

TOWN AND COUNTRY PLANNING ACT 1990

## Decision Notice

### Outline Planning Permission Granted

#### Applicant

Application No: **PL/04281** registered on 05/07/2022 for:

<b>Proposal:</b>	Outline planning for a double storey dwelling
<b>Location:</b>	Pandy, Llanpumsaint, Carmarthen, SA33 6DA
<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.***

#### 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 development hereby permitted shall be carried out in accordance with the following schedule of plans:-

- Proposed Block Plan
- Proposed Location Plan

received 28 June 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**

Development shall not commence until detailed plans of the scale, appearance 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.

Reason: In the interests of visual amenity.

**Condition 4**

The dwelling hereby approved shall be limited to the following scale parameters:

Height: 8.0m – 9.0m  
Length: 12.0m – 16.0m  
Depth: 7.5m – 12.0m

Reason: For the avoidance of doubt or confusion as to the extent of the permission hereby granted and in the interests of visual amenity – Policies SP1 and GP1 of the adopted Carmarthenshire Local Development Plan.

**Condition 5**

Prior to the construction of the dwelling hereby approved details of the materials to be used in the construction of the external surfaces of the dwelling shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to accord with Policies GP1 of the Carmarthenshire Local Development Plan 2014.

**Condition 6**

The new vehicular access shall be laid out and constructed strictly in accordance with Typical Layout No. 1 (specification for which is attached to this planning permission), prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.

Reason: In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

**Condition 7**

Any access gates shall be set back a minimum distance of 5.0 metres from the highway boundary, and shall open inwards into the site only.

Reason: In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

**Condition 8**

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 C1317 frontage within 2.0 metres of the near edge of the highway.

Reason: In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

**Condition 9**

Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 25.0 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access in relation to the nearer edge of carriageway.

Reason: In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

**Condition 10**

Prior to the commencement of development the written approval of the Local Planning Authority shall be obtained for a scheme of parking 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.

Reason: In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

**Condition 11**

All surface water from the development herewith approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway.

Reason: In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

**Condition 12**

No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.

Reason: In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

**Condition 13**

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage 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.

#### **Condition 14**

Prior to the commencement of any works associated with the development (including site vegetation clearance, demolition of existing structures, excavation, heavy machinery entering site or the on-site storage of materials) a Tree Protection Plan (TPP) shall be submitted to and agreed in writing by the Local Planning Authority. The TPP shall be in compliance with the recommendations of BS5837, and provide details of protective measures, operations and construction exclusion zones for all trees, large shrubs and hedges identified for retention. The approved Tree Protection Plan shall be fully implemented, prior to the commencement of any works associated with the development; and thereafter shall be maintained in its entirety, 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 existing trees and landscape elements of suitable quality and condition are retained and effectively accommodated and protected as part of approved development in accordance policies SP1, SP14, GP1 and EQ5 of the Carmarthenshire Local Development Plan 2014.

#### **Condition 15**

No development approved by this permission shall be commenced until a biodiversity enhancement scheme including locations, types, specifications and numbers of any proposed biodiversity enhancement measures is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of biodiversity and to accord with Policies EQ4 and SP14 of the Carmarthenshire Local Development Plan.

#### **Condition 16**

Prior to the installation of any lighting other than that hereby approved, a lighting scheme shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and biodiversity and to accord with Policies GP1, EQ4 and SP14 of the Carmarthenshire Local Development Plan.

#### **Condition 17**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 [as amended] (or any order revoking, amending and re-enacting that Order), no development of the types described in Schedule 2, Part 1, Classes A, B, C, D, E and G shall be carried out to any part of the development hereby approved without the written permission of the Local Planning Authority.

Reason: To exert control over the future development of the site. In the interests of visual amenity and to protect the integrity, character and appearance of the building and the surrounding countryside. Also, in the interests of residential amenity, general amenity and highway safety.

#### **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 of the LDP in that the proposed dwelling represents sensitive infilling within the settlement development limits and is deemed an acceptable form of development which is appropriate to the character and appearance of the surrounding area.

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 applicant has submitted a unilateral undertaking under Section 106 to provide a contribution for affordable housing.

#### **Note 1**

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 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](http://www.carmarthenshire.gov.uk)).

#### **Note 3**

This application has been determined within the scope of the delegated authority granted to the Head of Place & Sustainability by the Meeting of Carmarthenshire County Council on 9 February 2022 (Minute No 5.1 refers).

#### **Note 4**

This application is the subject of a legal agreement/unilateral undertaking to secure financial contributions towards affordable housing/education/highways.

#### **Note 5**

The developer is advised that the rear (north) of the application site falls within DAM Zone C2 and FMfP Zone 2 & 3 Rivers, therefore this area is liable to flooding. Measures to reduce the impact of flooding are encouraged to be incorporated into the development to ensure that the development is as safe as possible.



**DATED:** 20/12/2022

*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.