afforded to this previous permission which established that the principle of developing the site, and in particular for retail purposes, was considered to be acceptable.

Policy GP2 seeks to direct new development primarily to locations within the development limits of the settlements identified in the Plan, however, it does not prohibit development outside the defined limits subject to them not being inappropriate development in the countryside. Whilst the site is detached from the development limits of the settlement, nevertheless, it is well related to the existing pattern of development and public transport facilities in Carway being located adjacent to the bus stop and roundabout interchange that provides access to the housing allocation of 480 dwellings and neighbouring Ffos Las racecourse, as well as being within a short walking distance of the centre of the village. It is located between the roundabout interchange and the access road to the neighbouring golf course being on the edge of the settlement rather than the open countryside and its development would be viewed in the context of the surrounding development that is visible from the site rather than an open countryside context. Moreover, the site is well contained on three sides by existing trees that are to be retained and managed as part of the development which, coupled with the single storey design and the provision of a suitable landscaping scheme, will ensure the proposal will not materially harm the character and appearance of the area.

The principal purpose of the development is to provide a local convenience store and hot-food drive thru facility for the residents of Carway as well as visitors to the neighbouring racecourse and passing motorists. The settlement, including the large housing development adjacent to the racecourse, currently has no local convenience store with residents having to travel to the neighbouring villages of Pontyates or Trimsaran, or indeed further afield to access the nearest store. The lack of such facilities is borne out in the representations received from local residents who, whilst raising concerns regarding the drive-thru facility, support the proposed convenience store. The new store would address the need for a convenience store in the area and perform well in terms of accessibility whereby it would be within walking distance of the village as well as the large neighbouring housing development and racecourse. It will be easily accessible via walking and cycling while also being located on the existing bus route along the B4317 and immediately adjacent to the bus stop. It will also include the provision of electric vehicle charging facilities which, combined with its location, will assist in encouraging sustainable means of travel and meeting the objective of reducing carbon dioxide emissions and the reliance on fossil fuels. The proposal will therefore make a positive contribution to the sustainability of the settlement through increasing the range and number of local facilities available to residents via sustainable means of travel and reducing the need to travel beyond the settlement to access these. It will also provide valuable employment opportunities in the local area.

Although some of the objectors refer to the availability of existing food outlets in the surrounding area that already provide a hot food takeaway service, the majority of these are in the neighbouring settlements of Pontyates and Trimsaran, with Carway only currently having one food outlet in the form of a pizza takeaway. The proposal will not therefore result

in an over-concentration of food outlets in the settlement nor is there any evidence to suggest that it would harm the viability and vitality of existing retail centres in the wider surrounding area. Whilst the respondents raise concerns that the takeaway facility will result in increased littering and crime in the area, there is no evidence to suggest that this would be the case and such concerns would not be a sound basis upon which to withhold planning permission.

The proposal is therefore considered to be in accord with the objectives of Policy GP2 and SP8 of the LDP in that it would constitute a sustainable form of development that will enhance the existing retail facilities in the settlement, will relate well to the existing built form of the locality and not cause any unacceptable material harm to the character and appearance of the area. Moreover, the proposal will be easily accessible via sustainable means of travel and provide economic benefits to the local area in the form of additional employment opportunities.

Highway Impacts and other matters

Although a number of the respondents have raised concerns that the additional traffic generated by the development could not be safely accommodated by the existing highway network, the Head of Transport has raised no objection in this regard. He is satisfied that the development can be safely accessed without resulting in any unacceptable highway or pedestrian safety impacts. Further, he has confirmed his acceptance of the proposal to relocate the existing bus stop and lay-by to the front of the site to the grassed verge immediately to the east of the proposal and a condition securing its provision as part of the development will be imposed on any permission granted.

The proposal therefore complies with Policies GP1 and TR3 of the LDP in that will not result in any unacceptable highway or pedestrian safety impacts.

Members will have noted above that the Head of Public Protection has requested that the application be accompanied by a noise impact assessment and noise mitigation plan to protect the amenity of nearby residential or noise sensitive premises. However, the proposed development will be located approximately 120 metres from the nearest residential property located on the opposite side of the roundabout interchange which, coupled with the nature and modest scale of the proposal, is considered sufficient to safeguard against any unacceptable impact upon current living conditions by way of noise generation. It would therefore be unreasonable to request such an assessment or plan.

Planning Obligations

None.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

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

Furthermore, the relevant statutory consultees have all confirmed their acceptance of the development in raising no sustained ecology, highway, utility provision or amenity objections to the application. For these reasons, the application is put forward with a favourable recommendation subject to the imposition of the following conditions.

RECOMMENDATION - Approval

Conditions & Reasons

Condition 1

Any application for approval of the reserved matters shall be made to the local planning authority not later than three 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 five 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 drawing referenced TQ-01 received on 5 June 2023 and the scale parameters of the development shown in the site layout plan drawing referenced GA-01 Rev A received on 5 June 2023.

Reason:

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

Condition 5

Any access gates shall be set back a minimum distance of 12 metres from the highway boundary and shall open inwards into the site only.

Reason:

In the interest of highway safety.

Condition 6

The gradient of the vehicular access serving the development shall not exceed 1 in 20 for the first 15.0 metres from the nearside edge of the carriageway.

Reason:

In the interest of highway safety.

Condition 7

Prior to any use of the access junction by vehicular traffic, a visibility splay of 2.4 metres x 59 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access junction in relation to the nearer edge of carriageway.

Reason:

In the interests of highway safety.

Condition 8

Prior to the commencement of any part of the development, the written approval of the Local Planning Authority shall be obtained for a scheme of access, parking, turning, drive-thru lane, loading and unloading 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 be fully implemented in accordance with the approved details prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed in perpetuity.

Reason:

In the interests of highway safety.

Condition 9

Prior to the commencement of development, a detailed scheme to re-locate the existing bus stop infrastructure fronting the site shall be submitted to and approved in writing by the Local Planning Authority and the scheme shall be implemented in accordance with the approved details prior to the commencement of the development.

Reason:

In the interests of highway safety and to safeguard existing public transport facilities.

Condition 10

No development shall commence until a detailed Delivery and Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason:

In the interests of highway safety.

Condition 11

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 occupation of the development. Thereafter, the enhancements shall be retained as approved in perpetuity.

Reason:

In the interests of biodiversity.

Condition 12

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

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

Reason:

To prevent the pollution of the environment and safeguard amenity.

Condition 13

No development shall commence until a Landscape Constraint Plan (LCP) has been submitted to and approved in writing by the Local Planning Authority. The LCP shall be submitted in pursuance of any reserved matters application and shall define the following: -

- a) Stem location, canopy spread and root protection area (RPA) of all trees and groups of trees within or on the application boundary, and outside the boundary with a canopy spread which overhangs the boundary.

- b) Outer extent of above ground growth or canopy spread; and RPA of all other landscape elements (hedgerows and continuous woodland/ scrub/ shrub areas) within or on the application boundary.

In the event that the development will 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 for approval: -

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

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

The development shall be implemented in accordance with the approved details.

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 14

No development shall commence until a detailed Landscape Design Scheme (LDS) has been submitted to and approved in writing by the Local Planning Authority. The LDS shall be submitted in pursuance of any reserved matters application and the approved scheme shall be fully implemented in the first planting and seeding seasons following the occupation of the development or the completion of the development, whichever is the sooner.

Any existing elements retained or translocated; or new elements installed, constructed, planted or seeded in accordance with the approved scheme which, within a period of 5 years 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 element in relation to this planning approval is no longer delivered, shall be replaced, within six months of written notification by the local planning authority, or within in the next available planting or seeding season thereafter, with replacement elements of similar size and specification.

Reason:

In the interests of visual amenities and biodiversity.

