

TOWN AND COUNTRY PLANNING ACT 1990

Decision Notice

Full Planning Permission Granted

Applicant

Obsidian Developments Ltd and Ansellton Ltd

Application No: **PL/03374** registered on 31/01/2022 for:

| | |
|--------------------------|--|
| Proposal: | Residential development of 64 dwellings together with access, landscaping, drainage and associated works |
| Location: | Land to the west of High Street, St Clears, Carmarthen |
| Application Type: | Full planning permission |

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):

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

Condition 1

The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.

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:

- Floor and Elevations Plan [HT-A-01 AS] 1:100 @ A3,
- Floor and Elevations Plan [HT-A-02 OP] 1:100 @ A3,
- Floor and Elevations Plan [HT-A-03 AS] 1:100 @ A3,
- Floor and Elevations Plan [HT-A-04 OP] 1:100 @ A3,
- Floor and Elevations Plan [HT-B-01-AS] 1:100 @ A3,
- Floor and Elevations Plan [HT-B-02-OP] 1:100 @ A3,

- Floor and Elevations Plan [HT-C-02-OP] 1:100 @ A3,
- Floor and Elevations Plan [HT-D-01 AS] 1:100 @ A3,
- Floor and Elevations Plan [HT-D-02 OP] 1:100 @ A3,
- Floor and Elevations Plan [HT-D-03 AS] 1:100 @ A3,
- Floor and Elevations Plan [HT-E-02-OP] 1:100 @ A3,
- Floor and Elevations Plan [HT-E-03-AS] 1:100 @ A3,
- Floor and Elevations Plan [HT-E-04-OP] 1:100 @ A3,
- Floor and Elevations Plan [HT-F-01 AS] 1:100 @ A3,
- Floor and Elevations Plan [HT-F-02 OP] 1:100 @ A3,
- Floor and Elevations Plan [HT-F-03 AS] 1:100 @ A3,
- Floor and Elevations Plan [HT-F-04 OP] 1:100 @ A3,
- Floor and Elevations Plan [HT-AV-01 AS] 1:100 @ A3,
- Floor and Elevations Plan [HT-AV-02 OP] 1:100 @ A3,
- Floor and Elevations Plan [HT-AV-03 AS] 1:100 @ A3,
- Floor and Elevation Plans [HT-AV-04 OP] 1:100 @ A3,
- Floor and Elevations Plan [HT-BV-01-AS] 1:100 @ A3,
- Floor and Elevations Plan [HT-BV-02-OP] 1:100 @ A3,
- Floor and Elevations Plan [HT-BV-03-AS] 1:100 @ A3,
- Floor and Elevations Plan [1B-2P-04-OP] 1:100 @ A3,
- Floor and Elevations Plan [1B-2P-03-AS] 1:100 @ A3,
- Floor and Elevations Plan [2B-4P-01-AS] 1:100 @ A3,
- Floor and Elevations Plan [2B-4P-02-OP] 1:100 @ A3,
- Floor and Elevations Plan [T-C-01-AS] 1:100 @ A3,
- Garage Floor, Roof and Elevation Plan [GAR-01] 1:100 @ A3,
- Garage Floor, Roof and Elevations Plan [GAR-02] 1:100 @ A3,
- Garage Elevation, Roof and Floor Plan [GAR-03] 1:100 @ A3,
- Garage Elevation, Floor and Roof Plan [GAR-04] 1:100 @ A3,
- Boundary Treatment Layout [BT-01 - Rev 02] 1:500 @ A1,
- Timber Shed Detail [SHED-01] 1:25 @ A3,
- External Details Screen Wall [2128-D01] 1:20 @ A3,
- External Details Close Board Fence [2128-D02] 1:5, 1:20 @ A3,
- External Details Close Board Gate Plan [2128-D03] 1:20 @ A4,
- Timber Guard Fencing to Retaining Wall Plan [D04] 1:5, 1:20 @ A3,
- External Details High Ball Top Railings [2128-D05] 1:20 @ A4,
- External Details Timber Knee Rail [2128-D06] 1:20 @ A4,
- Proposed Drainage Strategy Plan [C-Sk03 - Rev A] 1:500 @ A1,
- Tree Location and Arboricultural Impact Assessment [01] 1:250 @ A3,
- Tree Location and Arboricultural Impact Assessment [02] 1:250 @ A3,
- Tree Location and Arboricultural Impact Assessment [ARW 116:03] 1:250 @ A3,
- Landscape Strategy [01] 1:500 @ A1,
- Landscape Strategy [01-03] 1:500 @ A1,
- Arboricultural Impact Assessment,
- Preliminary Ecological Assessment,
- Written Scheme of Investigation for Geophysical Survey,
- Setting Impact Statement,
- Geophysical Survey,
- Noise Assessment Report,
- Bat Scoping and Activity Report,
- Topographical Survey @ A3,

dated 19 January 2022;

