

OUTLINE PLANNING PERMISSION

CASTLETOWN ESTATES LTD
C/O AGENT

Application No: **S/30678** registered: 20/08/2014 for:

Proposal : REDEVELOPMENT OF THE SITE FOR UP TO 230 HOMES AND UP TO 465 SQM OF RETAIL AND LEISURE FLOORSPACE (A1, A3 AND D1 USES). CREATION AND ALTERATION OF EXISTING VEHICLE AND PEDESTRIAN ACCESSES, LANDSCAPING, PUBLIC OPEN SPACE, ALL SERVICES AND INFRASTRUCTURE, DEMOLITION, REMEDIATION OF THE SITE AND ASSOCIATED WORKS

Location : FORMER GRILLO SITE, BURRY PORT, SA16 0LY

Carmarthenshire County Council HEREBY GRANT OUTLINE PLANNING PERMISSION for the development proposed by you as shown on the application form, plan(s) and supporting document(s) subject to the following condition(s):

CONDITIONS

- 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.
- 2 Development shall not commence until detailed plans of the access; appearance; landscaping; layout; and scale of each building stated in the application, have been submitted, and received the written approval of the Local Planning Authority.
- 3 The details to be submitted pursuant to condition No 1 above shall show no more than 230 residential units and no more than 465m² of retail and leisure floor space and shall comply with the parameters of the Design and Access Statement submitted with the application.
- 4 Prior to the commencement of development (or such other date or stage of development as may be agreed in writing with the Local Planning Authority) a reptile clearance, mitigation and translocation scheme shall be undertaken in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
- 5 The development shall be undertaken in strict accordance with the recommendations made in the Bat Report produced by Ecology Services dated July 2014.

- 6 The development shall be undertaken in strict accordance with the recommendations made in the Ecological Appraisal and Reptile Strategy produced by Waterman dated August 2014 and the mitigation measures stated in the Ecological Mitigation Strategy produced by Asbri Planning dated February 2015.
- 7 Prior to the commencement of development (or such other date or stage of development as may be agreed in writing with the Local Planning Authority) a full detailed ecological mitigation, enhancement and monitoring strategy shall be submitted to and approved in writing by the Local Planning Authority.
- 8 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
- (i) A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
 - (ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - (iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 9 Prior to the commencement of development (or such other date or stage of development as may be agreed in writing with the Local Planning Authority), a verification plan providing details of the data that will be collected in order to demonstrate that the approved remediation strategy is complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved verification plan.
- 10 Prior to commencement of development (or such other date or stage of development as may be agreed in writing with the Local Planning Authority) 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. It shall also include any plan (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, and for the reporting of this to the Local Planning Authority.
- 11 Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.
- 12 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 the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

- 13 Prior to commencement of development (or such other date or stage of development as may be agreed in writing with the Local Planning Authority) full details of the surface water drainage system and separate foul water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The approved systems shall be completed before any building is occupied.
- 14 Prior to commencement of development (or such other date or stage of development as may be agreed in writing with the Local Planning Authority) a scheme to install oil and petrol separators, trapped gullies and roof drainage, sealed at ground level, shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.
- 15 Prior to commencement of development (or such other date or stage of development as may be agreed in writing with the Local Planning Authority) a pollution prevention management plan detailing all necessary pollution prevention measures for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The details of the plan shall be implemented as approved and must be efficiently communicated to all contractors and sub-contractors (for example, via toolbox talks) and any deficiencies rectified immediately.
- 16 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.
- 17 Prior to commencement of development (or such other date or stage of development as may be agreed in writing with the Local Planning Authority) a scheme to treat and remove suspended solids from surface water run-off during construction works shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.
- 18 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and site glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.
- 19 Prior to the commencement of development (or such other date or stage of development as may be agreed in writing with the Local Planning Authority) a Construction Management Plan should be submitted to and approved in writing by the Local Planning Authority.
- 20 Prior to the importation of any soil a copy of the certificate of analysis, details of the source of the topsoil and an interpretation of the analytical results by a suitably qualified individual shall be submitted to and approved in writing by the Local Planning Authority.
- 21 Prior to the commencement of demolition/construction works a scheme for the mitigation of dust shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during all stages of demolition and construction. Vehicles transporting materials which are likely to cause dust onto and off site shall be suitably covered.
- 22 Prior to the commencement of development (or such other date or stage of development as may be agreed in writing with the Local Planning Authority) a scheme of lighting shall be submitted to and approved in writing by the local planning authority. The submitted details shall be designed in such a way as to avoid illumination of the adjacent coast line both during and post construction. Development shall take place in accordance with the approved details.

