

TOWN AND COUNTRY PLANNING ACT 1990

## Decision Notice

### Outline Planning Permission Granted

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#### **Applicant**

Director of Regeneration and Policy – CCC - J Jones  
County Hall  
Carmarthen  
SA31 1JP

Application No: **S/38285** registered on 11/01/2019 for:

<b>Proposal:</b>	CONSTRUCTION OF A RESIDENTIAL DEVELOPMENT OF UP TO 210 UNITS WITH ASSOCIATED LANDSCAPING AND INFRASTRUCTURE WORKS
<b>Location:</b>	LAND AT, NORTH DOCK, SEASIDE, LLANELLI, SA15 2LY
<b>Application Type:</b>	Outline planning consent: some matters reserved

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):

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

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#### **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 relates to the land defined by the submitted 1:500 scale Existing Site Plan Drawing No. 1201 dated 19<sup>th</sup> December 2018.

*Reason:* For the avoidance of doubt.

### **Condition 3**

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.

*Reason:* In order to ensure a satisfactory layout of the site and in the interest of visual amenities.

### **Condition 4**

The development shall be undertaken in strict accordance with the recommendations made in the Ecological Assessment, Reptile and Bird Survey and Brownfield Habitat Mitigation submitted with the planning application.

*Reason:* In the interests of biodiversity in accordance with Policy SP14 and EQ4 of the LDP.

### **Condition 5**

The development shall be undertaken in strict accordance with the Japanese Knotweed Eradication Scheme Report submitted with the planning application.

*Reason:* To eradicate an invasive species in accordance with Policy GP1 of the LDP.

### **Condition 6**

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.
- (iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

*Reason:* The controlled waters at this site are of high environmental sensitivity due to the proximity of the development to the Burry Inlet and Loughor Estuary Site of Special Scientific Interest (SSSI), Carmarthen Bay and Estuaries Special Area of Conservation (SAC), Burry Inlet Special Protection Area (SPA) and Ramsar site and contamination is strongly suspected at the site due to the previous industrial land uses.

#### **Condition 7**

Prior to commencement of 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. 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.

*Reason:* To demonstrate that the remediation criteria relating to controlled waters have been met, and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site in accordance with Policy GP1 and EP2 of the LDP.

#### **Condition 8**

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.

*Reason:* To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site, in accordance with Policy GP1 and EP2 of the LDP.

#### **Condition 9**

If, during development, contamination not previously identified is found to be present at the site, then no further development 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.

*Reason:* Given the size/complexity of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated, in accordance with Policy GP1 and EP2 of the LDP.

#### **Condition 10**

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.

*Reason:* To ensure there is no increased potential for pollution of controlled waters from inappropriate methods of piling, in accordance with Policy GP1 and EP2 of the LDP.

#### **Condition 11**

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.

*Reason:* In the interests of public protection in accordance with Policy GP1 and EP2 of the LDP.

#### **Condition 12**

The development shall be undertaken in strict accordance with the recommendations made in the Drainage Strategy and Water Quality Statement received on 2<sup>nd</sup> January 2019 in terms of surface water drainage, foul water drainage and removal of surface water from the combined sewer network.

*Reason:* To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, in accordance with Policy EP1 of the LDP.

#### **Condition 13**

No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

*Reason:* To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policy EP1 of the LDP.

#### **Condition 14**

Prior to the commencement of development a lighting plan shall be produced which demonstrates how lighting of suitable other habitats will be avoided and will need to be submitted for the written approval of the local planning authority. The lighting plan shall subsequently be implemented as agreed.

*Reason:* For the protection of Otters, a European Protected Species and feature of the SAC in accordance with Policy SP14 of the LDP.

#### **Condition 15**

No development, including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

The CEMP should include:

- Construction methods including details of materials, waste, contaminated land and dealing with invasive species.

- General Site Management: construction programme, site clearance requirements, construction drainage, site set-up plan detailing sensitive receptors and buffers zones, relevant protection measures e.g. fencing.
- Biodiversity Management: tree and hedgerow protection. The CEMP shall reference all biodiversity mitigation requirements for the construction phase as referenced in the submitted ecological reports and associated documents (Sections 2.4 and 3.6 of the Reptile and Bird Survey by Pryce Consultant Ecologists Dated 7th August 2019, Sections 6.2, 6.6, 6.7, 6.9, 6.10 and 6.11 of the Ecological Assessment by Pryce Consultant Ecologists Dated 14th February 2018).
- Soil management.
- Control of Nuisances: restrictions on timing/duration/frequency of works, dust control measures, control of light spill and conservation of dark skies.
- Resource Management: fuel and chemical storage, waste management, water consumption, energy consumption.
- Traffic Management: deliveries, plant on site, wheel washing facilities.
- Pollution Prevention: demonstrate compliance with relevant Guidelines for Pollution Prevention and detail all necessary pollution prevention measures, incident response plan and site drainage plan.
- Details of the persons/bodies responsible for particular activities associated with the CEMP and emergency contact details.

