

Town & Country Planning Act 1990

APPROVAL OF RESERVED MATTERS

HEAD OF PROPERTY - JONATHAN FEARN
CARMARTHENSHIRE COUNTY COUNCIL
PARC DEWI SANT
CARMARTHEN

Application No: **W/38284** registered: 11/01/2019 for:

Proposal : RESERVED MATTERS TO OUTLINE W/23782 - DRAINAGE (SURFACE WATER AND FOUL), EARTHWORKS PLATEAU LEVELS, HIGHWAY DESIGN (GA, LONG SECTIONS, CROSS SECTIONS), KERBING, PAVEMENT FINISHES, STREET LIGHTING, ROAD MARKINGS, PROPOSED SERVICES, PROPOSED BOARDWALK

Location : LAND AT CROSS HANDS EAST STRATEGIC EMPLOYMENT SITE (SES), ADJOINING THE CROSS HANDS BUSINESS PARK, N E OF HEOL PARC MAWR AND S W OF BLACK LION ROAD, PEN Y BANC AND GREENGROVE, GORSLAS, CROSS HANDS

Carmarthenshire County Council HEREBY APPROVE RESERVED MATTERS for the details specified by you as shown on the application form, plan(s) and supporting document(s), reserved for the subsequent approval by the Council in the previous outline planning permission, subject to the following ADDITIONAL condition(s):

CONDITIONS

- 1 The development shall be commenced before whichever is the later of:-
 - a) the expiration of five years from the date of the outline planning permission to which this development relates
 - or
 - b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.

- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of approved plans and supporting documents :-

- General Arrangement [01] 1:1000 @ A1 received 22-12-2019;
- Attenuation Channel A 1:500 @ A1 [RM-501-01] received 31-12-2019;
- Attenuation Channel B 1:500 @ A1 [RM-501-02] received 31-12-2019;
- Attenuation Channel C 1:500 @ A1 [RM-501-03] received 31-12-2019;
- Drainage Layout - Phase 2 - Sheet 1 of 2 1:500 @ A1 [RM-500-01] received 31-12-2018;
- Drainage Layout - Phase 2 - Sheet 1 of 2 1:500 @ A1 [RM-550-01] received 31-12-2018;
- Drainage Layout - Phase 2 - Sheet 2 of 2 1:500 @ A1 [RM-500-02] received 31-12-2018;
- Drainage Layout - Phase 2 - Sheet 2 of 2 1:500 @ A1 [RM-550-01] received 31-12-2018;
- Earthworks Section A-A and B-B 1:500 @ A1 [RM-600-02] received 31-12-2018;
- Earthworks Strategy Plan 1:1000 @ A1 [RM-600-01] received 31-12-2018;
- Existing and Proposed Utility Services - BT 1:1000 @ A0 [ESES-2653] received 31-12-2018;
- Existing and Proposed Utility Services - Electricity 1:1000 @ A0 [ESES-2651] received 31-12-2018;
- Existing and Proposed Utility Services - Water 1:1000 @ A0 [ESES-2654] received 31-12-2018;
- Existing and Proposed Utility Services Combined 1:1000 @ A0 [ESES-2650] received 31-12-2018;
- Existing and Proposed Utility Services- Gas 1:1000 @ A0 [ESES-2652] received 31-12-2018;
- General Arrangement 1:1000 @ A1 [GA/01] received 31-12-2018;
- Highway Masterplan 1:500 @ A0 [RM-100-01] received 31-12-2018;
- Highways - Cross Sections (MC00) - Sheet 1 of 2 1:500 @ A0 [RM-100-03] received 31-12-2018;
- Highways - Cross Sections (MC00) - Sheet 2 of 2 1:500 @ A0 [RM-100-04] received 31-12-2018;
- Highways - Longitudinal Sections 1:100 @ A0 [RM-100-02] received 31-12-2018;
- Isopachyte Analysis (Banding) 1:500 @ A0 [RM-600-03] received 31-12-2018;
- Isopachyte Analysis (Contour) 1:500 @ A0 [RM-600-04] received 31-12-2018;
- Kerb and Paved Areas 1:1000 @ A1 [RM-1100-01] received 31-12-2018;
- Manhole and Pipe Schedules @ A3 [RM-500-03] received 31-12-2018;
- Proposed Boardwalk Location 1:500 @ A2 [RM-100-05] received 31-12-2018;
- Public Lighting Provision 1:1000 @ A1 [RM-1300-01 Rev. A] received 31-12-2018;
- Road Markings 1:500 @ A1 [RM-1200-01] received 31-12-2018;
- Topographical Survey 1:500 @ A0 [TOP-01] received 31-12-2018;
- Aerial View 1:2500 @ A1 [LOC-02 - Rev A] received 04-01-2019;
- Location Plan - Recent Applications for Development in Area of Site 1:1250 @ A1 [LOC-01 - Rev A] received 31-12-2018;
- Location Plan (Reserved Matters) 1:1250 @ A1 [LOC-03] received 04-01-2019;
- Proposed Landscape Areas 1:1000 @ A1 [RM-3000-01 B] received 08-03-2019;
- Dormouse Habitat Connectivity – Phases 1 & 2 (NTS) (Drwg no. 3000-003) received 14-06-2019;
- Proposed Dormouse Habitat Connectivity 1:1000 (Drwg no. 3000-02) received 25-05-2019;
- Dormouse Habitat Survey (2018) 1:1000 (Drwg no. C15.02 Rev. A) received 30-04-2019;
- Dormouse Habitat Survey (2018) 1:1000 (Drwg no. C15.02 Rev. A) received 30-04-2019;
- Dormouse Habitat – Losses and Gains 1:1000 (Drwg no. C15.06 received 30-04-06-2019;
- Dormouse Field Survey Results 1:2500 (Drwg no. C15.05 Rev. A) received 30-04-2019;
- Phase 1 Habitat Survey (NTS) Figure 3.1 received 20-05-2019;

