

Carmarthenshire LDP – Revised
2018-2033
Second Revised Deposit LDP
Submission

**Land off Bryngwili Road,
Cross Hands**

April 2023



Summary

Proposal

Carmarthenshire Second Deposit Revised LDP Submission

Location

Land off Bryngwili Road, Cross Hands

Date

April 2023

Project Reference

S23.133

Client

Suzie Jones and Bryn Jones

Product of

Asbri Planning Limited
Suite D
1st Floor
220 High Street
Swansea SA1 1NW

Prepared by

Iwan Rowlands – Graduate Planner

Approved by

Richard Bowen – Director

Disclaimer

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The conclusions resulting from this study and contained in this report are not necessarily indicative of future conditions or operating practices at or adjacent to the Site. Much of the information presented in this report is based on information provided by others. That information has neither been checked nor verified by Asbri Planning Ltd.

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1 Introduction

- 1.1 This Candidate Site submission document for the Second Deposit Revised Local Development Plan for Carmarthenshire has been prepared in order to accompany the submitted form completed in respect of land at Bryngwili Road, Cross Hands, Carmarthenshire. It is submitted on behalf of Suzie Jones and Bryn Jones.
- 1.2 A 5.2 hectare site was previously submitted for the First Deposit Revised LDP in 2018 (Ref: SR/031/008) but was not allocated for residential development as it was considered that there was sufficient suitable land available elsewhere in Cross Hands to meet its housing needs. This resubmission of the site at Bryngwili Road, Cross Hands only concerns a much-reduced area of land at the most western portion of the land that was originally submitted, amounting to approximately 1.5 hectares.
- 1.3 The site is located to the north of Bryngwili Road, approximately equidistant from Cross Hands and Tumble. The land can be entered via an existing gated access along Bryngwili Road.
- 1.4 This submission will demonstrate that the site should be allocated for residential development which is sympathetic to its surroundings in terms of scale and form, and addresses the opportunities and constraints of the site. Furthermore, Appendix 2 reveals that the site received planning permission in 1990 for residential development thus confirming that in the past the Local Planning Authority have considered it suitable for residential development.
- 1.5 The deposit LDP states that there are a number of housing allocations within Cross Hands/Tumble area. On further examination it is evident that 3 of which have already been built out. Occupants are moving into the dwellings along Ffordd y Neuadd and Clos yr Eithin (PrC3/h11), the residential development at land adjoining A48 and Heol y Parc (PrC3/h12) has been completed, whereas development at the land at Heol Cae Pownd (PrC3/h13) has been partially completed. The remaining allocation at the land adjacent to Maesyrfhaf only concerns an allocation of 5 dwellings. Furthermore, it should also be noted that the Central Garage allocation in nearby Tumble (PrC3/h29) has also now been completed and occupied. As a result of this, it is considered that additional candidate sites need to be put forward. The land owners have stated that they are keen for the site to be developed in the short term, with a contractor in place to start building, along with an estate agent that has clients ready to purchase.
- 1.6 In terms of the content of this Supporting Statement, Section 2 provides a brief description of the site; Section 3 discusses the overall planning policy context; Section 4 assesses the site in the context of criteria identified in Planning Policy Wales. Section 5 provides a summary and conclusions.