Condition 15

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

1. Prepared a Preliminary Risk Assessment to identify any potentially unacceptable risks arising from contamination at the site. The Preliminary Risk Assessment shall include current and historical information about the site. This can be obtained by undertaking a desk study and a site walkover to identify previous land uses, potential contaminants that might reasonably be expected given those uses and other relevant information, such as pathways and exposure to potential receptors. This information shall also be presented in tabular or diagrammatical form (Conceptual Site Model) for the site and all potential contaminant sources, pathways and receptors shall be included. In order to complete the conceptual site model, it may be necessary at this stage to undertake limited exploratory sampling. The Preliminary Risk Assessment shall be submitted to and be approved by the Local Planning Authority.

The risk assessment shall include a mine gas risk assessment that considers the potential for mine gases to exist on the site. The mine gas risk assessment shall be undertaken by a competent person as defined in the National Planning Policy Framework and conducted in accordance with 'CL:AIRE - Good Practice for Risk Assessment for Coal Mine Gas Emissions; October 2021'.

2. Designed and implemented a scheme for the investigation and recording of contamination on the site (where necessary). The detailed site investigation report (Quantitative Risk Assessment) should aim to provide information to refine and update the conceptual model outlined in the Preliminary Risk Assessment. This investigation should confirm and evaluate the significance of the identified potential contaminant linkages.

The report shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation, and British Standards. The report shall be submitted to and approved by the Local Planning Authority.

3. Based on the findings of the site investigation and risk assessment, submit detailed proposals for site remediation and verification (Options Appraisal and Remediation Strategy) giving full details of the remediation measures required and how they are to be undertaken. This will demonstrate how the site will be brought to a condition suitable for the intended use by removing any unacceptable risks posed from contamination. The proposals shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation, and British Standards. The proposals shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

Reason:

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

Condition 16

Prior to the occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with

the approved verification plan to demonstrate that the site remediation criteria have been met. 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 in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason:

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

Condition 17

Prior to the occupation of the development, a long-term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority (where necessary). The long-term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken
- Timescales for the long-term monitoring and curtailment mechanisms
- Timescales for submission of monitoring reports to the Local Planning Authority
- Details of any necessary contingency and remedial actions and timescales for actions
- Details confirming that the contingency and remedial actions have been carried out.

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Reason:

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

Condition 18

No development shall commence until details of existing ground levels and proposed finished ground and floor levels 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 19

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 the bordering trees.
- 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.

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).

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 100m². 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.

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.

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	PL/00895
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Application Type	Full planning permission
Proposal	Rural Enterprise Dwelling with associated Agricultural Shed
Location	Land at Derwen Fawr, Crugybar, Llanwrda

Applicant(s)	JM, AM & WD Lewis
Agent	Evans Banks Planning Limited - Jason Evans
Officer	Kevin Phillips
Ward	Cynwyl Gaeo
Date of validation	27/11/2020

Reason for Committee

This application is being reported to the Planning Committee following a call-in request by the former Local Member, Cllr E Williams.

Site

The site is an open field in an agricultural area within the Cothi Valley (approximately 50 metres east of the Cothi Valley Special Landscape area boundary), approximately 65 metres to the south-east of Ynysau-gate, Crugybar, which is a dwelling sited along the A482 road, approximately 1.5 km north of the village of Crugybar and 1.8 km south of the village of Pumsaint. The land is elevated above Ynysau-gate on a hillside, which has an existing agricultural access and track onto/from the A482 road.

Proposal

The proposal is for the development of a new two storey 3-bedroom dormer agricultural dwelling. The two-storey element of the dwelling is 11 metres x 7 metres, 7.7 metres high to the ridge and there is a 3.9 metres x 3.3 metres single storey utility extension to the south-west elevation. There is also proposed a 24 metres x 12 metres and 5.3 metres to the ridge, agricultural building with concrete panels and grey profile sheeted sides and roof.

The dwelling is to be sited approximately 65 metres to the east of Ynysau-gate, with the front of the dwelling facing north-west. The proposal is to utilise the existing agricultural access and track which runs along the rear of Ynysau-gate. The supporting agricultural building will be sited a further 25 metres to the south-east of the dwelling, with the front of the building also facing north-west.

The agricultural holding to which this application relates is at land described at Derwen Fawr (Derwen Fawr farm is approximately 350 metres north-west of the application site). The land is owned by the Applicants (the Lewis Family) who are also tenants at the National Trust owned Pentwyn Farm, Cwrt y Cadno, which is approximately 7.5 kilometres north-east from the application site. The Derwen Fawr unit comprises 81 acres (32.8 ha) owned, Pentwyn amounts to 180 acres (73 ha) of tenanted land, with a further 50 acres (20.2 ha) rented annually for summer grazing at land at Newton House, Llandeilo. The holding is split over a number of blocks, with the proposal to develop a dwelling and agricultural building at the Derwen Fawr land.

The applicants currently reside in the National Trust tenanted farmhouse at Pentwyn. It is conveyed that the son wishes to establish his own home with his partner at Derwen Fawr land in order to secure greater efficiency for the holding as a whole.

The core agricultural activity of the holding will relate to a flock of breeding ewes and rams and the application conveys that the proposed development of the new dwelling and agricultural building at this site is what is required. It is conveyed that the proposal therefore seeks to provide shelter for the holding's stock and support the farming requirements at the holding. The application has included a Planning Statement and a Functional Test report in which it is conveyed that the functional test is satisfied, equating to 3.44 labour unit years and there being a need for a further rural enterprise dwelling on the holding, particularly due to its split-block nature. The report also conveys that the financial test is also satisfied in that there will be sufficient income to sustain the proposed occupiers of the new dwelling, as well as its construction and that of the new agricultural building.

The application was withdrawn from the Planning Committee on 14 October 2021 as the Applicants relayed that a further 82.53 acres (33 Ha) had been taken on by the holding at Llansawel, subject to a 10-year farm tenancy agreement. Therefore, the Authority's Corporate Property team employed the services of a private and independent consultant to assess the application and the summary of the assessment will be included herein later in the report. Therefore, the application for the agricultural dwelling is based upon 21% of the land being owner-occupied and 79% Tenanted/Informally occupied.

Planning Site History

E/40664 - Rural enterprise dwelling with associated agricultural shed - Refusal - 8 December 2020

Planning Policy

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

SP1 - Sustainable Places and Spaces

SP3 - Sustainable Distribution- Settlement Framework

SP5 - Housing
SP14 - Protection and Enhancement of the Natural Environment
GP1 - Sustainability and High Quality Design
TR3 - Highways in Developments - Design Considerations
EQ6 - Special Landscape Areas
EP1 - Water Quality and Resources
EP2 - Pollution
EP3 - Sustainable Drainage

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

There is no specific policy within the LDP relating to Rural Enterprise Dwellings as this is covered by Welsh Government's Policy for Rural Enterprise Dwellings set out in [Technical Advice Note 6 : Planning for Sustainable Rural Communities \(2010\)](#) and its [associated Rural Enterprise Dwellings : Practice Guidance \(2012\)](#).

Summary of Consultation Responses

Head of Transportation & Highways – Recommends refusal of the application on the following grounds:-

1. The traffic generated by the development would use an existing access which is unsuitable because there is restricted visibility at the County Road.
2. The proposed access is located on a section of highway where forward visibility is substandard.

Following review of the Automatic Traffic Count data submitted by the applicant's transport consultants on 21/05/2021, the stopping site distance required for the actual 85th percentile vehicular speed exceeds the access and forward visibility available at the junction, and in relation to the proposed site access onto this particular section of the A482 county road.