- 23 All construction and demolition works should be undertaken in strict accordance with the mitigation measures detailed in points 5.1 to 5.4 of Noise Assessment Document Reference: C 36411 140715 CF JD ARW GNA01A produced by Waterman Infrastructure & Environmental Ltd, dated July 2014.
- 24 The building envelope of the dwellings to the northern part of the site adjacent to the B4311 southern distributor road shall be constructed so as to provide sound attenuation against external noise of not less than 35dB(A) with windows shut and other means of ventilation provided.
- 25 In order to ensure suitability of external noise levels, prior to the commencement of development (or such other date or stage of development as may be agreed in writing with the Local Planning Authority) details of an acoustic barrier, to be erected along the edges of the gardens of the development site fronting the B4311, shall be submitted to and approved by the Local Planning Authority and once approved this shall be installed prior to occupation of the proposed dwellings and permanently retained thereafter.
- 26 Prior to the operation of the commercial premises, a scheme for the control of noise and vibration of any plant (including ventilation, refrigeration, air conditioning and air handling units) to be used in pursuance of this permission shall be submitted to and approved in writing to the Local Planning Authority. This shall then be installed prior to the first use of the premises and retained and operated in compliance with the approved scheme.
- 27 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
- 28 The development shall be undertaken in strict accordance with the mitigation measures outlined in the Flood Consequence Assessment undertaken by Waterman dated August 2014.
- 29 Prior to the beneficial occupation of any of the development hereby approved, the offsite drainage betterment scheme identified in the Glanmor Terrace/Burrows Terrace area of Burry Port as outlined in the Drainage Strategy Supplementary Report undertaken by Waterman dated December 2014, shall be undertaken in strict accordance with that report.
- 30 Prior to the beneficial occupation of the development hereby approved a detailed Travel Plan for the site, setting out ways of reducing car usage and improvements to public transport, walking and cycling provision in the locality of the site and shall be submitted to and agreed in writing with the Local Planning Authority. The detailed Travel Plan shall be implemented in accordance with the approved details and at a timescale to be approved in writing by the Local Planning Authority.
- 31 Prior to commencement of development full details of the proposed measures to facilitate traffic management, and the proposed crossing points on the Southern Distributor Road shall be submitted for the written approval of the Local Highway Authority and to the specification of the Local Highway Authority. Thereafter the approved scheme shall be implemented in full.

REASONS

- 1 Required by Section 91 of the Town and Country Planning Act 1990.
- 2 In order to ensure a satisfactory layout of the site and in the interest of visual amenities.
- 3 To ensure that the details submitted do not exceed the scale of development assessed when granting outline planning permission.
- 4-7 In the interests of biodiversity.

- 8-12 To protect the environment and human health and comply with LDP Policy.
- 13 To reduce the risk of pollution to controlled waters (in particular the Carmarthen Bay and Estuaries SAC) and to prevent the increased risk of flooding, by ensuring the provision of a satisfactory means of foul and surface water disposal.
- 14 To protect controlled waters.
- 15 Prevent pollution of controlled waters and the wider environment.
- 16 There is an increased potential for pollution of controlled waters from inappropriate methods of piling.
- 17 Prevent pollution of controlled waters and the wider environment.
- 18 To prevent pollution of the water environment.
- 19 Prevent pollution of controlled waters and the wider environment.
- 20+21 To protect human health.
- 22 To minimise disturbance to protected species using the coast and minimise light pollution.
- 23 To preserve residential amenity.
- 24-26 To protect residential living conditions.
- 27 To protect historic environment interests whilst enabling development.
- 28 To ensure that the development remains flood free.
- 29 To protect the integrity of the public sewerage system and prevention of pollution to the environment.
- 30+31 In the interest of highway safety.