2 Site Description

- 2.1 This section sets out the site's general location and provides a brief description of the candidate site and its immediate surroundings.
- 2.2 The site is located equidistant between Cross Hands and Tumble, on land just north of Bryngwili Road. It is situated roughly 12.5 miles south east of the county town of Carmarthen and circa 9 miles to the north-east of Llanelli. Bryngwili Road lies along the A476, which runs from Llanelli to near Llandeilo via Carmarthen. It is a single carriageway road which is approximately 27km long. Within the deposit LDP, Cross Hands and Ammanford form a Tier 1 principal settlement, where the vast majority of the growth will be focused during the plan period.
- 2.3 The irregular shaped parcel of land comprises circa 1.5 hectares in area, with its most southern point lying within the development limits of Cross Hands. Bryngwili Road is mainly residential in character, with a mixture of dwelling types. Retail and services can be found to the east in Cross Hands. To the west lies the village of Tumble, which provides a number of key services such as schools, a doctor's surgery and a place of worship. While to the north and south of the site, the land is in agricultural use. In terms of community facilities, Cefneithin RFC is situated along Carmarthen Road, approximately 900m to the north of the site. Llechyfedach Primary School and Ysgol Gyfun Maes y Gwendraeth are within walking distance of the site.
- 2.4 The site is currently in agricultural use, with a boundary of hedgerows and some mature trees. As previously mentioned, planning permission was gained by the current land owner in 1990 for residential development at the site.
- 2.5 The nearest bus stops are situated along Bryngwili Road, at the southern end of the site, which offer services heading to several destinations in Carmarthenshire including Ammanford, Carmarthen and Llanelli. The northbound side is services by the 129 and 166, whereas the southbound side is serviced by the 128, 129 and 166. These stops are serviced on a regular basis, with a service calling once every hour/two hours between the hours of 6am and 7pm on weekdays. In terms of train provision, two stations are a similar distance away from the site, those being Ammanford and Pantyffynnon. Both stations are roughly 5.5 miles from the site, and they are both located on the Heart of Wales line which runs from Swansea to Shrewsbury. Five trains a day travel northbound calling at both stations, and another five head southbound from Monday to Friday. On Saturdays, four services head in both directions, whereas this number is halved on Sundays. All trains calling at both stations are operated by Transport for Wales, and proposed enhancements have been made to the line as part of the Swansea Bay and West Wales Metro. Lying to the north of the site is National Cycle Route 47 which is 195 kilometres in length, running from Newport to Fishguard and forms part of the Celtic Trail West.

3 Planning Policy Framework

Overview

3.1 The policy basis for this submission derives from the content and scope of national planning guidance. It is submitted that the residential land use proposed would be in accordance with national advice and guidance, its associated Technical Advice Notes (TANs), together with the Development Plan for the local area.

3.2 **The Well-Being of Future Generations (Wales) Act 2015**

The Well-Being of Future Generations Act requires public bodies in Wales to think about the long-term impact of their decisions, to work better with people, communities and each other, and to prevent persistent problems such as poverty, health inequalities and climate change. To make sure we are all working towards the same purpose, the Act puts in place seven well-being goals. The Act makes it clear the listed public bodies must work to achieve all of the goals, not just one or two.

The seven well-being goals include:

1. *A prosperous Wales*
2. *A resilient Wales*
3. *A healthier Wales*
4. *A more equal Wales*
5. *A Wales of cohesive communities*
6. *A Wales of vibrant culture and Welsh Language*
7. *A globally responsible Wales*

Future Wales – The National Plan 2040

3.3 Published on the 28th February 2021, Future Wales comprises the first development plan of its kind within Wales. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. The National Plan notes that the planning system must respond to these changes and contribute to a sustainable recovery, shaping places around a vision for healthy and resilient places. The strategy blends the existing settlement patterns and the distribution of jobs and homes with a vision of managing change and future trends for the benefit of everyone in Wales. Planning Policy Wales is the primary source of detail on how the planning system will support reconstruction efforts.

3.4 Future Wales is the highest tier of development plan and is focused on solutions to issues and challenges at a national scale. Due to its strategic nature, it does not allocate development to all parts of Wales, nor does it include policies on all land uses. It is a framework which will be built on by Strategic Development Plans at regional level and Local Development Plans at local authority level. As set out on Page 52 of Future Wales, the 11 Outcomes are collectively a statement of where the Welsh Government aspire Wales to be in 20 years` time as follows:

A Wales where people live:

1. *...and work in connected, inclusive and healthy places*

2. ...in vibrant rural places with access to homes, jobs and services
3. ...in distinctive regions that tackle health and socio-economic inequality through sustainable growth
4. ...in places with a thriving Welsh Language
5. ...and work in towns and cities which are a focus and springboard for sustainable growth
6. ...in places where prosperity, innovation and culture are promoted
7. ...in places where travel is sustainable
8. ...in places with world-class digital infrastructure
9. ...in places that sustainably manage their natural resources and reduce pollution
10. ...in places with biodiverse, resilient and connected ecosystems
11. ...in places which are decarbonised and climate-resilient

- 3.5 Page 60 notes that *"In all parts of Wales the strategy supports sustainable growth. Any place without jobs, homes, community spaces and wildlife has no prospect of having a thriving and cohesive community, Welsh language or economy. There is such a thing as too much development or the wrong type of development, whereas sustainable development should foster a stable or growing population to ensure a healthy natural environment and economic and social stability"*.