Valuations Manager – The report prepared by J D Dyer, dated November 2020 on behalf of Ms Lewis of Pentwyn Cwrt Y Cadno Llanwrda in support of a Rural Enterprise Dwelling and Agricultural Building at Derwen Fawr Crugybar has been reviewed.

In principle the farming enterprise as a whole meets both financial and functional tests. The only point of concern is that the main source of income is generated by the principal holding at Pentwyn. Pentwyn Farm is currently rented from the National Trust on a 1992 Agricultural Holdings Act(AHA) Tenancy which has no provision of succession rights. As such if the principal holding was lost the 81 acres at Derwen Fawr would certainly not create sufficient income to sustain a standalone farming enterprise, additionally the 50 acres grazing is on a 364 day license only.

Due to the uncertain future of the tenancy at the principle holding we can only assess this on the merits of Derwen Fawr as a standalone enterprise. On that basis it would fail to meet the financial or functional tests and therefore cannot be supported. The ability of the enterprise to pay for the dwelling and necessary building in the latter scenario is not proven.

With reference to the report prepared by JD Dyer (1. Introduction and Location) it should be noted that at no time did Hywel Humphreys or Kevin Philips indicate or in any other way suggest or infer the report should amalgamate both farms.

Cynwyl Gaeo Community Council - Supports the application on a local needs basis.

Local Member(s) – The previous Member Councillor E Williams had requested that if the application is to be refused that it be reported to the Planning Committee for consideration on the grounds of the local need of the applicant. The present Member Cllr Arwel Davies has not commented on the application.

Natural Resources Wales (NRW) – There is concern regarding the method of foul sewage provision and how this will impact upon the River Tywi Special Area of Conservation following NRW's Planning Position Statement which advised that any proposed development that might increase the amount of phosphate (or phosphorus) within a river SAC catchment could lead to damaging effects to the SAC. Such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the SAC. NRW have also issued Planning Advice (May 2021) which gives specific advice in respect of foul drainage arrangements for new developments.

A new septic tank is to be installed to provide foul drainage for the development which has the potential to increase the amount of phosphorus being discharged from the site. As such, reference is made to the Planning Advice and advise that the Local Planning Authority seeks further information from the applicant. Although, information has already been submitted in respect of the proposed system, two separate plans in the application show the system at different locations and clarification is required on this issue.

Provided the advice provided is followed and it is concluded that the development is not likely to have a significant effect on the SAC, NRW have no objection to the proposal.

NRW also assesses the air quality impact a proposal may have on the National Site Network and Sites of Special Scientific Interest (SSSI) within a screening distance of 5km for this scale of farm. In this case, where there is no change to the existing background emissions, and an atmospheric ammonia impact screening report in relation to the protected sites is not required.

Head of Public Protection - No adverse comments to make on the application.

Dwr Cymru/Welsh Water – No objection.

Dyfed Archaeological Trust – As the proposal is located in close proximity to the probable line of a Roman road, the following condition is required to be added to any planning permission:-

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

Reason: To protect historic environment interests whilst enabling development.”

Sustainable Drainage Approval Body – Has confirmed that a Sustainable Drainage Body consent for the development will be required prior to any works commencing.

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 and 1 letter of support has been received.

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

Appraisal

Principle of Development

The main considerations of this application is whether the proposal complies with Welsh Government's guidance set out in TAN6 in relation to a second rural enterprise dwelling on an existing holding, does the proposal adhere to highways safety requirements and how does the proposal impact the landscape quality of the locality and the phosphates within the wastewater associated with the proposed residential development is required not to have any adverse impact upon the water quality of the river Tywi.

From the Assessment undertaken by a private and independent Consultant that assessed the application for the Authority, it is considered that given the nature of the application, it can only be assessed as a new dwelling on an established rural enterprise (including farms) where there is a functional need for a full time worker and the business case demonstrates that the employment is likely to remain financially sustainable. Although there is nothing specifically stated within TAN 6 requiring that the merits of a rural enterprise dwelling (RED) application must predominantly relate to activities being undertaken on owned land rather than tenanted land, it is considered there must be a degree of prudence applied here in order to adhere to the requirements of sustainable development.

TAN 6 sets out a number of 'Tests' that must be satisfied if a RED is to be deemed suitable for approval. These apply to all scenarios under which a RED is made, these include:

- The Functional Test.
- The Time Test.
- The Financial Test.
- The Other Dwellings Test.
- The Other Planning Requirements Test.

Based upon the current arrangements, and considering all of the points analysed above, it is deemed that the applicants would be required to justify a functional need based upon the use of Derwen Fawr land as a standalone agricultural land holding, and not the remaining tenanted/informally occupied land.

It has been considered that there is not enough information provided by the applicant to show that there is a full-time functional requirement for a farm worker to be housed at Derwen Fawr land (81 acres) year round, it is considered that there is only a part time

requirement associated with seasonal lambing; and the linkages between the functional requirements of the various farm holdings have also not been adequately demonstrated; this is of fundamental importance if they are to be assessed as 'one' under a single enterprise. It has also been raised that there is concerns regarding the sustainability of the enterprise considering that 79% of its land area is reliant upon tenanted land, all of which could be lost within the next 8 years. This raises a legitimate query about whether or not tenanted holdings can be considered when assessing the viability of an enterprise under TAN 6. There is a risk that a precedent could be set which goes against that set by previous Planning decisions. The length and security of tenancy arrangements have a bearing on any determination reached and this is an important consideration if tenanted land is allowed to form part of the assessment. This is so that there is no risk of artificial tenancy arrangements being used to manipulate policy by allowing temporary justification for a new dwelling which could then be terminated within a short space of time after Planning consent has been granted, leaving a dwelling on an enterprise that can no longer justify its presence.

It is considered that the requirements of the Functional Test has not been satisfied. The key point here is that there is not enough information provided by the applicant to show:

- 1) That there is a full-time functional requirement for a farm worker to be housed at Derwen Fawr year-round, it appears that there is only a part time requirement associated with seasonal lambing.
- 2) Linkages between the functional requirements of the various farm holdings have also not been adequately demonstrated, this is of fundamental importance if they are to be assessed as 'one' under a single enterprise.

The Time test requires the applicants to demonstrate that a suitable labour requirement can be justified in support of a rural enterprise dwelling. The labour requirements of a rural enterprise can be derived from either published standard data sources or from appropriate record keeping. Standard Man Days, otherwise known as SMDs, need to be determined for individual farming enterprises in order to calculate the labour requirement.

In terms of the submissions from the applicant's agent, there is concerns that the use of Derwen Fawr land would not satisfy the requirements of the Time Test in any case. That is because it equates to approximately 21% of the total land area, and it appears to be used for livestock management for only part of the year. Given the concerns over the reliance on tenanted/informally occupied land holdings, it is considered that the applicants would need to demonstrate that Derwen Fawr land justifies the labour requirements of the Time Test as a stand-alone agricultural holding. Again, based upon the applicants' current submission, it is considered that the requirements of the Time Test have not been satisfied.

In terms of the Financial Test, this requires the applicants to demonstrate that the rural enterprise concerned is financially sound and has good prospects of remaining sustainable for a reasonable period of time. The enterprise concerned has been established for at least three years, profitable for at least one of them and both the enterprise and the business need for the job, is currently financially sound, and has a clear prospect of remaining so.

To be considered financially viable and sustainable, a rural enterprise, or any business for that matter, must be:

- Profitable - income must exceed expenditure on a regular basis;
- Feasible - have sufficient funds to support on-going trading operations; and
- Worthwhile - provide a reasonable return on the resources used in it.

In consideration of the above, the Financial Test has two functions:

1. To determine whether the rural enterprise concerned is financially sustainable.
2. To determine the size of the dwelling that the enterprise can afford to build without prejudicing the financial viability of the rural enterprise.

