

TOWN AND COUNTRY PLANNING ACT 1990

Decision Notice

Approval of Reserved Matters

Applicant

Dinas Yard Developments Limited
C/O Agents

Application No: **PL/01026** registered on 07/01/2021 for:

Proposal:	Approval of Reserved Matters pursuant to planning permission S/33973 for the construction of 71 dwellings, with formation of estate road & associated infrastructure
Location:	Land part of and adjoining former Dinas Yard, Pembrey Road, Kidwelly, SA17 4TH
Application Type:	Approval of reserved matters

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):

Please read the conditions listed below carefully, some conditions may require to be discharged prior to or during development.

Condition 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.

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:-

- Location Plan;
- Proposed Site Access Plan (SK01);
- Ground Floor Plan (Bungalow 1);
- Front Elevation (Bungalow 2);
- Elevation on A (Bungalow 3);
- Rear Elevation (Bungalow 4);
- Elevation on B (Bungalow 5);
- Front Pictorial (Bungalow 6);
- Rear Pictorial (Bungalow 7);
- Front Pictorial (Morlais 1);
- Rear Pictorial (Morlais 2);
- Ground Floor Plan (Morlais 3);
- First Floor Plan (Morlais 4);
- Front Elevation (Morlais 5);
- Elevation on A (Morlais 6);
- Elevation on B (Morlais 7);
- Rear Elevation (Morlais 8);
- Ground Floor Plan (Dulais 1);
- First Floor Plan (Dulais 2);
- Roof Floor Plan (Dulais 3);
- Front Elevation (Dulais 4);
- Elevation on A (Dulais 5);
- Rear Elevation (Dulais 6);
- Elevation on B (Dulais 7);
- Front Pictorial (Dulais 8);
- Rear Pictorial (Dulais 9);
- Ground Floor Plan (Berem 1 Rev A);
- First Floor Plan (Berem 2 RevA);
- Rear Floor Plan (Berem 3 Rev A);
- Front Elevation (Berem 4 RevA);
- Elevation on A (Berem 5 RevA);
- Rear Elevation (Berem 6 Rev A);
- Elevation on B (Berem 7 Rev A);
- Front Pictorial (Berem 8 Rev A);
- Rear Pictorial (Berem 9 Rev A);
- Ground Floor Plan (Gwendraeth 1);
- First Floor Plan (Gwendraeth 2);
- Front Elevation (Gwendraeth 3);
- Elevation on A (Gwendraeth 4);
- Rear Elevation (Gwendraeth 5);
- Elevation on B (Gwendraeth 6);
- Front Pictorial (Gwendraeth 7);
- Rear Pictorial (Gwendraeth 8);
- Ground Floor Plan (Clydach 1);
- First Floor Plan (Clydach 2);
- Roof Floor Plan (Clydach 3);

- Front Elevation (Clydach 4);
- Elevation on A (Clydach 5);
- Rear Elevation (Clydach 6);
- Elevation on B (Clydach 7);
- Front Pictorial (Clydach 8);
- Rear Pictorial (Clydach 9);
- Noise Impact Assessment;
- Air Quality Assessment;
- Vertical Alignments (VL01);
received 22 December 2020;
- House Type Site Layout Plan;
received 28 October 2021;
- Tree Constraints and Tree Protection Plan;
- Ecological Management Plan;
received 22 February 2022;
- Surface water Drainage Scheme with Finished Floor Levels;
- Drainage Strategy Report;
- Drainage Strategy Plan (301 Rev A);
- Landscaping Plan (Rev G);
- Southern Landscape Area for Dormice (LS-02);
- Landscape Specifications;
received 25 April 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

No development hereby approve shall be commenced until a scheme of lighting has been submitted to and approved in writing by the local planning authority.

Reason: A scheme of lighting is required in order to ensure there is no harm to a protected species in accordance with Policy SP14 and EQ4 of the LDP.

Condition 4

No development hereby approve shall be commenced until a pre commencement badger survey has been carried out and approved in writing by the local planning authority. Any necessary mitigation shall be carried out as approved.

Reason: In order to ensure the protection of badgers in accordance with Policy SP14 and EQ4 of the LDP.

Condition 5

No development hereby approved shall be carried out until a scheme of Japanese Knotweed removal has been submitted to and approved in writing by the local planning authority. The Japanese knotweed mitigation shall be carried out as approved.

Reason: In order to eradicate an invasive species in accordance with Policy GP1 of the LDP.

Condition 6

No development hereby approved shall be commenced until a plan showing the location of ecological enhancement in the form of 'bat bricks' has been submitted to and approved in writing by the local planning authority. The 'bat bricks' shall be installed as approved.

Reason: In order to ensure ecological enhancement in accordance with the Environment (Wales) Act 2016.

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 complies with Policy SP1, GP1, GP2 & H1 of the LDP in that it is sensitive infilling within the settlement development limits on an allocated site and is appropriate in scale and design to the urban form and is not likely to cause unacceptable harm to neighbouring properties.
- The proposed development complies with Policies TR3 in that the proposal is not likely to be detrimental to highway safety.
- The proposed development complies with Policy AH1 in that the Outline Permission has a signed legal agreement securing 7.5% affordable housing due to the abnormal costs associated with the site and its former commercial use.

Note 1

Warning - A European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 03000653000 or at: <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

Note 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 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 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)

Note 4

The applicant/developer's attention is drawn to the signed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 submitted with Outline Planning application S/33973 which secures a contribution towards Education and 7.5% Affordable Housing which is considered necessary in this location.

Note 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).

DATED: 10/06/2022

Rhodri Griffiths

Pennaeth Lle a Chynaliadwyedd / Head of Place and Sustainability

PLEASE NOTE: Your attention is drawn to the attached notes which explain, amongst other things, your right of appeal against this decision.