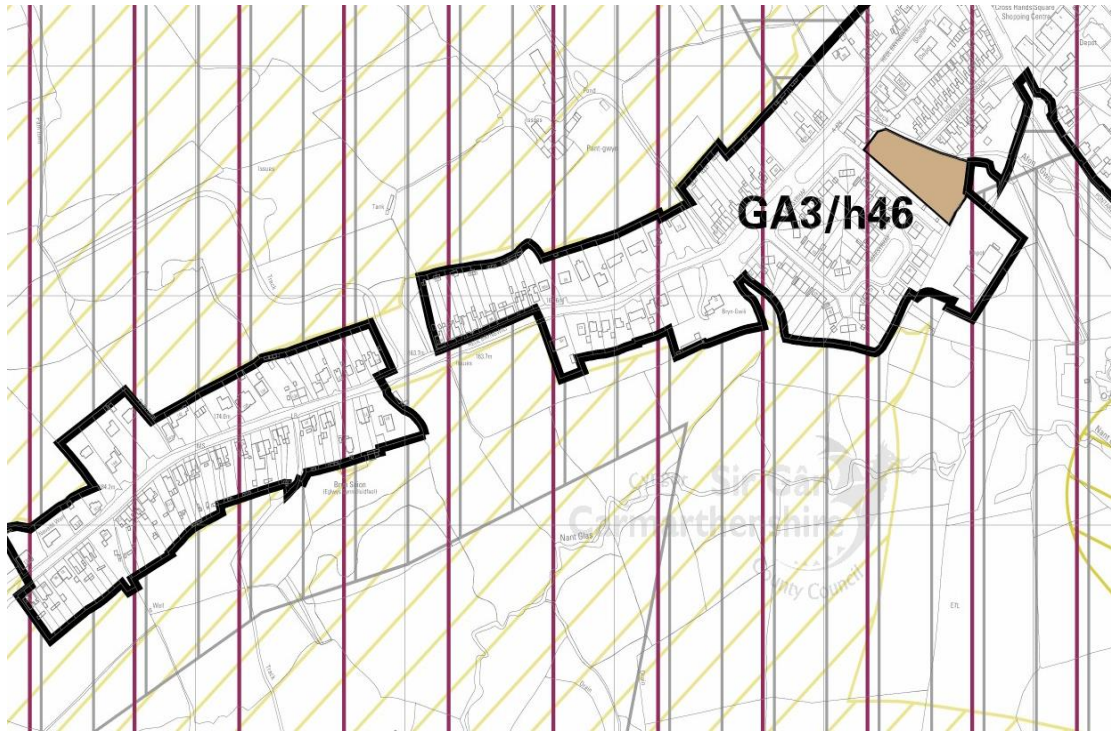
Planning Policy Wales

- 3.6 National planning policy is contained within the eleventh edition of Planning Policy Wales (PPW), published by the Welsh Government in February 2021. It is the principal document for planning considerations in Wales. PPW provides land use planning policy and should be taken into account when preparing planning applications. It is supplemented by a series of Technical Advice Notes (TANs), Welsh Government Circulars, and policy clarification letters, which together with PPW provide the national planning policy framework for Wales. The planning system is central to achieving sustainable development in Wales. It provides the legislative and policy framework to manage the use and development of land in the public interest which is consistent with key sustainability principles.
- 3.7 Sustainable Development is defined at Page 7 of PPW as follows: *"the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals"*. Paragraph 1.18 sets out that *"legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise to ensure that social, economic, cultural and environmental issues are balanced and integrated"*. Paragraph 1.18 of PPW relates to sustainability which emphasises that the planning system should provide for a presumption in favour of sustainable development to ensure that social, economic and environmental issues are balanced and integrated (Para 4.2.2). In Paragraph 2.3 it goes on to state that *"The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all."*
- 3.8 The Well-being of Future Generations (Wales) Act 2015 is brought up in PPW, which places a duty on public bodies (including Welsh Ministers) to carry out sustainable development. In carrying out this duty, actions which public bodies must take include:
- setting and publishing objectives ("well-being objectives") that are designed to maximise its contribution to achieving each of the well-being goals; and
 - taking all reasonable steps (in exercising its functions) to meet those objectives.