Based upon the information provided in the application, it is not considered that a suitable attempt in terms of the details submitted has been made to satisfy the requirements of this Test. The requirements for demonstrating compliance with this Test are clearly set out within TAN 6. For a new dwelling on an established rural enterprise, it is expected that full financial accounts are provided for the previous three years' worth of financial trading. A financially viable and sustainable rural enterprise will show that it is *profitable, feasible* and *worthwhile*. However, it is noted that the business needs only to have been profitable for one out of the previous three years, although it must have a reasonable prospect of remaining financially sustainable.

In terms of being able to fund the construction of the new dwelling house and the agricultural building, TAN 6 allows for this to be funded by one of either two means:

1. The business being able to generate enough financial surplus in its financial performance to fund a finance charge associated with borrowing capital to undertake the development.
Or
2. Using personal capital to fund the cost of such development, but being able to show that the investment would generate a reasonable return on financial investment.

It is stated within the applications submission that the applicants intend to utilise the second option, although the evidence of capital savings is not substantiated on the basis that it is personally sensitive information. The LPA would need to be able to see evidence in order to substantiate this claim. TAN 6 guidance provides that the LPA should offer the applicants a means to satisfy this requirement whilst protecting the sensitivity of such information by not allowing it to enter the public domain.

The Independent Consultant undertook a basic rebuild cost analysis of the proposed buildings according to the sources of information available. The analysis determined that the applicant's estimated cost of constructing the proposed residential dwelling is £160,000, and their estimate for constructing the agricultural shed is £35,000 for back in 2022 and no information had been provided to substantiate those cost, especially since the recent significant increase in building material costs. The independent Consultant has quantified the dwelling and agricultural building costs based on Building Cost Information Service Construction data and the Agricultural Budgeting & Costing Book (96th ed.) – May 2023 and the costs of the dwelling and agricultural building are calculated as £350k and £86,400 respectively. It is considered that the actual current cost of building these assets is likely to be closer to the independent Consultant's than those of the applicant, given that ours are more up to date and better justified.

Again, based upon the applicants' current submission, it is considered that the requirements of the Financial Test have not been satisfied.

In terms of the Other Dwelling Test it is required that the applicants justify that there are no other dwelling(s) or buildings on the enterprise suitable for conversion, which are available

to meet an established functional need. The onus is on the applicants to demonstrate that there is no reasonable alternative to a new dwelling. The main reasoning behind the applicants' wish to site new development at this location is because it is on land that they own, and that it will provide greater security for their son to continue farming in the future. Although a reasonable motive in a personal context, this does not necessarily comply with the requirements of this Test, where it is the needs of the enterprise rather than the personal circumstances of the applicants that needs to be assessed. No research or analysis is provided in relation to the availability or costs of residential property that is being marketed within the locality is provided. A brief on-line search using resources such as Rightmove provides a good tool for researching and collating such information. It would also be useful for the applicants to compare the likely cost of building a rural enterprise dwelling against the costs of purchasing a similar residential property that may be available within reasonable proximity to the proposed development site.

It remains that based upon the applicants' current submission, it is considered that the requirements of The Other Dwellings Test has not been satisfied.

Highway Impacts

The proposal has sought to address the previous reasons for refusal (E/40664) in relation to highway matters. In particular a speed survey and access appraisal to address the issues raised by the Head of Transport was undertaken, however it remains that it is not possible to remove the highways objection, where the proposed development seeks to utilise an already sub-standard access in comparison to the actual vehicle speeds, to the detriment of highway safety. The access is intended to serve the needs of a dwelling and the supporting agricultural building and associated activities at the site, at a very dangerous junction and therefore as it is not considered possible to compromise on highway safety, particularly at this location, the Head of Transport recommends refusal of the proposed development.

Siting and Impact upon Character and Appearance of the Landscape

Paragraph 4.12.1 of TAN6 specifies, "the siting of the proposed dwelling should relate closely to the activities for which there is a need. In most cases this will mean that the new dwelling should be sited in close proximity to existing buildings and in the case of dwellings for agricultural enterprises, should not be isolated from the farmstead or in locations that could encourage farm fragmentation. Local planning authorities should resist planning applications for rural enterprise dwellings that are prominent in the landscape".

The application site is considered to be very isolated in an open elevated position, with far reaching extensive views across the Cothi valley, away from the main complex of buildings at Pentwyn Farm. The siting is independent of the main farm holding, at a prominent position on a hillside, only 50 metres from the boundary of the Cothi Valley Special Landscape Area and any development at this location will involve significant excavation and reconfiguration of the topography with the proposed development becoming a prominent feature in that landscape. There are no existing landscape features to utilise to mitigate or screen the proposed development, and hence the significant concerns that this will be harmful to the quality of the landscape in this locality. It is considered that the proposed dwelling and agricultural building will be a standalone development un-associated with an existing farm, in a prominent position with limited natural topography to help assimilate into the wider landscape. It will be a dominant feature that would be prominent within the landscape to the detriment of the character and appearance of the wider area.

The Landscape Officer has conveyed that the proposed development is located adjacent to the Cothi Valley Special Landscape Area (SLA). The proposed development would constitute a new built form intervention within the landscape which would result in adverse impacts to the sparsely settled character of this part of the wider Cothi Valley and adjacent SLA.

The submitted Planning Statement states that the proposed development is located “at a low point in the local landscape”. The proposed floor levels of the dwelling and agricultural buildings are approximately 4m and 6m respectively above the existing levels at Ynysau-gate west. There would appear to be extensive areas within the holding at a lower elevation than the proposed site. The specific reasons for consideration of the specific site at this elevation do not appear to have been provided or effectively justified. The existing buildings at Ynysau-gate are single storey in nature. It is advised that the proposed development would appear incongruous in this elevated location relative to the existing built form.

Submitted landscape proposals are limited to a brief description of hedge planting to the amenity area boundary associated with the proposed dwelling, the proposals do not demonstrate any landscape integration design which would enable effective delivery of relevant policy objectives.

Other Matters

CCC Planning Ecology have provided the following response to consultation-

The application site is within the catchment of the Afon Tywi Special Area of Conservation (SAC). CCC must screen these proposals through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect through phosphate pollution on the SAC, under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). This application should be screened in line with the NRW ‘Advice to planning authorities for planning applications affecting phosphorus sensitive river Special Areas of Conservation,’ version 3 issued in July 2022.

Section 5 states:

The following developments can be screened out as not likely to have a significant effect on a river SAC in relation to phosphorus inputs, as there is unlikely to be a source of additional phosphorus or pathway for impacts:

- *private sewage treatment systems discharging domestic wastewater to ground, which are built to the relevant British Standard (BS 6297:2007+A1:2008), the maximum daily discharge rate is less than 2 cubic metres (m³) and the drainage field is located more than 40m from any surface water feature such as a river, stream, ditch or drain and located more than 50m from a SAC boundary and at least 200m from any other known discharge to ground*

Section 10 states:

We advise Planning Authorities to seek the following information in support of a planning application or Habitats Regulations Assessment for a scheme involving a private sewage treatment system:

- *confirmation of how foul wastewater will be managed;*

- *clear scale plans showing the location of the proposed private sewage treatment system and discharge location;*
- *where a private sewage treatment system is proposed within a sewered area, evidence to justify why a connection to public sewer is not feasible in line with Circular 008/2018 and Planning Policy Wales. For all other private sewage treatment systems, evidence that Circular 008/2018 has been followed;*
- *where discharges to ground are proposed, developers should provide the results of infiltration testing with calculations to demonstrate that the drainage field size and design is appropriate for the volume of discharge proposed and follows the relevant British Standard.*

The applicant will need to provide evidence through site plans and reports that these points are met.