*Reason:* For pollution prevention and the protection of the designated sites in accordance with Policy SP14 of the LDP.

#### **Condition 16**

The development shall be undertaken in strict accordance with the recommendations made in the Flood Consequences Assessment received on 19th December 2018.

*Reason:* To safeguard against flooding in accordance with Policy SP2 of the LDP.

#### **Condition 17**

Works shall not take place until a scheme for the mitigation of dust has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented during all stages of construction. Vehicles transporting materials which are likely to cause dust onto and off site shall be suitably covered.

*Reason:* To ensure that the amenity of local residents/businesses is adequately protected from dust during demolition/construction in accordance with Policy GP1 of the LDP.

#### **Condition 18**

The development shall be undertaken in strict accordance with the recommendations made in the Air Quality Assessment Report received on 19<sup>th</sup> December 2018.

*Reason:* To preserve the amenity of the existing and future residents in accordance with Policy GP1 of the LDP.

### **Condition 19**

During the demolition and construction phases, no works or demolition or construction shall take place other than within the hours of 07:30 – 18:00 Monday – Friday, Saturday 08:00 – 13:00 and not at all on Sundays, Bank or Public Holidays. As the proposed development is situated in a primarily residential area, it is recommended to minimise noise disturbance that the construction work be undertaken in compliance with BS: 5228 Noise Vibration and Control on Construction and Open Sites; and as specified in the Noise and Vibration Assessment Reference 6937/BL/pw February 2018.

*Reason:* To preserve the amenity of the existing and future residents in accordance with Policy GP1 of the LDP.

### **Condition 20**

The proposed residential dwellings shall be designed so as not to exceed the noise criteria based on current figures by BS8233 “good” conditions given below:-

- Dwellings indoors in daytime: 35 dB LAeq,16 hours;
- Inside bedrooms at night-time: 30 dB LAeq,8 hours (45 dB LMax).

Such detail and appropriate consequential noise mitigation measures (as stipulated in the Noise and Vibration Assessment Reference: 6937/BL/pw February 2018) shall have been agreed, in writing, by the local planning authority and shall be implemented prior to occupation of the building on the site and shall be maintained as agreed thereafter.

*Reason:* To preserve the amenity of the existing and future residents in accordance with Policy GP1 of the LDP.

### **Condition 21**

All plots in proximity to the industrial/commercial site located to the north of the proposed development shall have amenity areas facing away from the industrial site and therefore will be sheltered in terms of noise.

*Reason:* To preserve the amenity of the existing and future residents in accordance with Policy GP1 of the LDP.

### **Condition 22**

To limit the impact of any vibration from rail traffic, no dwelling shall be built no closer than 10 meters from the railway line.

*Reason:* To preserve the amenity of the existing and future residents in accordance with Policy GP1 of the LDP.

### **Condition 23**

Prior to use of any access road by vehicular traffic, visibility splay in compliance with Technical Advice Note 18 (Transport) page 44 shall be formed and thereafter retained in perpetuity, either side of the centre line of the access road in relation to the nearer edge of carriageway.

*Reason:* In the interest of highway safety in accordance with Policy TR3 of the LDP.

#### **Condition 24**

Prior to the commencement of development, the written approval of the local planning authority shall be obtained for a scheme of parking and turning facilities 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 phase being brought into use, and thereafter shall be retained, unobstructed, in perpetuity. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

*Reason:* In the interest of highway safety in accordance with Policy TR3 of the LDP.

#### **Condition 25**

Prior to the commencement of development the written approval of the local planning authority is to be obtained for a scheme detailing the provision and frequency of use of facilities for washing down the wheels of vehicles prior to entering the public highway. Thereafter the scheme shall be implemented as agreed.

*Reason:* In the interest of highway safety in accordance with Policy TR3 of the LDP.

#### **Condition 26**

No development shall take place until a detailed Construction Traffic Management Plan is submitted for the written approval of the local planning authority and thereafter shall be implemented in full and as agreed.

*Reason:* In the interest of highway safety in accordance with Policy TR3 of the LDP.

#### **Condition 27**

Before any development is commenced a detailed Travel Plan, setting out ways of reducing car usage and increasing walking and cycling to and from the development, shall be submitted to and agreed in writing by the local planning authority. The detailed Travel Plan shall be implemented in accordance with the approved details at a timescale to be approved in writing by the local planning authority.

*Reason:* In the interest of highway safety in accordance with Policy TR3 of the LDP.

#### **Condition 28**

Prior to the determination of any application(s) for reserved matters seeking approval of 'layout' or 'landscaping', no trees with trunk/stem diameter exceeding 100 mm, measured at a height of 1.5 metres above ground level, which are located within or on the site boundary shall be cut down, up-rooted, destroyed, topped, lopped or pruned without the prior written approval of the local planning authority. Following such approval all works are to be carried out in accordance with BS3998.