- Site Layout Plan [SP-01 - Rev 04] 1:500 @ A1,
- Refuse Strategy Plan [RSP-01 - Rev 02] 1:500 @ A1,
- Parking Strategy Plan [PS-01 - Rev 02] 1:500 @ A1,
- Location Plan [LP-01- Rev 01] 1:2500 @ A4,
- House Finishes Layout [HF-01- Rev 03],
- Floor Plans and Elevations - Brick [3B-5P AS],
- External Works Plan [EW-01 - Rev 02] 1:500 @ A1,
- Affordable Housing Layout Plan [AF-01 - Rev 02] 1:500 @ A1,
- Street Scenes [SS-01 - Rev 03] 1:100 @ A1,
- Floor Plans and Elevations - Brick [3B-5P OP],
- Proposed footpath widening & stone retaining wall elevation [PFW-01],

dated 10 August 2022;

- Site Access General Arrangement [C-SK07 A],

dated 2 September 2022;

- Detention Basin Sections [C-SK04],
- Northern Detention Basin Sections [C-SK10],
- Trunk Roads Proposed Surface Water Drainage [C-SK06],

dated 21 September 2022;

- Additional Plan,
- Site Access General Arrangement [SK07B],

dated 11 October 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

The ecological enhancements listed in Land Adjacent to Brynheulog – Ecological Enhancements Appendix 3 and shown on the Landscape Strategy 01 by Tir Collective dated December 2021 are sufficient and must be implemented as described.

Reason: In the interests of ecology in accordance with the Environment Act 2016.

Condition 4

A Landscape and Ecological Management Plan (LEMP) must be submitted to the Local Planning Authority prior to commencement of works. It shall include methods of implementation of all listed enhancements, exact mixes of species to be planted, plans for continued management of these features and who will be responsible for their ongoing maintenance.

Reason: In the interests of landscape and ecology in accordance with Policy GP1 of the LDP.

Condition 5

Prior to the commencement of development on the site, an external lighting scheme shall be submitted for the consideration and written approval of the Local Planning Authority. The scheme shall take into account all of the lighting needs and mitigation requirements associated with the development during operational hours and shall be the minimum required to perform the relevant lighting task. It shall be specifically designed to minimise the risk of light spillage beyond the development site boundary and within ecologically sensitive areas.

The scheme shall include:

- A report, prepared by a lighting engineer, setting out the technical details of the luminaires and columns, including their location, type, shape, dimensions and, expected luminance output and specifically explaining what design attributes have been chosen to minimise light pollution.
- A plan illustrating illuminance levels across the development site and any spillage beyond the boundary of the site. The level of illuminance should be appropriate to the character of the surrounding area as a whole.
- See Guidance Note 8 Bats and Artificial Lighting / Bat Conservation Trust and the Institution of Lighting Professionals, 2018 for further guidance.
- Once approved in writing, the lighting scheme shall be implemented and thereafter operated in accordance with the approved details.

Reason: In the interests of Ecology in accordance with Policy EQ4 of the LDP.

Condition 6

Any works affecting vegetation, trees and demolition of the building on site must be done outside the nesting season, which is recognised to be from March to August inclusive, unless it can be demonstrated that nesting birds are absent. It should be noted that birds may still be nesting outside this season, therefore care should be taken to ensure that no nesting birds are affected (see section 5.1 of the PEA report ver 3 by Habitat Matters dated Jan 2022).

Reason: In the interests of ecology in accordance with Policy EQ4 of the LDP.

Condition 7

No dwellings shall be commenced until details and/or samples of facing brick and boundary treatment have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policy GP1 of the LDP.

Condition 8

No development shall be commenced until full details of sustainable surface water drainage have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure sustainable surface water drainage in accordance with Policy SP2 and EP3 of the LDP.

Condition 9

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 radius (south) 8.0m kerbed radius (north) at the junction with the A4066 road.

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

Condition 10

The gradient of the vehicular access serving the development shall not exceed 1 in 20 for the first 15.0 metres from the edge of the carriageway.

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

Condition 11

Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 43 metres 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. In particular there shall at no time be any obstruction above 0.9 metres within this splay area.

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

Condition 12

There shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent carriageway crown, over the site's whole estate road frontage within 2.4 metres of the near edge of the carriageway.