In particular:

- The proposed development cannot currently be screened out of a HRA due to proximity to Ynysau Gate. The applicant will need to provide a drainage report that proves beyond reasonable scientific doubt the wastewater systems and drainage fields from the two properties will not interfere with each other. Alternatively, the applicant could install a treatment works and drainage field that will serve both properties. This could then be screened out provided the other points are met.
- The consultation response from NRW, dated 07/10/2021 notes the site plans are unclear with exactly where the drainage field and plant will be located. Clear scale plans must be provided.
- Circular 008/2018 states that Private Treatment Works must always be the first choice of drainage (after a sewered connection which is not feasible here), therefore, the choice of septic tank must be justified.
- Results of infiltration testing must be submitted to the LPA.

Planning Ecology agree with the NRW consultation response, dated 07/10/2021 that provided the manure/slurry produced is stored and managed in line with The Water Resources (Control of Agricultural Pollution) (Wales) Regulations it is unlikely to increase the amount of phosphorus entering the catchment and therefore, it is not likely to have a significant effect on the River Tywi SAC.

Therefore, it is conveyed that the proposed development is likely to have a significant effect on the SAC under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended), it cannot be screened out and is recommended for refusal for this reason.

Planning Obligations

The applicant has not provided details of the need for a Section 106 agreement which is understandable given that various issues have been raised in the application. Nevertheless, the occupancy of rural enterprise dwellings requires control, which are in most circumstances covered by the standard occupancy condition. However, paragraph 4.13.3 of TAN6 states “authorities may use planning obligations, for example, to tie a rural enterprise dwelling to adjacent buildings or land, to prevent them being sold separately without further application to the authority”. It is considered in this instance, given that the dwelling’s location is so isolated from the hub of the farm, it would normally be appropriate to tie the dwelling to the land (however the main farm complex is not under the control/ownership of the

applicants as it is leased from the National Trust). Furthermore, and as advocated by TAN6, it is considered that an occupancy condition would also usually need to be applied to the existing dwelling on the farm should planning permission be granted contrary to the recommendation

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

Having considered all matters in the submission, the current planning application does not satisfy any of the Tests as required by TAN 6. The application is unsuitable for approval in accordance with legislative requirements. The fact that the applicants operate a farming enterprise that is made up of predominantly tenanted and informally occupied agricultural land holdings, the majority of which could be lost within a relatively short space of time, also poses the risk that the enterprise and any associated new development, could become financially unsustainable in the near future.

After careful consideration of the proposal as submitted it is concluded on balance that the proposal does not adhere to the requirements of TAN6 as stipulated by the Valuations Manager and the private and independent Consultant that assess the application. In addition, the proposal does not receive the support of the Head of Transport in terms of highways safety concerns, the Landscape Officer considers that the proposal will appear as a dominant feature that would be prominent within the landscape to the detriment of the character and appearance of the wider area and the proposal would be harmful to the River Tywi SAC because of phosphate pollution.

The proposal conflicts with Local Plan policies and TAN6 guidance and therefore the application is recommended for refusal on the following grounds.

RECOMMENDATION - Refusal

Reasons

Reason 1

The proposal does not adhere to the requirement of Technical Advice Note 6 "Planning for Sustainable Rural Communities" in that the 5 tests required to be satisfied by paragraph 4.4.1 of Technical Advice Note 6 are not met. The fact that the applicants operate a farming enterprise that is made up of predominantly tenanted and informally occupied agricultural land holdings, the majority of which could be lost within a relatively short space of time, also

poses the risk that the enterprise and any associated new development, could become financially unsustainable in the near future.

Reason 2

The proposal, if approved would be contrary to Policy GP1 “Sustainability and High Quality Design” of the Carmarthenshire Local Development Plan in that:-

- i) The proposed agricultural dwelling and building will be at a very prominent location within the landscape, adjacent to the Cothi Valley Special Landscape area and would have an adverse visual impact on the general landscape quality.
- ii) The traffic generated by the development would use an existing access which is unsuitable because there is restricted visibility at the County Road and the proposed access is located on a section of highway where forward visibility is substandard.

Reason 3

The proposal, if approved would be contrary to Policy EQ6 “Special Landscape Areas” of the Carmarthenshire Local Development Plan in that the proposed agricultural dwelling and building will be at a very prominent location within the landscape, adjacent to the Cothi valley Special Landscape area and would have an adverse visual impact on the general landscape quality.

Reason 4

The proposal, if approved would be contrary to Policy TR3 “Highways in Developments – Design Considerations” of the Carmarthenshire Local Development Plan in that the traffic generated by the development would use an existing access which is unsuitable because there is restricted visibility at the County Road and the proposed access is located on a section of highway where forward visibility is substandard.

Reason 5

The proposal, if approved, would be contrary to Policy SP14 (Protection and Enhancement of the Natural Environment) of the Carmarthenshire Local Development Plan in that the application site lies within the catchment area for the river Tywi, a designated Special Area of Conservation recognised under the Conservation of Habitats and Species Regulations 2017 for the species it supports, with regard to which new development within the catchment area has to demonstrate phosphate neutrality or betterment in its design and/or its contribution to the water body. The application fails to demonstrate that the phosphates within the wastewater associated with the proposed residential development shall not have any adverse impact upon the water quality of the river Tywi.

Application No	PL/06296
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Application Type	Full planning permission
Proposal	Timber store and associated hardstanding (re-submission of Planning Application PL/05564)
Location	Land opposite Gilfach Wen, formerly known as Penroc, Caio, Llanwrda, SA19 8UH

Applicant(s)	Mr Richard Jones
Agent	Evans Banks Planning Limited - Jason Evans
Officer	Kevin Phillips
Ward	Cilycwm
Date of validation	21/07/2023

Reason for Committee

This application is being reported to the Planning Committee following a call-in request by Cllr Arwel Davies.

Site

The application site is an area of land at the junction of the A482 and C2173, roads, approximately 1 kilometre Northeast of the village of Crugybar, where the applicant resides. The nearest residential property is Gilfach Wen, which is approximately 70 metres across the A482 road to the North. The access to the site is from C2173 which is a one-way highway and is approximately 23 metres along the road.

The application site was distinctly a small wooded area of land and is now reduced with the introduction of a building and hardstanding area.

Proposal

The proposed development is a retrospective application for a timber storage building and hardstanding area. The building was initially built at approximately twice the area of the existing proposal, which is a building 10.7 x 6.4 metre, 2.7-3.0 metres in height with a large door on the front elevation facing East, finished in green and grey profile sheeting. The building is to be used for the seasoning of timber for domestic use. The applicant resides approximately 800 metres to the Southwest at the village of Crugybar.

Planning Site History

PL/05564 - Retrospective planning for excavations, hard standing and storage shed. The shed is being used for processing and seasoning of felled timber from locally sourced ash die back, for personal use. (Please note that the shed was reduced in size on 23 February 2023). - Full Refused - 19/05/2023

Planning Policy

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

SP1 - Sustainable Places and Spaces

SP14 - Protection and Enhancement of the Natural Environment

GP1 - Sustainability and High-Quality Design

TR3 - Highways in Developments- Design Considerations

EQ4 - Biodiversity

EQ6 - Special Landscape Areas

[Carmarthenshire Supplementary Planning Guidance](#)

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

Summary of Consultation Responses

Head of Transportation & Highways - Any permission that the Planning Authority may give should include the following condition.

Condition(s):

1. The development hereby permitted shall only be used solely for the storage and seasoning of timber for personal use. At no time shall timber be sold from the site or distributed from site on a commercial basis.

Other Observation(s):

1. The above recommendation is made based upon the nature of the proposals where the building is to be used solely for the storage and seasoning of timber for use by the Applicant. Access to the site is deemed to be occasional via standard vehicle and small trailer. The site is not permitted to operate as a commercial entity whether selling timber directly from the site or distributing timber off site.