- 3.9 The Act puts in place seven well-being goals to help ensure that public bodies are all working towards the same vision of a sustainable Wales. These include the need for cohesive communities which are attractive, viable, safe and well-connected.
- 3.10 In addition, sustainable development should be achieved through the design which is described in Paragraph 3.3: *“Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area.”*
- 3.11 In terms of housing, Paragraph 4.2.1 notes the following: *“Planning authorities must understand all aspects of the housing market in their areas, which will include the requirement, supply and delivery of housing. This will allow planning authorities to develop evidence-based market and affordable housing policies in their development plans and make informed development management decisions that focus on the creation and enhancement of Sustainable Places. New housing development in both urban and rural areas should incorporate a mix of market and affordable house types, tenures and sizes to cater for the range of identified housing needs and contribute to the development of sustainable and cohesive communities”*. In relation to housing, PPW states that the planning system ought to: *“recognise a supply of land to assist the delivery of the housing needs to meet the varying requirements of communities across all tenures; offer provision of a spread of well-designed, energy efficient, high quality market and affordable dwellings that contribute towards the formation of sustainable settings; and concentrate on delivery of the recognised housing requirement and associated land supply”*.
- 3.12 In terms of the historic environment, Paragraph 6.1.5 notes that *“The planning system must take into account the Welsh Government’s objectives to protect, conserve, promote and enhance the historic environment as a resource for the general well-being of present and future generations. The historic environment is a finite, non-renewable and shared resource and a vital and integral part of the historical and cultural identity of Wales. It contributes to economic vitality and culture, civic pride, local distinctiveness and the quality of Welsh life. The historic environment can only be maintained as a resource for future generations if the individual historic assets are protected and conserved.”* This is a key aspect of wider sustainable development responsibilities which should be taken into account in both the formulation of planning policies and the exercise of development management functions. The conservation of the historic environment also contributes to the Welsh Government’s seven well-being goals for a sustainable Wales

Carmarthenshire Local Development Plan

- 3.13 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning application decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for this site is provided by Carmarthenshire Local Development Plan (LDP) 2006 – 2021 which was adopted by the County Council in December 2014.



- 3.14 The site lies immediately outside the development limits of Cross Hands and Tumble, to the north of Bryngwili Road. However the site is still designated under a number of different categories by the LDP such as: High Specification Aggregate - Sandstone and Igneous Rocks MPP3, Secondary Resource Zone MPP3, Caeau Mynydd Mawr SPG Area EQ7, Higher proportion of Welsh Speakers SP18 and the Affordable Housing Viability Targets AH1 (10%).
- 3.15 The Carmarthenshire Local Development Plan Review will be required to make provision for future housing needs with an extended Plan Period to 2033, including those of individual settlements in accommodating necessary levels of growth to maintain communities and facilities.
- 3.16 The following section will seek to establish that national planning guidance is supportive of a limited form of residential development taking place on the site. In these circumstances, therefore, it is submitted that these aspects should be taken into account when assessing the merits of the site as a housing land allocation through the LDP Review site selection process.

4 Appraisal

- 4.1 This section examines how the submission site accords with prevailing planning policy in terms of identifying housing land allocations within development plans.

Availability of Previously Developed Land

- 4.2 The site is not brownfield land but is well-connected to the current settlement pattern of Tumble and Cross Hands, and its development for residential purposes represents a logical extension of those limits for residential development and inclusion within the settlement boundary, at this location. As previously mentioned, there are several facilities and amenities within walking distance of the site, primary and secondary schools, and a surgery.
- 4.3 In order to achieve a sufficient range and choice of housing land opportunities, there will be a need to consider sites which represent viable urban extensions, especially those which could contribute to the Council's housing land supply until 2033.

Accessibility

- 4.4 The site sits directly north of Bryngwili Road, which can be accessed via a gate along the southern portion of the land. Transport links are also good, with the A48 being easily accessible from the site. Bus stops are also provided along Bryngwili Road, with the nearest within 20m of the access point, which enables travel to and from Llanelli, Ammanford and Carmarthen bihourly. In terms of train provision, both Pantyffynnon and Ammanford stations lie a quarter of an hour away and are situated along the Heart of Wales line. A national cycle route lies in close proximity to the north, providing a route for cyclists and pedestrians to use at their leisure.

Land Ownership

- 4.5 The land to which this Candidate Site Representation refers is within the joint-ownership of the Site Promoter – Suzie Jones and Bryn Jones. Both landowners are fully committed to bringing forward the development of the site. They have informed us that there is a contractor ready to build on site and an estate agent has clients waiting to purchase. Bringing this site forward will help meet the housing need of Cross Hands in the short term. Within the deposit plan, three of the four housing allocations for Cross Hands have been built out, whereas the other allocation only concerns a small scale allocation. Consequently, other sites within the settlement ought to be considered, and due to limited land within settlement limits, the search ought to be extended to areas outside the development boundary whilst taking into consideration the nature of the existing settlement pattern.

