

# Town & Country Planning Act 1990



## FULL PLANNING PERMISSION

DIANE ENGLAND  
C/O CONNECTIONS DESIGN  
21 PENLLINE ROAD  
WHITCHURCH  
CARDIFF  
S GLAMORGAN  
CF14 2AA

Application No: E/29257 received: 29/11/2013 for:

**Proposal :** DEMOLITION OF EXISTING OFFICE BUILDING (PREVIOUSLY A HOUSE),  
CONSTRUCTION OF NEW DWELLING

**Location :** DAVID DAVIES & CO SOLICITORS, TREVOR VILLA, LLOYD STREET, AMMANFORD,  
SA18 3BY

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*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):*

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### CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The parking spaces and turning area shown on the plans herewith approved shall be provided to the written approval of the Local Planning Authority prior to the house being brought into beneficial occupation. Thereafter, they shall be retained, unobstructed, for the purpose of vehicular parking and turning only.
- 3 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 Lloyd Street frontage within 2.0 metres of the near edge of the highway.
- 4 Any gates provided at the front (south) boundary of the application site shall open inwards into the site only.
- 5 The house hereby permitted shall be occupied as a single residential dwelling
- 6 The new dwellings hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 6 credits under category 'Ene1 - Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 2010. The development shall be carried out entirely in accordance with the approved assessment and certification.

- 7 Within one month of the date of this permission an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 6 credits under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 2010.
- 8 Prior to the occupation of the individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 6 credits under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 2010.

## REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2-4 In the interests of highway safety
- 5 To maintain control over any subdivision of the house into two or more dwellings.
- 6-8 To ensure the construction of a sustainable dwelling

## NOTES

- 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 if 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.

- 2 The permission hereby granted relates to the application site edged red in the:
  - 1:1250 scale Site Location Plan
  - 1:100 & 1:200 scale Proposed Elevations and Street Scene
  - 1:100 Proposed Elevations 1
  - 1:100 Proposed Roof Plan
  - 1:100 Proposed Floor Plans

received on 29 November 2013

- 3 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.

- 4 No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.
- 5 It is the responsibility of the developer to contact the Streetworks Manager of the Local Highway Authority to apply for a Streetworks Licence before undertaking any works on an existing Public Highway.
- 6 The applicant is informed that all British bat species are European Protected Species by virtue of their listing under Annex IV of EC Directive 92/43/EEC ('The Habitats Directive'). This Directive has been transposed into British Law under the *Conservation of Habitats and Species Regulations 2010*.

Regulation 9(5) of the 2010 Regulations requires all local planning authorities, in the exercise of all their functions, to have regard to the provisions of the Habitats Directive so far as they might be affected by those functions.

Under Regulation 41 of the 2010 Regulations it is an offence to:

- (1) *deliberately capture, injure or kill any wild animal of a European protected species;*
- (2) *deliberately disturb animals of any such species. Disturbance of animals includes in particular any disturbance which is likely—*
  - (a) *to impair their ability—*
    - (i) *to survive, to breed or reproduce, or to rear or nurture their young; or*
    - (ii) *in the case of animals of a hibernating or migratory species, to hibernate or migrate; or*
  - (b) *to affect significantly the local distribution or abundance of the species to which they belong*
- (3) *deliberately take or destroy the eggs of such an animal; or*
- (4) *damage or destroy a breeding site or resting place of such an animal (including sites that are currently unoccupied).*

All British bats are also protected under Schedule 5 of the Wildlife and Countryside Act (1981) (as amended). This legislation makes it an offence to intentionally to kill, injure, take from the wild, possess or trade in any species of British Bat, as well as intentionally or recklessly damage, destroy or obstruct access to any structure or place which bats use for shelter or protection. It is also an offence to disturb a bat/ bats whilst they are using such a place.

If bats are encountered on site works should stop immediately and NRW should be contacted (Natural Resources Wales, Beechwood Office, Talley Road, Llandeilo SA19 7HR Tel:01558 825800) – an EPS licence may then need to be applied for. Licences are not automatically granted by virtue of a valid planning consent and it may be possible that the necessary licence application may be refused.

## **SUMMARY REASONS FOR APPROVAL**

In accordance with Article 3 of the Town and Country Planning (General Development Procedure) (Wales) (Amendment) Order 2004, the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan (comprising the Carmarthenshire Unitary Development Plan 2006) and material considerations do not indicate otherwise. The policies, which refer, are as follows:

- The proposed development accords with policy H11 of the UDP in that the proposal represents an acceptable form of replacement dwelling which is of a suitable scale and design appropriate to

the character and appearance of the surrounding area and will not have an unacceptable impact upon the amenity of nearby properties.

- The proposed development accords with Policy R1 of the UDP in that the proposal shall not result in any unacceptable impact or harm to the town centre
- The proposed development accords with policy GDC2 of the UDP in that the proposed dwellings represent an acceptable form of development which is appropriate to the character and appearance of the surrounding area and will not have an unacceptable impact upon the residential amenity of nearby properties.
- The proposed development accords with policy GDC9 of the UDP in that the plot is of an adequate size to accommodate the proposed dwellings, along with adequate amenity, utility, parking facilities.
- The proposed development accords with Policy H2 of the UDP in that the land is situated within the settlement limits for Ammanford and that the proposal does not conflict with other policies within the plan and does not cause any highway, amenity or utility service provision objections.
- The proposed development accords with policy GDC11 and GDC12 of the UDP in that the proposal can be served by an adequate access, and parking facilities and would not be detrimental to the local highway network.

***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).***

**DECISION DATE:** 23/01/2014

SIGNED: \_\_\_\_\_

Graham Noakes  
Senior Development Management Officer  
for and on behalf of  
EIFION W BOWEN, BSc, Dip TP, MRTPI  
HEAD OF PLANNING