Head of Public Protection - No objections to the proposal.

Cynwyl Gaeo Community Council - No observations received to date.

Local Member(s) - Councillor Arwel Davies conveys;

I have no objection to this planning application.

The proposed development does not have a negative impact on the landscape and nearest surroundings. The entrance to this site has always been there and on a one-way section of highway with plenty of visibility. It would be sustainable regarding locally available timber as the applicant is from a farming background with permission to clear wood on numerous farm holdings in the area

I believe the application meets all the criteria of Policy TR3 and Policy SP1.

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.

No representations were received.

Appraisal

Principle of Development

The application is retrospective for a large building to serve the storage and seasoning of timber for the applicant's domestic use. The applicant resides approximately 800 metres to the Southwest at Crugybar village. The application building's area has been reduced in size from twice that proposed in the application however the need for such a large building in this remote rural location when the applicant has an existing building at their home is questionable.

Planning policy aims to avert the sporadic development of private storage buildings at rural locations, especially when there is no farming justification, and the proposals results in the loss of woodland within the Cothi Valley Special Landscape area. Planning Policy Wales recognises the importance of agricultural land and promotes a constructive approach to agricultural development and the changing needs of farming practices. However, this is not the proposal put forward in this application and therefore there is an in-principled requirement that the countryside is protected for its own sake. In this application, the lack of justification for the proposed building in the countryside would result in the development failing to meet with this fundamental objective.

Impact upon Character and Appearance of the Area

The proposed development has resulted in the significant loss of trees from a wooded area within the Special Landscape for a proposal that does not adhere to LDP policy. The building and hardstanding as visible from the public highway adjacent and also the storage of equipment on the large hardstanding will be visually prominent. This a retrospective proposal that has resulted in the reduction of the size to the building, although it remains that the building and hardstanding area with the loss of trees at the site results in a proposal that is harmful to the landscape quality of the area.

Allowing sporadic unjustified development in the open countryside undermines its character and appearance. For this reason, it would also conflict with LDP Policies GP1, SP1 and

SP14 which seek the distribution of development to sustainable locations and require that it should respect, reflect and enhance the natural environment, local character and distinctiveness.

Privacy and Living condition Impacts

The proposal is for the storage of timber for domestic use, however it is questioned from the scale of the building, the number of bags used to store the timber at the site and the need when the applicant has an existing building at their home property, if the building is solely for domestic use. At a domestic scale, the activities associated should not result in loss to the living conditions of the nearest residential property, and it is considered that the distance of the building from the nearest residential property, across the A482 should not result in any loss of privacy to the said residential property.

Biodiversity Impacts

It remains that the response to consultation has not been received from Planning Ecology, however the retrospective application has resulted in excavation and the creation of a hardstanding, which has resulted in the loss of a number of trees from the woodland.

Highway Impacts

The previous application PL/05564 resulted in the refusal of the application on highway related grounds. Further clarification within the application has resulted in a favourable response from highways on the grounds that the building will be used solely for the storage and seasoning of timber for personal use. At no time shall timber be sold from the site or distributed from site on a commercial basis.

Other Matters

e.g. non-material considerations (catch all eg property value)

Forward Planning Manager - The site falls within the area covered by the adopted Carmarthenshire Local Development Plan. The site is located in the open countryside and is not related to a specific settlement in the settlement hierarchy set out by Policy SP3.

It is stated in the application that the operations undertaken in the shed are for personal use. I have no comments to make in this regard other than the structure should comply with the general development policy in the LDP, namely

GP1 – Sustainability and High-Quality Design

However, if the operations are part of a commercial enterprise, then Policy EMP2 New Employment Proposals would apply, and this policy requires that operations are within, adjacent or directly related to the development limits of a defined settlement. It is noted that this development is approximately 850m from the development limits of Crugybar.

Policy EMP4 Farm Diversification would also apply if the applicant could prove that this is related to an existing farm and that the criteria of the policy can be met.

Technical Advice Note (TAN) 6 notes timber processing as a particular operation that can be sustainably located on a farm.

The preceding paragraph is only relevant if the operation is deemed to be a commercial activity.

Planning Obligations

Not applicable.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted it is concluded on balance that the proposed development is not considered to be associated with a farmstead, appears unrelated to any farm holding and is not considered reasonably necessary to be sited in this rural location. The siting of the proposal is an inappropriate sporadic and unjustified development in the open countryside, that has a detrimental effect on the traditional appearance and character of the open countryside at this location. It conflicts with LDP Policies GP1, SP1 and SP14 which seek the distribution of development to sustainable locations and require that it should respect, reflect and enhance the natural environment, local character and distinctiveness.

RECOMMENDATION - Refusal

Reasons

Reason 1

The proposal, if approved, would be contrary to Policy SP1(Sustainable Places and Spaces), Policy SP14 (Protection and Enhancement of the Natural Environment), and GP1(Sustainability and High Quality Design) of the Carmarthenshire Local Development Plan, in that it is considered there is insufficient justification provided to support the private storage building at this rural location, which represents a sporadic form of development in the countryside without a justified farming association related to a farm holding and being reasonably necessary for the purposes of agriculture. The proposal also has a detrimental effect on the rural character and appearance of the open countryside at this location.

Application No	PL/06643
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Application Type	Full planning permission
Proposal	Proposed two storey side extension and alterations to existing bungalow, together with an extension of its domestic curtilage
Location	Golygfa, Kidwelly, SA17 5AR

Applicant(s)	Jones
Agent	Ceri Davies Planning Ltd - Mr Ceri Davies
Officer	Paul Roberts
Ward	Kidwelly and St Ishmael
Date of validation	14/11/2023

Reason for Committee

This application is being reported to the Planning Committee upon the request of the local member, Councillor Lewis Davies.

Site

The application site consists of a single storey detached bungalow located immediately to the west of the farm complex of Cilfeithy Farm in a countryside location on the C2075 between the settlements of Ferryside and Llandyfaelog. The bungalow is of modest proportions having been granted planning permission as an agricultural workers dwelling in association with the neighbouring farm holding back in 1975. It has a low-pitched roof with a centrally located lean-to porch projection on its front elevation and a small flat roof single storey extension to the rear. It currently consists of three-bedroom accommodation and is set in a modest sized curtilage that includes a vehicle parking area to the side of the bungalow and limited garden area to the rear.

Proposal

Planning permission is sought for the construction of a large extension to the side of the bungalow, alterations to its internal layout and design, and an extension of its domestic curtilage.

The side extension will project some 8.3 metres from the side of the host bungalow projecting beyond both its front and rear elevations in a 'T' shaped arrangement. It will have an overall depth of 15 metres with its pitched roof projecting approximately 2 metres above that of the existing bungalow. The extension will provide a large lounge, lobby and kitchen/dining area on the ground floor and three bedrooms together with an additional bathroom and ensuite facilities on the first floor. The first-floor accommodation will be served by large glazed openings in the front and rear elevations as well as a number of velux windows in its roof space. Externally, the extension and host bungalow will consist of rendered and dressed stone elevations while the roof will be clad in grey slates or tiles.

The proposal includes alterations to the internal layout of the existing bungalow as well as the addition of two dormer windows and a large pitched roof porch structure to its front elevation. The two dormer windows are to provide additional light to a lounge and bedroom on the ground floor of the existing bungalow rather than new first floor accommodation in its roof space. The curtilage of the bungalow is to be extended to accommodate the side extension and provide an enlarged garden and vehicle parking area to the rear. The application has been accompanied by a bat survey report which confirms that there are currently no bats using the building.