Capacity of Infrastructure

Utilities

- 4.6 The site lies adjacent to existing development at Bryngwili Road where utility services are readily available or can be provided. In addition, as the detailed design of the proposed development progresses, the provision of electric-charging on a plot-by-plot basis will be considered further.

Drainage

- 4.7 The site is located within 'Zone A' of National Resources Wales (NRW) Development Advice Map, which means it is considered to be at little or no risk of fluvial or coastal/tidal flooding. Appropriate means of surface water drainage, including SUDs will be considered. It is not anticipated that there are capacity issues in the area regarding foul drainage.

Access

- 4.8 The site sits directly north of Bryngwili Road, and currently benefits from a gated access with good inter visibility along the site frontage.

Impact on the Community/Welsh Language

- 4.9 The site is located within an area designated as being a higher proportion of Welsh Speakers (under policy SP18). It is considered that a housing development at this site will accord with Policy SP18 by assisting in ensuring sufficient and proportionate housing supply for Welsh Speakers, including affordable housing provision comprising greater than or equal to 10% of the site, which is fully policy-compliant with policy AH1 of Carmarthenshire's LDP – providing young, local Welsh Speakers the opportunity to stay in the area. In terms of Welsh speakers, this will be helped by the fact that there are 5 Welsh medium primary schools in close proximity to the site, along with comprehensive school Ysgol Maes y Gwendraeth,

Physical and Environmental Constraints

Ecology

- 4.10 It is considered that any existing trees and hedgerows on site could be incorporated into a residential layout. Notwithstanding it may be necessary for further ecological and tree surveys to be undertaken to determine any potential impacts on protected habitats/species.

Visual Impact

- 4.11 Given the surrounding residential development, the design of the dwellings would need to be in keeping with the character of the area with the existing dwellings mainly consisting of more traditional two storey dwellings with pitched roof design. It's not anticipated that a residential development on this site would give rise to any adverse visual impacts with good design and layout of the site.

Flood Risk

- 4.12 The site is not identified in the TAN 15 Development Advice Map as being at risk from flooding.

Site Contamination

- 4.13 In terms of ground conditions there are no known constraints that prevent the development of the site for residential uses in terms of ground contamination.

Compatibility with Neighbouring Uses

- 4.14 Given the land use in the surrounding settlement is mainly that of a residential nature, it is considered that the principle of residential development at this site would form a compatible use with the neighbouring uses. To ensure residential amenity is protected, adequate separation distances and compatible design of any future dwellings will need to be carefully considered. Currently, the site benefits from strong boundary features including hedgerows, which could be incorporated into the design of the site to provide a buffer between residential developments.

Coalescence of settlements

- 4.15 Development on the site would not result in the coalescence of settlements. Development of the site will result in a marginal extension of Cross Hands` development limits, although the most southern part of the site already within settlement limits in the deposit plan. Extending the boundary a little further north will not impact the make up of the settlement.

The potential to reduce carbon emissions through co-location with other uses

- 4.16 The site is considered to be located in a sustainable location with a bus stop within 20m of the site access along Bryngwili Road. Links to Ammanford, Llanelli and Carmarthen are provided bihourly, with a school service number 109 also serving the secondary school along Heol y Parc in Cefneithin. Therefore it can be seen that the location of the proposed development will encourage travel by means other than car, thus reducing carbon emissions.

Relationship with Historic Environment

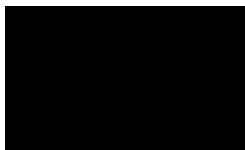
- 4.17 Approximately 175m to the west of the gated access to the site, a Grade 2 listed building can be found that demarcates a milestone between Cross Hands and Tumble. It is not anticipated that any proposed works at the site will affect the setting of this historic asset.

Delivery of Key Placemaking Objectives

- 4.18 Placemaking is at the heart of both 'Future Wales' and Planning Policy Wales (Edition 11, February 2021). As set out at Section 3 of 'Future Wales': "*Future Wales' Outcomes are overarching ambitions based on the national planning principles and national sustainable placemaking outcomes set out in Planning Policy Wales*". Preliminary investigations have identified that the candidate site can provide homes in the right place and create a sustainable, well-designed, and high-quality housing scheme, where people will want to live, in accordance with national placemaking objectives.