*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: thus delivering the objectives of CLDP policies: - SP1 d) and i); SP14 e); GP1 b) and f); and EQ5; and pursuant to section 197 (a) of the Town and Country Planning Act 1990.

#### **Condition 29**

Any reserved matters application(s) in relation to this outline approval, shall include submission of a Landscape Constraint Plan (LCP) to approval by the local planning authority. The LCP 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.

If the proposed development would 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 to 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 details, as necessary, of specific design solutions to enable effective retention of any trees, groups of trees and other landscape elements which are identified as subject to potential impacts 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.

*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: thus delivering the objectives of CLDP policies: - SP1 d) and i); SP14 e); GP1 b) and f); and EQ5; and pursuant to section 197 (a) of the Town and Country Planning Act 1990.

### **Condition 30**

All site operations shall be undertaken in compliance with the approved landscape constraint and protection information, as submitted to discharge condition 28.

Any construction operations and/or access within the defined construction exclusion zone(s) (CEZ) shall be limited to those undertaken in compliance with the recommendations of BS5837. CEZ(s) shall be fully implemented prior to the commencement of any works associated with the development; and thereafter maintained in entirety, 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, identified for protection, or part thereof, 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 existing landscape 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 with the local planning authority, and thereafter likewise conditioned for a further period of five years.



*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: thus delivering the objectives of CLDP policies: - SP1 d) and i); SP14 e); GP1 b) and f); and EQ5; and pursuant to section 197 (a) of the Town and Country Planning Act 1990.

### **Condition 31**

Any reserved matters application(s) in relation to this outline approval, shall include an appropriate and comprehensive detailed Landscape Design Scheme (LDS), which shall be approved in writing by the local planning authority. The LDS shall be in compliance with all ecological and biodiversity recommendations and proposals for the site; and relevant guidance as provided by the local planning authority.

*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.

### **Condition 32**

The approved Landscape Design Scheme (LDS), as submitted to discharge condition 30 shall be fully implemented in the first available planting and seeding seasons 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.

*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.

### **Condition 33**

Any reserved matters application(s) in relation to this outline approval, shall include an appropriate and comprehensive Landscape Maintenance and Management (LMM) information which shall be submitted to and approved in writing by the local planning authority. The information shall include the following:-

- i) Landscape Maintenance and Management Responsibility Plan which provides clear definition of LMM responsibility for all landscape areas within the planning application boundary specifically:-
  - Areas subject to transfer to future private residential ownership and management responsibility in terms of private amenity space for the sole benefit of the future owner.
  - Areas of the site proposed for adoption by the local authority.
  - Areas within the site boundary not included in the above.
- ii) Landscape Maintenance and Management Scheme (LMMS) for all landscape areas within the application boundary which are not subject to private ownership as defined above, or to adoption by the local authority. The LMMS shall include:-

- Plans, specifications and schedules to cover establishment and long term proposals for landscape maintenance and management.
- Details of the management agent (body or organisation) responsible for implementation of the LMMS; and the legal and funding mechanism(s) with the identified management agent by which delivery of the LMMS will be secured. All landscape maintenance and management operations shall be fully implemented as approved.

*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.

#### **Condition 34**

A scheme for the provision of open space to meet the needs of the development in accordance with Policy REC 2 of the Local Development Plan needs to be submitted and approved as part of any subsequent Reserved Matters submission. The scheme shall include a timetable for the provision to be made and details of the arrangements for its subsequent maintenance. The open space shall be provided in accordance with the approved details.

*Reason:* To ensure that sufficient provision for open space is made within the scheme to accord with Policy REC2 of the LDP.

#### **Condition 35**

No development shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:-

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 20% of housing units;
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

*Reason:* To provide an appropriate level of affordable housing in accordance with Policy AH1 of the LDP and TAN 2.

## 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 SP4 of the LDP in that the proposed development, in part will deliver the aspirations of a strategic site.
- 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 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 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.
- It is considered that the proposal complies with Policy GP2 of the LDP in that the application site is within defined settlement limits.
- 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 H2 of the LDP in that it will deliver new housing within development limits.

- 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 EMP5 of the LDP in that the proposed development will, in part, deliver the aspirations of a mixed use allocation.
- 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 provision for open space will be made within the proposed development.

#### **Note 1**

The applicant/developer should note that the following financial contributions have been paid prior to determination:-

- £10,000 towards highway improvements at Sandy Road Roundabout.
- £25,000 towards Active Travel improvements.
- £30,864.77 towards Habitat Management at Morfa Berwick Nature Reserve.

#### **Note 2**

Any prospective purchaser(s) of the land referred to in the Planning Permission S/38285 will be required in the Contract of Sale to enter into a S106 Agreement with Carmarthenshire County Council for the provision of a contribution towards Education provision in accordance with the Planning Obligations Supplementary Planning Guidance.

**Note 3**

Comments and guidance received from consultees relating to this application, including any other permissions or consents required, are available on the Authority's website.

**Note 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.

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**DATED:** 02/11/2021

*Ruth Mullen BSc*  
**Director of Environment**

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