The application is a resubmission of a previous planning application (PL/05587) that was refused by officers on 19 May 2023. It was refused on the basis that the proposal was contrary to the objectives of Policies GP1 and GP6 of the LDP in that that the scale and design of the extension was not considered to be subordinate and compatible with the single storey design and character of the existing bungalow and would result in an incongruous form of development that would be harmful to its character and appearance in the surrounding rural area. Further, officers considered that the extension would appear as a disproportionate addition to the original bungalow by virtue of its scale, height and massing, and appear as an overly dominant feature which, together with the large dormer window features proposed, paid no regard to its original character and appearance.

The development proposed under the current application is similar to that previously proposed save for a number of changes to its design. These include a reduction in the ridge height of the side extension by approximately 0.4 metre while its overall depth has also been reduced by 3 metres from the 18 metres previously proposed. The original scheme also included a number of large dormer windows in the western elevation of the side extension which are referred to in the reasons for refusing the previous application and have since been removed from the current proposal. The two new dormer windows and large pitched roof porch structure currently proposed to the front of the existing bungalow did not form part of the previous application.

Planning Site History

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

PL/05587 - Proposed two storey side extension and alterations to existing bungalow, together with an extension of its domestic curtilage. - Full planning permission refused 19 May 2023.

D4/1410 - Erection of bungalow for agricultural worker - Approval of reserved matters 13 March 1975

D4/224 - Siting of agricultural bungalow - Outline planning permission 21 November 1974

Planning Policy

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

GP1 - Sustainability and High Quality Design

GP6 - Extensions

EQ4 - Biodiversity

National Planning Policy

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021, as updated by the Minister for Climate Change's letter to Local Planning Authorities dated 11 October 2023, and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

St Ishamel Community Council - No response received to date.

Local Member - County Councillor Crish Davies has not commented on the application to date. County Councillor Lewis Davies has requested that the application be presented to the Planning Committee for determination if officers are minded to refuse the application given that the proposal offers an opportunity for the applicants to enhance the property while also future-proofing it as a functional and practical family home.

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 to the front of the property. No third party representations have been received to date.

Appraisal

Policies GP1 'Sustainability and High Quality Design' and GP6 'Extension' of the LDP provide the principal policy context for the proposal. Policy GP6 relates specifically to extensions to existing residential dwellings and permits proposals where they are subordinate and compatible to the size, type and character of the existing development, will not result in the over development of the site or lead to inadequate areas of parking or garden space. The policy also requires that the local environment and amenity of neighbouring developments should not be adversely affected by the development. Policy GP1 permits development proposals provided they conform with and enhance the character

and appearance of the site, building or area in terms of, amongst others, their siting, appearance, scale, height and massing.

Members will have noted that the bungalow was permitted as an agricultural workers dwelling when the outline planning permission and subsequent reserved matters permissions were issued in 1974 and 1975 respectively. In considering an application to extend an agricultural workers dwelling, regard would normally be given to the financial test set out in Technical Advice Note (TAN) 6 'Planning for Sustainable Rural Communities' (July 2010) in order to assess the size of the dwelling the enterprise can afford to build and maintain. However, in this instance it is apparent that the permissions granted were not the subject of a planning condition or Section 106 agreement restricting the occupation of the bungalow to an agricultural worker whereby it is, in effect, an unencumbered dwelling and it would therefore be unreasonable to apply such a test in considering the proposal.

The existing three-bedroom bungalow is modest in its scale and appearance having a simple functional design that assimilates into the site and its rural surroundings. The proposal would result in a significant increase in the size of the bungalow with the side extension extending to double its depth projecting beyond of its front and rear elevations, while also having a significantly higher ridge level. The proposal would represent a 220% increase in its original floor space and the scale, massing and substantial bulk of the side extension and its large roof structure would be wholly disproportionate with the modest scale of the existing building. The extension would tower above the original bungalow and appear as an overly dominant and incongruous feature that would not be subordinate or compatible with the modest size and character of the existing building and detract from its appearance in the surrounding rural area.

Although the applicant has sought to reduce the size of the side extension in an attempt to address the reasons for refusing the previous application, nonetheless, the modest reduction in its depth and ridge height within the context of its overall scale and massing will mean that it will still represent a disproportionate and overly dominant addition to the existing bungalow. The supporting information accompanying the application indicates that the design of the proposal has been dictated by the concrete panel outer shell of the original bungalow which isn't deemed to be capable of accommodating the additional weight of a first-floor extension. Nevertheless, this would not preclude the addition of a single storey extension to the side or rear of the bungalow that would be proportionate and compatible with the scale and the design of the existing bungalow.

The proposal is therefore at odds with the requirements of Policies GP1 and GP6 of the LDP in that it would not be subordinate and compatible to the size, type and character of the existing bungalow and would be harmful to its character and appearance in the surrounding rural area.

Planning Obligations

None.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it

is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

After careful consideration of the scheme as submitted, together with the representations received, it is concluded on balance that the proposal is at odds with the policy objectives of the Local Development Plan and the application is therefore put forward with a recommended for refusal.

RECOMMENDATION - Refusal

Reasons

Reason 1

The proposal is contrary to Policies GP1 – 'Sustainability and High Quality Design' and GP6 – 'Extensions' of the adopted Carmarthenshire Local Development Plan (2014) in that the scale and design of the side extension is not subordinate and compatible with the single storey design and character of the existing bungalow and will result in an incongruous form of development that will be harmful to its character and appearance in the surrounding rural area. The extension will appear as a disproportionate addition to the existing bungalow by virtue of its scale, height and massing, appearing as an overly dominant feature which pays no regard to its original character and appearance.

ADDITIONAL ITEMS

Application No	PL/04027
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Application Type	Full planning permission
Proposal	Proposed Local needs 3/4 bed detached dwelling house, with 3 parking spaces, internal road, upgrading of existing field access and accompanying site works. These proposals will require a change use of agricultural land to C3 Dwelling house
Location	Land opposite Sparrows Nest, Whitland, SA34 0LG

Applicant(s)	Mr & Miss J & H Thomas & Wilson
Agent	Mr Gerald Blain Gerald Blain Associates Limited
Officer	Charlotte Greves
Ward	Llanboidy
Date of validation	20/05/2022

Reason for Committee

This application is being reported to the Planning Committee following a call-in request by Cllr Dorian Phillips, Local Member for the Llanboidy Ward and member of the planning committee.

Site

The site is located on the northern side of the Abbey Road, opposite the Roadhouse Restaurant and approximately 1.2 miles from the centre of Whitland. The site is within a larger agricultural field used for livestock grazing (sheep). The enclosure is triangular in shape and is bound on all sides by mature hedgerows. The eastern boundary runs parallel with the Llanboidy Road, which leads south to the A40. Generally, the enclosure gently slopes from Northeast to Southwest, with the lowest point of the site in the southwestern corner.

Proposal

Full planning permission is sought for the erection of a two storey, detached dwelling within the south western corner of the agricultural field together with the creation of a new vehicular

access. The application is supported by information to demonstrate that the dwelling is intended to meet a local need for affordable housing.

Externally, the property is proposed to be painted render with a stone clad porch/gallery. Fenestration will be double glazed coloured UPVC or powder coated aluminium and the roof will be covered with traditional slate. The proposed internal layout of the property will provide a four-bedroom dwelling set over two floors. The ground floor will consist of a kitchen, W.C, Snug, Utility and Living Room. The first floor will provide three bedrooms, bathroom and office/bedroom.

Access to the proposed dwelling would be provided via a proposed driveway leading from a new access to be created off the Abbey Road and to the north west of the existing field gate access. Visibility in both directions is to be provided which will require the translocation of a section of the existing hedgerow. Parking and turning for three cars is proposed to be provided outside the property. The drive and parking area is proposed to be constructed in a permeable block paving. The sloping site is proposed to be recontoured to provide a level plot for the dwelling, and the land retained by using banks, retaining walls and additional landscaping is to be provided as shown on the submitted drawings.