5 Conclusion

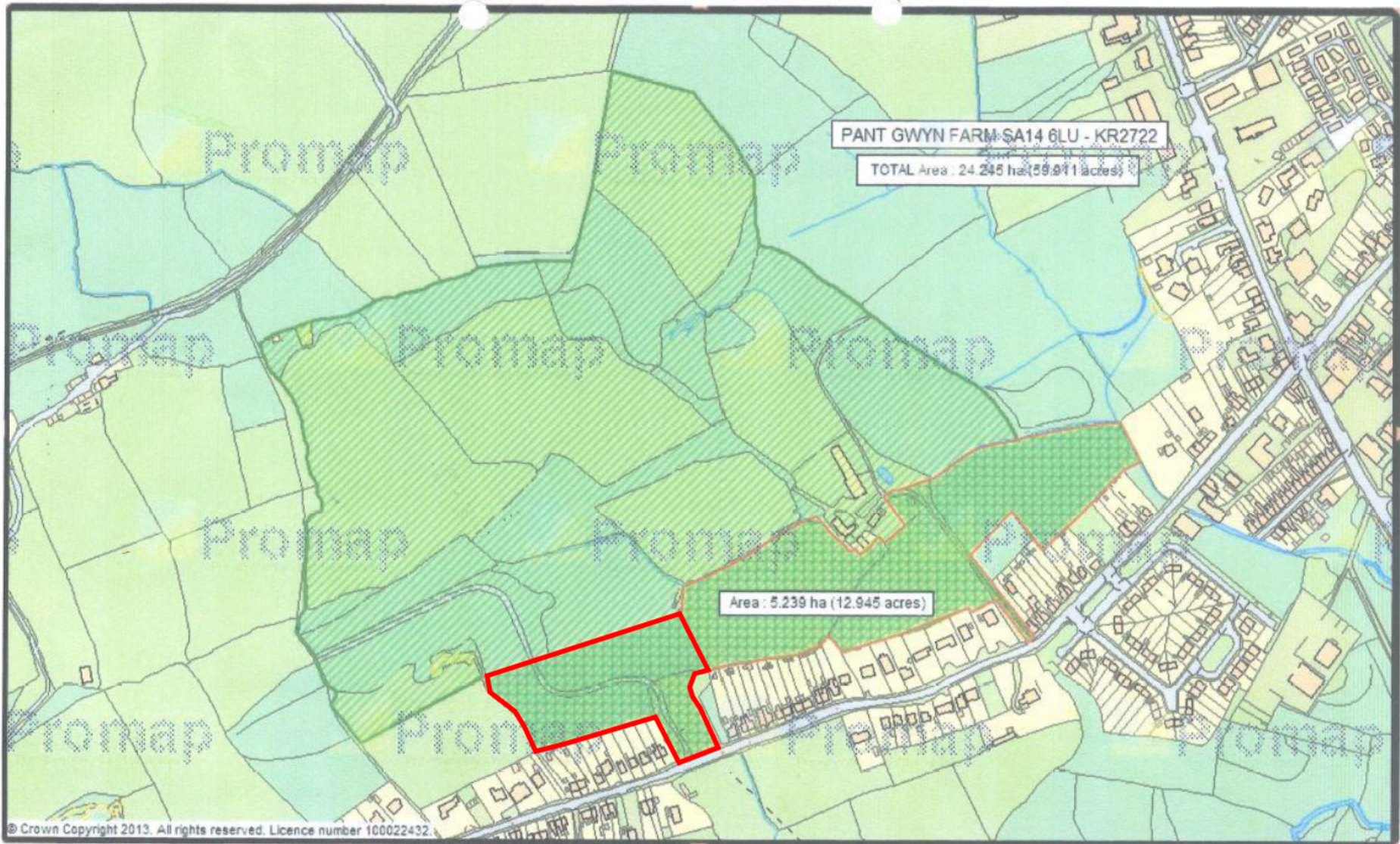
- 5.1 This Candidate Site representation is made by Asbri Planning Limited on behalf of Suzie Jones and Bryn Jones and requests that land to the north of Bryngwili Road, Cross Hands is brought forward as a housing land allocation through the Carmarthenshire County Council Second Deposit Revised Local Development Plan 2018 - 2033.
- 5.2 The allocation of the site will assist in ensuring the adequate delivery of housing in Cross Hands, with most of the housing allocations within the deposit LDP having already been developed, therefore there is an additional need for housing in the area. 4 of the housing allocations ought to be removed from the deposit plan as they have already been built out, whereas the remaining one at the land adjacent to Maesyrfhaf only has an allocation for five dwellings across the plan period. The scale and nature of this site would be attractive to house builders, which would facilitate delivery in the short to medium term. The land owners have stated that they are keen for the site to be developed in the short term, with a contractor in place to start building, along with an estate agent that has clients ready to purchase. The southern end of the 1.5 hectare site lies within the development limits of the deposit plan, however this submission requests that the boundary is extended further north as shown in Appendix 1 in order for the site to accord with Policy SD1 (Development Limits).
- 5.3 The site could potentially deliver several dwellings of various types and sizes which could be phased as appropriate and which would complement the existing form of the settlement. It will not give rise to any significant adverse impacts upon the character of the area, local amenities, residential amenity and highway safety whilst providing a significant contribution to the area's housing land supply requirements. Furthermore, it is positioned in a sustainable location where several amenities lie nearby, and there are adequate public transport connections on offer.
- 5.4 This submission has assessed the site against prevailing planning policy in Wales. It is clear that the proposals are compatible with the relevant criteria. It is acknowledged that proposals will need to be refined on the basis of further comprehensive study information.
- 5.5 In light of the above, it is, therefore considered that Carmarthenshire County Council should, in its review of the Local Development Plan, identify the land at Bryngwili Road, Cross Hands as a housing land use allocation.