- Ecological Constraints Plan (Figure 7.1) received 20-05-2019;
 - General Site Arrangement (Figure 6.1) received 20-05-2019;
 - Ecological Assessment (Pryce Consultant Ecologists - 27 February 2019) received 20-05-2019;
 - Template Method Statement to be used with Dormice Development License Applications (Version C) received 14-06-2019;
 - Invasive Species Management Plan received 08-03-2019;
 - Construction Environmental Management Plan received 08-03-2019;
 - Contaminated Land Desk Study and Preliminary Risk Assessment Report (ARUP – 22-11-2013) received 08-03-2019;
 - Ecological Management Plan (Pryce Consultant Ecologists - 26 February 2019) received 08-03-2019;
 - Landscaping Notes received 16-07-2019;
 - Outdoor Lighting Report (Lighting Reality – 13-06-2019) received 14-06-2019;
- 3 The approval hereby granted is in respect of all the reserved matters relating to the construction of the estate road; pavements; verges; street lighting; drainage; services; and earthworks to create development plateaus. All other development not expressly specified under this application will need to be the subject of a separate reserved matters approval.
- 4 All surface water run-off from the development hereby approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway, and in the alternative attenuated in strict adherence with the submitted Micro Drainage calculations and Drainage Strategy for Cross Hands East SES together with all supporting plans referred to under condition no. 2 above.
- 5 Within three months of the date of this approval a scheme of toad mitigation must be submitted to the Local Planning Authority for written approval, the scheme shall incorporate features that will prevent toads entering gully pots and make provision for suitable dropped kerbs to prevent migrating toads being trapped on the road. The approved scheme shall then be implemented prior to the beneficial use of the road.
- 6 All luminaires along the length of the access road shall be dimmed to 75% of their specified capacity between the hours of 20:00 and 22:00, and turned-off between the hours of 22:00 and 06:00 of the following day.
- 7 Prior to the commencement of any works associated with the development hereby approved, a Construction Exclusion Zone (CEZ) shall be established to protect all existing vegetation identified for retention. The CEZ shall be defined by a barrier of a specification appropriate to exclude the degree and proximity of all construction phase operations. The barrier shall form a continuous length, aligned as follows: -
- i) To the perimeter of root protection areas, defined in accordance with BS5837 of all trees, groups of trees or woodland located within, on, or with a canopy spread which overhangs the site boundary.
 - ii) To 1.5m from the edge extent of above ground growth of all shrub masses, hedges and hedgerows located within or on the site boundary.

Any construction operations and access within the CEZ shall be limited to those undertaken in compliance with the recommendations of BS5837. The CEZ shall be enforced throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site.