Surface water drainage is proposed to be dealt with via a sustainable drainage system to be designed by a suitably qualified engineer and submitted for approval as part of a SAB application. Foul water is proposed to be disposed of via a new package treatment plant.

Planning Site History

There is no relevant planning history.

Planning Policy

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

SP1 - Sustainable Places and Spaces

SP3 - Sustainable Distribution- Settlement Framework

GP1 - Sustainability and High Quality Design

AH3 - Affordable Housing – Minor Settlement in the Open Countryside

TR3 - Highways in Developments – Design Considerations

[Carmarthenshire Supplementary Planning Guidance](#)

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

Summary of Consultation Responses

Highways and Transportation – No objection subject to conditions.

Llanboidy Community Council - No observations received to date.

Local Member(s) – Cllr Dorian Phillips, Local Member and Member of the Planning Committee has requested that the application be considered by the Planning Committee on the basis that the development would meet a local need.

Natural Resources Wales – No objection to the proposals.

Sustainable Drainage Approval Body – No objection. SAB approval required.

Valuations Manager – Objects to the proposal on the grounds that the scale of the proposed dwelling is not compatible with that of an affordable dwelling.

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

Summary of Public Representations

The application has been the subject of notification by way of a site notice. No third party representations were received as a result.

Appraisal

Affordable Housing

LDP Policy AH3 is permissive of affordable housing for a single dwelling within settlements, hamlets, and groups of dwellings without Development Limits where it is to meet a genuine identified local need (as defined within the Glossary of Terms). The acceptability of such a proposal is also subject to, amongst other things, the development not resulting in ribbon development or perpetuating existing ribbon development and the dwelling remaining affordable for subsequent occupants and related to that being of a size affordable to low or moderate income groups.

With regards meeting the local needs definition, information submitted with the application states that the intended occupants have lived in Whitland for many years with both in full time occupation in the local area, with Mr Thomas a local primary school teacher. The applicants wish to move from their current property to a larger property to meet the needs of their young family but have not been successful in finding a suitable property within their budget due to rising house prices. As such, the option of building their own home on land already within family ownership has arisen. In general it is considered that the case put forward meets with the local need definition included within the LDP.

In terms of the site's location, it is not within the development limits of Whitland but is rather a site located in the corner of an agricultural field immediately opposite and south of a group of buildings and to the north of the A40(T) and the settlement of Whitland. The group of buildings comprise the Roadhouse Restaurant, Ivydene Garden Centre and a cluster of four dwellings. Whilst the application site comprises a countryside location that is severed from the settlement of Whitland by the A40(T), the site is opposite and adjacent to a group of existing buildings that are close to the existing settlement. Therefore, it is considered that the site can be considered a minor extension to a group of buildings that would not result in ribbon development or perpetuate existing ribbon development as required by criterion (a) of Policy AH3 of the LDP.

In terms of the remaining criteria of Policy AH3, namely (b), (c) and (d), the property is described as a 3 bedroomed property, however, as there is a study on the first floor which

could be utilised as a bedroom, the proposed dwelling is therefore considered to comprise a substantial two storey, four bedroom property sited within a large plot. The initial affordability of the property could be retained for all subsequent occupants through the completion of a Section 106 agreement to effectively control the future sale of the property which has been discussed with the applicants who have confirmed that they are willing to enter into such an agreement.

Nonetheless, the floorspace of the dwelling would amount to approximately 220m². The Welsh Development Quality Requirements 2021 (DQR) for a 7 person 4 bed roomed affordable home is 114m². The property would therefore be nearly twice the size of the DQR for a 4 bed roomed home and as such it is considered that the size and scale of the property is considered to be in excess of what might be considered appropriate for an affordable home to meet local need and is therefore unlikely to be financially manageable to those on low or moderate incomes. The Local Planning Authority has a duty to ensure that any Local Needs Dwelling meets the size requirements in order to ensure that a supply of local needs dwellings is available to future generations that meet with the requirement.

Officers have discussed the proposal with the applicants who have been given the opportunity to reduce the scale of the dwelling to bring this more in line with a local needs dwelling that would be affordable to those on low to moderate incomes but have declined to do so.

The proposed development, therefore, cannot be reasonably considered to be an affordable dwelling and as such conflicts with Policy AH 3 of the LDP.

Impact on character and appearance of the area

Whilst the scale of the dwelling is considered too large in terms of its appropriateness as an affordable dwelling, it is considered that the scale of the dwelling is acceptable having regard to its impact upon the character and appearance of the area and in consideration of the scale of the nearest dwellings.

Highway Safety

Access to the proposed dwelling would be provided via a proposed driveway leading from a new access to be created off the Abbey Road and to the north west of the existing field gate access. Visibility in both directions is to be provided which will require the translocation of a section of the existing hedgerow. Parking and turning for three cars is proposed to be provided outside the property. The drive and parking area is proposed to be constructed in a permeable block paving. The Highway Authority has been consulted on the application and has no objection to the access proposals subject to a series of recommended conditions.

Planning Obligations

If planning permission were to be granted, a S106 would be required to ensure that the property remained as a local needs dwelling in perpetuity.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under

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

Conclusion

After careful consideration of the scheme as submitted it is concluded that the scale of the dwelling is not compatible with an affordable dwelling that would be available to those on low to moderate incomes and as such it is not considered that the initial affordability would be retained for all subsequent occupants and future generations in need of local needs dwellings in the locality. The application therefore is not in compliance with Policy AH3 of the Carmarthenshire Local Development Plan 2014 and is recommended for refusal on the below grounds.

Recommendation: **FULL REFUSAL**

Decision Detail:

The proposal is contrary to Policy AH3 (Affordable Housing - Minor Settlement in the Open Countryside) of the Adopted Carmarthenshire Local Development Plan (2014) in that the scale of the dwelling proposed is not considered to be compatible with that of an affordable dwelling that could, in the future, be available to those on low or moderate incomes.

Note 1

Comments and responses received from consultees and third parties can be found on the Authority's website (www.carmarthenshire.gov.uk). They may also relate to other permissions or consents required or include further advice and guidance.

RECOMMENDATION - Additional Item

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 development shall be carried out in accordance with the following approved plans and documents:

- Proposed Block Plan [03]

- Site Section A-A [10]
- Proposed Plot Layout Plan [11]

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- Location Plan [01]
- Proposed Floor Plans [04]
- Proposed Elevations Plan [05]
- Proposed Elevations Plan[06]

Received 11 May 2022

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

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 and E 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 property to ensure that it remains of a scale and design compatible with an affordable dwelling to meet a genuine identified local need in accordance with Policy AH3 of the Carmarthenshire Local Development Plan 2014.

Condition 4

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

Reason:

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

Condition 5

Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 59 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 to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

Condition 6

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 to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

Condition 7

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 and turning facilities is to be obstructed by non-motorised vehicles.

Reason:

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

Condition 8

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

Reason:

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

Condition 9

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

Reason:

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

Condition 10

The access shall be hard surfaced in a bonded material for a minimum distance of 5.0 metres behind the highway boundary, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.

Reason:

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

Condition 11

No development shall take place until a Landscape Design Scheme (LDS), has been submitted to and approved in writing by the local planning authority. The scheme shall be in compliance with recommendations and relevant guidance as provided by the local planning authority. The approved scheme shall be fully implemented within the first planting season following the first beneficial occupation of the dwelling here approved.

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

Reason:

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

Notes / Informatives

Note 1

This application is the subject of a legal agreement to restrict occupation of the dwelling to those who meet the definition of local needs.

Note 2

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

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

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

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

Note 3

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