**Richard Bowen – Director
Asbri Planning Ltd**

Appendix 1

Site Location Plan



Sign..... Date

Appendix 2

Previous Planning Consent

Outline planning permission

Name and address of applicant

Name and address of agent (if any)



Part I—Particulars of application

Date of application:

Application no.

18.5.90

D5/12956

Particulars and location of development:

Dwelling Plots - Bryngwilli Road (Old Motar Mill) Cross Hands.

Part II—Particulars of decision

The Llanelli Borough Council

hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1971 that **outline planning permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and submitted subject to the following conditions:

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with date of this permission and the development must be begun not later than whichever is the later of the following dates:
 - (a) the expiration of five years from the date of this permission; or
 - (b) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved;
2. The consent now granted is an outline consent only within the meaning of the Town and Country Planning General Development Order 1988.
3. The development of the site shall not be commenced until detailed plans showing the design, external appearance of the proposed buildings are submitted to and approved by the Local Planning Authority.
4. The height, design, siting and materials of construction of boundary and forecourt walls, fences, etc., shall be to the satisfaction of the Local Planning Authority.
5. External facing materials used shall be of a colour and texture indigenous of the locality and sympathetic to the surrounding area.

ctd.....

The reasons for the conditions are:

1. Required to be imposed pursuant to section 42 of the Town and Country Planning Act 1971.
2. and 3. The application is for outline planning consent only.
4. and 5. In the interest of visual amenity.

Plan/B/81

Date 25th June 1990

Tŷ Elwyn,
Llanelli,
Dyfed. SA15 3AP

D Clive Davies
Borough Planning and Industrial Development

6. A garage space shall be provided and retained in perpetuity behind the building line of each dwelling, to be used for private purposes ancillary to the enjoyment of the dwellings and not for any trade or commercial purpose.
7. Access is to be constructed in accordance with the detailed plan received on the 17th May 1990.
8. All surface water shall be trapped and disposed of so as not to flow on to any part of the public highway as recommended by Dyfed County Council.
9. No surface water from any part of the development shall be connected into existing highway surface water drains as recommended by Dyfed County Council.
10. The siting and design of the dwellings is to be such as to minimise any loss of privacy to dwellings in Bryngwili Road with no development over one storey high on that part of the site to the rear of Bryngwili Road.
11. Use of soakaways for disposing of surface water from the Estate Road is not allowed.

Reasons ctd....

6. 7. 8. 9. and 11. In the interest of road safety.
10. To protect the amenity of neighbouring residents.