REASONS FOR GRANTING PLANNING PERMISSION

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

- It is considered that the proposal complies with Policy SP1 of the LDP in that the proposed development is environmentally sustainable.
- It is considered that the proposal complies with Policy SP2 of the LDP in that the proposed development is resilient to the impact of climate change and accords with the provisions of TAN15.
- It is considered that the proposal complies with Policy SP3 of the LDP in that the proposed development accords with the LDP's settlement framework.
- It is considered that the proposal complies with Policy SP6 of the LDP in that provision is made for affordable housing within the scheme.
- It is considered that the proposal complies with Policy SP8 of the LDP in that the minor retail element of the proposed development will not detract from the vitality and viability of the town centre.

- It is considered that the proposal complies with Policy SP9 of the LDP in that the proposed development is located in a sustainable location, accessible by a variety of transport means.
- It is considered that the proposal complies with Policy SP13 of the LDP in that the proposed development respects, and will not adversely affect the built and historic environment or its setting.
- It is considered that the proposal complies with Policy SP14 of the LDP in that proposed development protects and does not adversely affect the natural environment.
- It is considered that the proposal complies with Policy SP15 of the LDP in that the tourism element of the proposed development accords with the locational hierarchy and is acceptable in terms of scale and type of development.
- It is considered that the proposal complies with Policy SP17 of the LDP in that the proposed development will be served by appropriate infrastructure.
- It is considered that the proposal complies with Policy SP18 of the LDP in that the interests of the Welsh language will be safeguarded and promoted.
- It is considered that the proposal complies with Policy GP1 of the LDP in that the proposed development is sustainable and will enhance the character and appearance of the area.
- Whilst the proposed development does not strictly comply with Policy GP2 of the LDP, the site is located immediately adjacent to the limits and it is considered that other material considerations as referred to under Section 38(6) of the Planning and Compensation Act 2004 warrant a relaxation of the Policy requirements in this instance.
- It is considered that the proposal complies with Policy GP3 of the LDP in that the application will be subject to a Planning Obligation to meet the requirements arising from the development.
- It is considered that the proposal complies with Policy GP4 of the LDP in that adequate infrastructure is proposed to serve the proposed development.
- It is considered that the proposal complies with Policy AH1 of the LDP in that provision is made within the proposed scheme for affordable housing.
- It is considered that the proposal complies with Policy TR2 of the LDP in that the proposed development is located in a highly accessible and sustainable location.
- It is considered that the proposal complies with Policy TR3 of the LDP in that the proposed development would not be detrimental to highway safety or cause significant harm to the amenity of residents.
- It is considered that the proposal complies with Policy EQ1 of the LDP in that the proposed development preserves the built and historic environment.
- It is considered that the proposal complies with Policy EQ4 of the LDP in that the proposed development will not have an adverse impact on priority species, habitats and features of principal importance.
- It is considered that the proposal complies with Policy EP1 of the LDP in that the proposed development will not lead to a deterioration of either the water environment and/or the quality of controlled waters.
- It is considered that the proposal complies with Policy EP2 of the LDP in that the proposed development will not result in any adverse pollution issues.

- It is considered that the proposal complies with Policy EP3 of the LDP in that the impact of surface water drainage and the effectiveness of incorporating SUDS has been fully investigated.
- It is considered that the proposal complies with Policy EP5 of the LDP in that the proposed development in this coastal location will not increase the risk of erosion, flooding or land instability.
- It is considered that the proposal complies with Policy REC2 of the LDP in that a financial contribution towards improving off site open space will be made.

NOTE(S)

- 1 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans received on the 19th August, 2014:-
 - 1:2500 scale site boundary plan;
 - 1:500 scale composite Masterplan;
 - 1:500 scale general arrangement.
- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, are available on the Authority's website.
- 3 The applicant/developer's attention is drawn to the fact that the above permission is subject to the successful completion of a Section 106 Agreement relating to the provision of affordable housing within the scheme and financial contributions towards educational facilities and offsite highway works.
- 4 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.

DECISION DATE: 27/01/2016

SIGNED: *Julian Edwards*

Development Management Manager
for and on behalf of
LLINOS QUELCH, BA (Hons), MSc, MRTPI
HEAD OF PLANNING