Any existing landscape elements, or part thereof, identified for retention, which within 5 years of the date of this approval 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 elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting season with replacement elements of similar size and specification and in such positions as may be agreed in writing with the local planning authority, and thereafter likewise conditioned for a further period of five years.

8 The approved Landscape Design Scheme (LDS), as defined in the following submitted documents: -

- Proposed Landscape Areas 1:1000 @ A1 [RM-3000-01 B] received 08-03-2019;
- Landscaping Notes received 16-07-2019;

shall be fully implemented in the first available planting and seeding season following commencement of development.

Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved LDS 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 landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 & 3 For the avoidance of doubt as to the extent of this permission
- 4 To ensure a satisfactory form of drainage and prevent any increased flood risk elsewhere
- 5 & 6 In the interest of biodiversity.
- 7 To ensure that the development retains, incorporates and does not adversely affect existing landscape or other features which contribute to local qualities and distinctiveness.
- 8 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.

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 and represents the efficient use of vacant and underused land,
- 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, occupying a sustainable location within the wider Cross Hands Growth Zone and wider growth area of Ammanford and Cross Hands
- 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 proposal includes significant mitigation measures to safeguard and enhance the environment within and around the site.
- 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 GP1 of the LDP in that the proposed development is sustainable and appropriate in terms of scale and design, and will not cause unacceptable loss of amenity to neighbouring uses.
- In that the proposal complies with Policy GP2 of the LDP in that the site is located within the settlement limits of the Cross Hands/Ammanford growth area;
- In that the proposal complies with Policy GP3 of the LDP in that the development of the site has secured the payment of a financial contribution towards improving the wider ecological and conservation interests of the area;
- 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 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.
- The proposal complies with Policy GP2 in that the site is located within the settlement limits of the Cross Hands/Ammanford growth area;
- The proposal complies with Policy GP3 in that the development of the site has secured the payment of a financial contribution towards improving the wider ecological and conservation interests of the area;
- The proposal complies with Policy EMP1 in that the site represents an employment allocation in the adopted development plan;
- The proposal complies with Policy EMP2 in that the site is located within the settlement limits of the Cross Hands growth area and is appropriate in terms of scale and land use;
- The proposal complies with Policy TR1 in that the site provides for adequate access and parking provision without compromising the efficiency of the primary and core road networks;
- The proposal complies with Policy TR2 in that the site is located in a highly accessible and sustainable location with enhanced provision made for access by means other than the private car;
- The proposal complies with Policy TR3 in that the highway safety will not be compromised as a result of the development, nor will it cause significant harm to the amenity of local residents;
- The proposal complies with Policy EQ4 in that the proposal incorporates significant mitigation measures into the design and layout of the site which should not have an adverse impact on priority species, habitats or features of principle importance;
- The proposal complies with Policy EQ5 in that the overall site design incorporates a corridor through the site to provide connectivity for the Marsh Fritillary butterfly population, a mobile feature of the Caeau Mynydd Mawr SAC;
- The proposal complies with Policy EQ7 in that it has been proven that the proposal either directly or indirectly, individually or in combination with other plans or projects will not adversely affect the integrity of the Caeau Mynydd Mawr Special Area of Conservation (SAC), a European protected site;
- The proposal complies with Policy EP1 in that appropriate measures have been taken to ensure that the development will not lead to a deterioration of either the water environment and/or quality of controlled waters;
- The proposal complies with Policy EP2 in that all practical measures will be incorporated into the development to safeguard against any adverse pollution issues;
- The proposal complies with Policy EP3 in that adequate surface water disposal methods will be put in place.

NOTES

- 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

- 2 The original planning permission secured a contribution paid by the applicant/developer towards the delivery of a management scheme for marsh fritillary mitigation within the Caeau Mynydd Mawr Special Area of Conservation (SAC) that met the conservation objectives of the SAC, inclusive of the management and purchase of land throughout the core population area.
- 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). Specific reference should be made to the observations received from the following:
 - Natural Resources Wales letter dated 1st July 2019
 - Planning Ecologist (Carmarthenshire County Council) response dated 17th July 2019
- 4 This application has been determined within the scope of the delegated authority granted to the Head of Planning by the Meeting of Carmarthenshire County Council on 12 October 2011 (Minute No 7 refers).

DATED: 19/07/2019

SIGNED: *Julian Edwards*

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