NOTE:

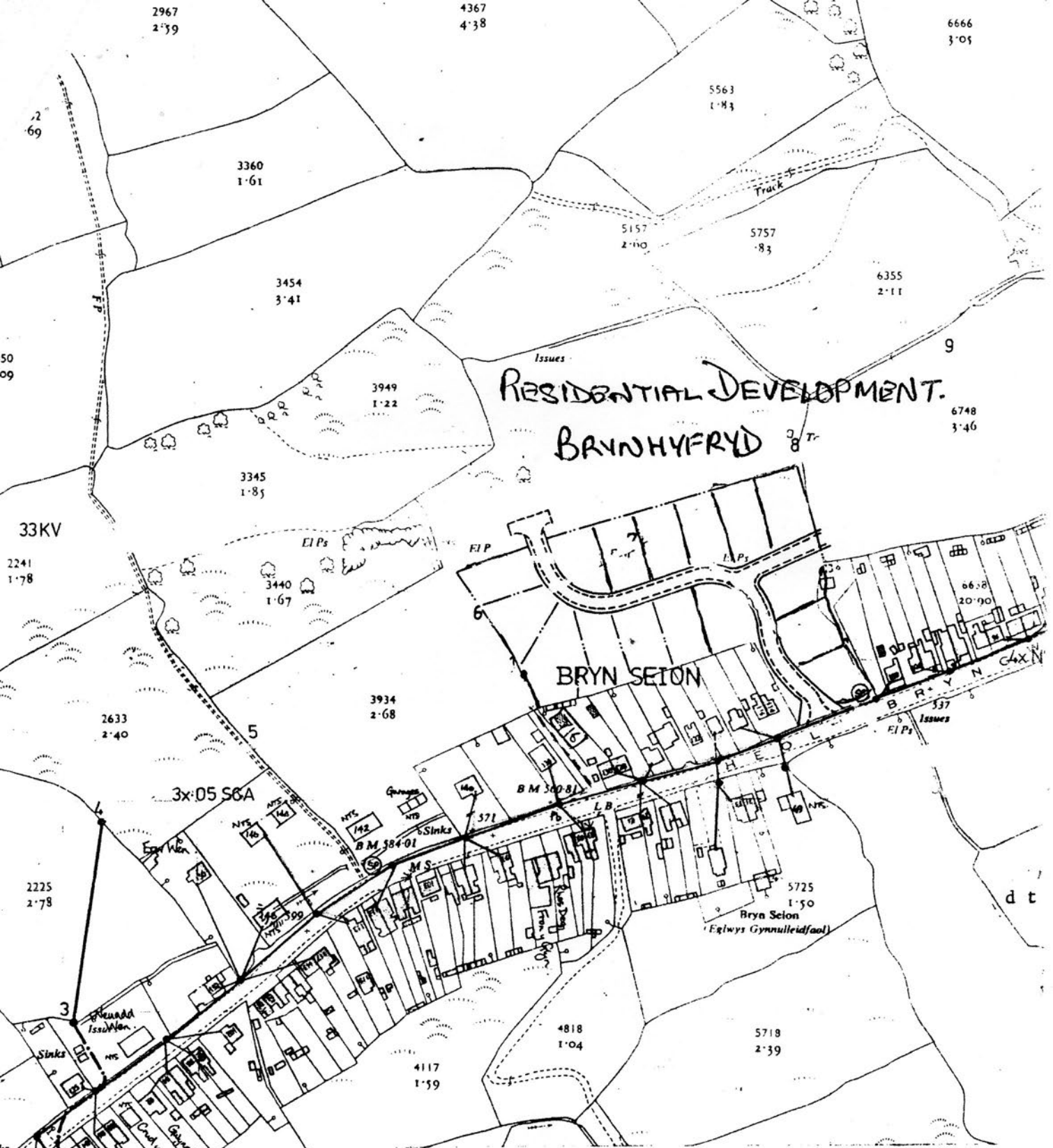
The developer is recommended to satisfy the Borough Engineer of the Llanelli Borough Council and Welsh Water Authority on the mode of foul and surface water drainage to serve the proposed site, and prior to the submission of an approval of reserved matters application the developer should establish and agree with the Borough Engineer full details of the drainage which should be clearly indicated on the plans at the detailed stage of the application.

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for Wales in accordance with section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Welsh Office, Cathays Park, Cardiff CF1 3NQ. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for Wales, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the county district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act 1971.

(a) The Statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.



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LEGEND
 L.V. UNDERGROUND
 L.V. OVERHEAD
 11KV UNDERGROUND
 11KV OVERHEAD