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

Condition 13

Prior to the occupation of any of the dwellings herewith approved, the required access roads and footways 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.

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

Condition 14

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.

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

Condition 15

Prior to the occupation of any dwellings hereby approved, the Active Travel and highway infrastructure improvement works in the vicinity of the site access and at the A40 Slip Road junction with High Street

(A4066) shall be carried out in accordance with Site Access General Arrangement SK07B and to the specification of the Local Highway Authority.

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

Condition 16

Prior to the construction of any dwellings hereby approved, a detailed engineering scheme shall be submitted to the Local Planning Authority for the proposed footpath widening and stone retaining element fronting 'Brynheulog'. The scheme shall be implemented in full as agreed prior to the beneficial occupation of the first dwelling, and to the specification of the Local Highway Authority.

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

Condition 17

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 to be implemented in full and as agreed.

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

Condition 18

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 interests of highway safety in accordance with Policy TR3 of the LDP.

Condition 19

No development shall take place until the existing vehicular access onto Heol Goi has been stopped up for motorised traffic.

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

Condition 20

No trees with trunk/stem diameter exceeding 100 mm, measured at a height of 1.5 metres above ground level; or hedges, which are located within or on the site boundary shall be cut down, uprooted, destroyed, topped, lopped or pruned without prior approval of a Landscape Design Scheme (LDS), or specific written approval for the works by 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 21

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 landscape elements not

identified for specific removal to implement the development. 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.

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 22

No development shall take place until a Landscape Design Scheme (LDS) along with implementation schedule, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in compliance with recommendations and relevant guidance as provided by the Local Planning Authority.

The approved scheme shall be fully implemented in accordance with the implementation schedule.

Any existing elements retained or translocated; or new elements installed, constructed, planted or seeded in accordance with the approved scheme 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 element in relation to this planning approval is no longer delivered, shall be replaced, within six months of written notification by the Local Planning Authority, or within in the next available planting or seeding season thereafter, 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 23

No development or site clearance shall take place until appropriate Landscape Maintenance and Management information has been submitted to and approved in writing by the Local Planning Authority. The information shall include the following:

- a) Landscape Maintenance and Management Responsibility Plan; which provides clear definition of all areas within and on the application boundary and specifically identifies:-
 - i) areas subject to transfer to future private ownership;
 - ii) areas proposed for adoption by the local authority;
 - iii) all areas within the application boundary not included in the above.

- b) Landscape Maintenance and Management Scheme for all areas not subject to transfer to future private ownership or areas proposed for adoption by the local authority.

The scheme shall include:-

- Plans, specifications and schedules for establishment and long-term maintenance and management, of all identified landscape areas, including monitoring and remedial operations.
- Details of the management agent (body or organisation) responsible for implementation of the LMM scheme; and the legal and funding mechanism(s) by which delivery of the LMM scheme will be secured for the lifetime of the proposed development.

All landscape maintenance and management shall be fully implemented as approved.

Reason: To ensure that the landscape proposals are managed and maintained to ensure long term delivery of the objectives of CLDP policies:- SP1 d) and i); GP1 a), f) and i); EQ5; and where appropriate EQ6.

Condition 24

Prior to the construction of any dwellings hereby approved, details of boundary treatment along the southern boundary shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of residential amenity in accordance with Policy GP1 of the LDP.

Condition 25

An Arborist shall be appointed to oversee the project (to perform a Watching Brief) for the duration of the development and be responsible for:-

- (a) Supervision and monitoring of the approved Tree Protection Plan;
- (b) Once the barrier fencing is erected, the approved Arboricultural Consultant must inspect and “sign off” in writing and submit a copy of this to the Local Planning Authority stating that the protective fencing is in the correct location and is fit for purpose.
- (c) Ensuring that all tree work is carried out in accordance with the approved Arboricultural Implications Assessment & Arboricultural Method Statement.
- (d) Supervision and monitoring of the approved tree felling and pruning works;
- (e) Supervision of the alteration or temporary removal of any Barrier Fencing;
- (f) Oversee working within any Root Protection Area.

Reason: - To ensure protection of the boundary trees in accordance with Policy GP1 of the LDP.

Note 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

Note 2

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 3

The applicant/developer's attention is drawn to the signed Section 106 Legal Agreement which secures a contribution of 5 houses and £16,762 towards Affordable Housing which is considered to be reasonably necessary to serve the development.

Note 4

Any works affecting the Conservation Area require Conservation Area Consent. Please contact the Built Heritage Team for further advice.

DATED: 09/10/2023

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.