

FULL PLANNING PERMISSION

COMPTON DEVELOPMENTS LTD - MR ROGER PENBERTHY
PO BOX 425
SWANSEA
SA6 8YH

Application No: **E/29910** registered: 02/04/2014 for:

Proposal : RESIDENTIAL DEVELOPMENT OF 79 NO MIXED DWELLINGS AND ASSOCIATED INFRASTRUCTURE (UDP ALLOCATION GR3/49 REFERS) (RESUBMISSION OF E/22489 - APPEAL REFUSED 06.11.2013)

Location : LAND ADJACENT TO, PANTYBLODAU (NO 97), OFF WATERLOO ROAD, PENYGROES, LLANELLI, SA14 7PN

Carmarthenshire County Council HEREBY GRANT FULL 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. The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
2. The development hereby approved shall be carried out strictly in accordance with the Natural Resources Wales approved Ecological Mitigation Strategy recommendations received on 28 March 2014.
3. All planting, seeding or turfing that forms part of the landscaping scheme hereby approved shall be carried out in the first planting season following the completion of the development.
4. Prior to its use by vehicular traffic, the new access road shall be laid out and constructed with 5.5 metre carriageway, 2.0 metre footways, and 6.0 metre kerbed radii at the junction with the B4297 County road.
5. The gradient of the vehicular access serving the development shall not exceed 1 in 20 for the first 10 metres from the edge of the carriageway.
6. The existing means of vehicular access into the site and to the property known as Pant Y Blodau shall be permanently stopped up, and the public highway reinstated to the written approval of the Local Planning Authority, prior to the new means of vehicular access herein approved, being brought into use.

7. There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole B4297 Road frontage within 2.4 metres of the near edge of the highway.
8. The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
9. Prior to the occupation of any of the dwellings herewith approved, the required access roads and footpaths from the existing public highway shall be laid out and constructed strictly in accordance with the plans herewith approved, to at least the base course levels, and with the visibility splays provided.
10. The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
11. The development hereby permitted shall not be commenced (including any ground works or site clearance) until details of a scheme to eradicate Japanese Knotweed has been submitted to and approved in writing by the local planning authority'. Furthermore works should be implemented in accordance with the approved scheme.
12. The existing boundary hedgerows on site are to be protected by fencing to BS5837 (Trees in relation to Construction) standard, whilst development takes place. No materials or equipment should be stored or dumped inside the fence.
13. Where any species listed under Schedules 2 or 4 of Conservation of Habitats and Species Regulations 2010 is present on the site in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the Local Planning Authority.
14. No development shall commence until details of a lighting scheme is submitted and approved in writing by the Local Planning Authority that limits disturbance to bats particularly along potential flight/wildlife corridors_(following the guidance listed within the document, Bats and Lighting in the UK, Bat Conservation Trust, 2008). All works should be implemented in accordance with the approved lighting plan.
15. All ecological mitigation shall be carried out in accordance with the Natural Resources Wales approved mitigation strategy.
16. Prior to the beneficial use of the 41st dwelling a Hydraulic Modelling Assessment shall be undertaken on the public sewerage system to assess the capacity of the sewerage network to accept the flows to be generated by the development hereby approved. Any necessary improvements identified in the Hydraulic Modelling Assessment will be funded by the developer and implemented in full to the written approval of the Local Planning Authority.
17. No development approved by this permission shall be commenced until a Method Statement detailing all necessary pollution prevention measures for the construction

phase of the development is submitted to and approved in writing by the Local Planning Authority.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure the population status of a European Protected Species.
- 3 In the interest of visual amenity
- 4-10 In the interest of highway safety.
- 11 To prevent the spread of Japanese Knotweed.
- 12 To ensure the protection of features of high ecological and visual value.
- 13-15 To protect ecological interests and to prevent disturbance of protected species.
- 16 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and to ensure no detriment to the environment.
- 17 To reduce the risk of pollution to controlled waters.

NOTES

- 1 The development hereby permitted shall relate to the following plans:
 - Site Location Plan at scale 1:2000 received on 28 March 2014;
 - Planning and Infrastructure Layout at scale 1:500 received on 01 April 2014;
 - Site Drainage Layout at scale 1:500 received on 01 April 2014;
 - Site Survey at scale 1:500 received on 01 April 2014;
 - Cross Sections at scale 1:500 received on 01 April 2014;
 - Long Sections at scales 1:500, 1:50 received 01 April 2014;
 - Road and Drainage Details at scales 1:50, 1:25, 1:10 received on 01 April 2014;
 - House Types plans at scale 1:100 received on 28 March 2014.
- 2 Please note that this permission 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 permission 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 commencement if 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 conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice

- 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)
- 4 The applicant will be required to enter into a Section 106 Agreement to ensure the provision of the following:
 - The provision of 8 affordable homes on the application site.
 - To provide a commuted sum of £77,000 based on the Modernising Education Programme, and in particular the Primary need identified at Penygroes Primary School.
 - To provide a commuted sum of £32,720 for the upkeep maintenance of local parks and open space.
 - To provide a commuted sum of £50,000 to contribute for the provision of a bus shelter and bus stop infrastructure fronting the site and towards the Traffic Management Scheme proposed for the Capel Hendre crossroads.
 - To provide a commuted sum of £74,053 (made up of £1,043 per market value dwelling) for mitigation for lost habitat for the Marsh Fritillary Butterfly due to the site being within 2km of the Caeau Mynydd Mawr Special Area of Conservation.
 - The provision, implementation and management of a Special Area of Conservation Protection and Management Plan.
- 5 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).

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposed development accords with policy GP1, of the LDP in that the proposed dwelling represents an acceptable form of development which is appropriate to the character and appearance of the surrounding area; is of an acceptable design; the proposed development fits in acceptably with the existing topographical features; provides an appropriate access with sufficient parking facilities and will not have an unacceptable impact upon the residential amenity of nearby properties.
- The proposed development accords with policies T3 of the LDP in that the proposed development provides an adequate access, parking and turning facilities and through

mitigation, would not detrimentally affect the safety of other highway users or generate unreasonable levels of traffic.

- The proposal accords with policy AH1 of the LDP in that the development provides for 8 affordable dwellings, provides commuted sums for various local aspects and provides benefits for ecology.
- The proposed development accords with policy H1 of the LDP in that the land is situated within the settlement limits for Penygroes and is allocated for residential development (GA3/h35) within the growth area. The proposal does not conflict with other policies within the plan and does not cause any highway, amenity or utility service provision objections.
- The proposal accords with policies EQ4, EQ5, and EQ7 in that the existing trees and hedgerows that form the boundary of the application site are to be retained for the most part, whilst a large area of land will remain undisturbed as part of a phase 1 habitat mitigation scheme. Furthermore, the site will positively contribute to the habitat regeneration scheme for Marsh Fritillary Butterflies within the Caeau Mynydd Mawr SAC.

DECISION DATE: 14/04/2015

SIGNED: *Julian Edwards*

Development Management Manager
for and on behalf of
EIFION W BOWEN, BSc, Dip TP, MRTPI
HEAD OF PLANNING