

Town & Country Planning Act 1990

OUTLINE PLANNING PERMISSION

MR BRIAN BEYNON
C/O AGENTS

Application No: **S/33973** registered: 21/06/2016 for:

Proposal : RESIDENTIAL DEVELOPMENT

Location : LAND AT AND ADJOINING FORMER DINAS YARD, PEMBREY ROAD,
KIDWELLY, SA17 4TH

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):

CONDITIONS

- 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.
- 2 The permission now granted is an outline permission only, within the meaning of the Town and Country Planning (General Development Procedure) Order 1995.
- 3 Development shall not commence until detailed plans of the layout, appearance, scale and landscaping of the development, together with the means of access thereto, have been submitted to and been approved in writing by the Local Planning Authority.
- 4 The development site hereby permitted is as defined on the 1:2500 scale location plan. Drawing No. LOCPL/RB/001B dated 17 May 2016 and 1:500 scale Indicative Site Layout, Drawing No GENPL/RB/003E dated 25 July 2016.

5 Any reserved matters application shall include:

- A desktop study (Preliminary Risk Assessment) which shall include the identification of previous land uses, potential contaminants that might reasonably be expected given those uses and other relevant information, such as pathways and exposure to potential receptors. This information shall also be presented in tabular or diagrammatical form (Conceptual Site Model) for the site and all potential contaminant sources, pathways and receptors shall be included. In order to complete the conceptual site model, it may be necessary at this stage to undertake limited exploratory sampling. The Preliminary Risk Assessment shall be submitted to and be approved by the Local Planning Authority.
- A detailed scheme for the investigation and recording of contamination for the site (where necessary). The detailed site investigation report (Quantitative Risk Assessment) shall be submitted to and approved by the Local Planning Authority. The report shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation and British Standards.
- Detailed proposals for site remediation and verification (Remediation Strategy) which may involve the removal, containment or otherwise rendering harmless such contamination. The proposals shall be prepared in accordance with recognised current best practice, legislation, relevant guidance, documentation and British Standards and shall be submitted to and have received in writing the approval of the Local Planning Authority prior to commencing the works.

If, during development, any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Remediation Strategy' then a revised 'Remediation Strategy' shall be submitted to the Local Planning Authority.

If, during development, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed 'Remediation Strategy'.

- 6 Any reserved matters application shall include an Air Quality Assessment (AQA) in accordance with the latest Environmental Protection UK Guidance "Air Quality Planning Guidance (May 2015)", or justification be provided as to why an AQA is not required. The AQA or justification document should be submitted to the Local Planning Authority for written approval.
- 7 Any reserved matters application shall include 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 demolition and construction, including proposed new car parking area. Vehicles transporting materials which are likely to cause dust onto and off site shall be suitably covered.
- 8 Any reserved matters shall include a Noise Management Plan. The Management Plan should address the construction phase of the proposed development and will include the noisiest phases arranged in terms of loudness, the duration of the phases and details of mitigation measures to be employed to minimise the noise during construction on the nearby residential site. The plan shall comply with the guidance found in the BS5228 Noise Vibration and Control on Construction and Open Sites.

- 9 Any reserved matters application shall include 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 development 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.
- 10 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 internal Road frontage within 2.0 metres of the near edge of the highway.
- 11 Any reserved matters application shall include details of the implementation, maintenance and management of a sustainable drainage system (SUDS) for surface water drainage. Such a scheme shall be implemented prior to the construction of any impermeable surfaces draining to this system.
- 12 The trees/hedgerow around the application site's boundary shall be protected for the duration of the construction period following guidelines in BS5837 2005 (Trees in relation to construction) as follows and shall thereafter be retained in perpetuity:
- An exclusion zone is to be identified by the Authority and agreed in writing **prior** to start of works.
 - Any arboricultural works that are required in pursuance of given planning permission e.g. to form access way etc - to be undertaken by suitably qualified professionals before the erection of protective barriers.
 - Following any necessary arboricultural works all trees to be retained to be protected by permanent non moveable barriers. In light of previous experience with chestnut paling the barriers should consist of 2.9 m scaffolding poles sunk 0.6 metres into the ground. Steel mesh should then be secured to the scaffold frame to adequately shield the trees from machinery.
 - The protective barrier is to remain until written permission is given by this Authority for its removal.
 - Absolutely no materials are to be stored at any time within the agreed exclusion zone.
 - Arboricultural works and erection of protective barriers is to be supervised / inspected prior to start of any development
- 13 At reserved matters stage a detailed ecological mitigation, management, enhancement and monitoring plan identifying all necessary ecological retentions, enhancements, creation, mitigation and ongoing management measures for the lifetime of the development, delivering the ecological recommendations listed within Sections 6.2-6.9 of the Preliminary Ecological Appraisal and Badger Survey by Baker Consultants dated 14th June 2016, Section 4 of the reptile method statement by BE Ecology dated July 2016, detail contained within the Dormouse Licence Method Statement by BE Ecology dated September 2016, the Ecology section of the CEMPPP by JCR Planning dated November 2016 and the NRW response dated 10th April 2017 detailing dormice requirements, must be submitted to and approved in writing by the Local Planning Authority. The plan shall then be implemented as approved.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 The application is in outline only.
- 3 In the interests of visual amenity.
- 4 For the avoidance of doubt.
- 5-8 In the interests of public protection.
- 9-10 In the interests of highway safety.
- 11 To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.
- 12 In order to protect features of biodiversity and landscape value.
- 13 In the interests of ecology.

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 & H2 of the LDP in that it is sensitive infilling within the settlement development limits on an allocated site which is appropriate in scale and design to the urban form and is not likely to cause unacceptable harm to neighbouring properties.

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 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).
- 3 The developer/applicant's attention is drawn to the Section 106 Agreement which sets out contributions for affordable housing and education which are considered necessary to serve the development.
- 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: 12/01/2018

SIGNED: *Julian Edwards*

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