

Document Pack



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THURSDAY, 28 MARCH 2019

TO: ALL MEMBERS OF THE PLANNING COMMITTEE

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **PLANNING COMMITTEE** WHICH WILL BE HELD IN THE **CHAMBER, COUNTY HALL, CARMARTHEN, AT 11.30 AM ON THURSDAY, 4TH APRIL, 2019** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Martin S. Davies
Telephone (direct line):	01267 224059
E-Mail:	MSDavies@carmarthenshire.gov.uk
Ref:	AD016-001

PLANNING COMMITTEE

20 MEMBERS

PLAID CYMRU GROUP - 10 MEMBERS

- | | | |
|-----|--------------------------------------|--|
| 1. | Councillor Mansel Charles | Member of Llanegwad Community Council |
| 2. | Councillor Tyssul Evans | Member of Llangyndeyrn Community Council |
| 3. | Councillor Jeanette Gilasbey | Member of Kidwelly Town Council |
| 4. | Councillor Ken Howell | |
| 5. | Councillor Carys Jones | |
| 6. | Councillor Alun Lenny (Chair) | Member of Carmarthen Town Council |
| 7. | Councillor Jean Lewis | |
| 8. | Councillor Dorian Phillips | |
| 9. | Councillor Gareth Thomas | |
| 10. | Councillor Eirwyn Williams | |

LABOUR GROUP - 6 MEMBERS

- | | | |
|----|---------------------------------|--|
| 1. | Councillor Penny Edwards | |
| 2. | Councillor John James | Member of Pembrey & Burry Port Community Council |
| 3. | Councillor Dot Jones | Member of Llannon Community Council |
| 4. | Councillor Ken Lloyd | Member of Carmarthen Town Council |
| 5. | Councillor Kevin Madge | Member of Cwmamman Town Council |
| 6. | Councillor John Prosser | |

INDEPENDENT GROUP - 4 MEMBERS

- | | | |
|----|--|--------------------------------------|
| 1. | Councillor Sue Allen | Member of Whitland Town Council |
| 2. | Councillor Ieuan Davies | |
| 3. | Councillor Joseph Davies | |
| 4. | Councillor Irfon Jones (Vice-Chair) | Member of Bronwydd Community Council |

NO SUBSTITUTES ARE ALLOWED AT MEETINGS OF THIS COMMITTEE

AGENDA

1. APOLOGIES FOR ABSENCE.
2. DECLARATIONS OF PERSONAL INTERESTS.
3. TO CONSIDER THE HEAD OF PLANNING'S REPORTS ON THE FOLLOWING PLANNING APPLICATIONS [WHICH HAD BEEN THE SUBJECT OF EARLIER SITE VISITS BY THE COMMITTEE] AND TO DETERMINE THE APPLICATIONS
 - 3.1 E/37577 - REPLACEMENT DWELLING AND CONSTRUCTION OF 1 NO 3 BEDROOM TWO STOREY DETACHED DWELLING AT LLETTYLICKY, CRUGYBAR, LLANWRDA, SA19 8SL. 5 - 10
4. AREA EAST - DETERMINATION OF PLANNING APPLICATIONS. 11 - 30
5. AREA SOUTH - DETERMINATION OF PLANNING APPLICATIONS. 31 - 44
6. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS. 45 - 56
7. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 7TH MARCH 2019. 57 - 60

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Application No	E/37577
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Application Type	Full Planning
Proposal & Location	REPLACEMENT DWELLING AND CONSTRUCTION OF 1 NO 3 BEDROOM TWO STOREY DETACHED DWELLING AT LLETTYLICKY, CRUGYBAR, LLANWRDA, SA19 8SL

Applicant(s)	MR & MRS JONES, LLETTYLICKY, CRUGYBAR, LLANWRDA, SA19 8SL
Agent	IAGO CYMRU, GETHIN LLOYD JAMES BA.(HONS) ARCH. MCIAT, TROED Y BRYN, LLANARTHNE, CARMARTHEN, SA32 8JE
Case Officer	Kevin Phillips
Ward	Cynwyl Gaeo
Date of validation	27/07/2018

CONSULTATIONS

Local Member - County Councillor E Williams is a member of the planning committee and has made no prior comment, however he has requested that the application be considered by the planning committee.

Cynwyl Gaeo Community Council – No comments received

Neighbours/Public – A Site Notice has been posted and no comments have been received as a result.

RELEVANT PLANNING HISTORY

E/31824 -	RAISE EXISTING COTTAGE ROOF STRUCTURE AND DOUBLE STOREY SIDE & REAR EXTENSION Full Granted	15/05/2015
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APPRAISAL

THE SITE

The application site is land at Lettylicki farm, Crugybar which is approximately 1.4 kilometres south west along the B4302 road from the village of Crugybar. The application site is an area of land approximately 30 metres from the entrance to the site and 45 metres from the existing dwelling, south along the track leading to/from the existing farm house. The existing farmhouse is a traditional cottage sited at the south side of the farm yard which has a number

of modern agricultural buildings located within the Cothi Valley Special Landscape area(SLA), at a low level in relation to the highway that passes to east of the site.

THE PROPOSAL

This application seeks full planning permission for the demolition of the existing aforementioned dwelling at the farm yard, which is approx. 14.9 metres in length and has a roof ridge height of approx. 5.4 metres above ground level and its replacement with a large 3 bedroom rectangular shaped two storey dwelling, which is approx. 14.9 metres in length, 5.76 metres in width with a further two storey extension at the western side which is a further 2.4 metres in depth. The proposed dwelling will have an eaves level of 5.0 metres above the ground level and a ridge height of 7.75 metres. The dwelling will be sited above the existing farm yard, fronting the track leading into the farm with the front elevation facing the aforementioned track. The dwelling is to be render finish with a saddle roof finished with slate with the parking area provided to the front and western side of the curtilage.

PLANNING POLICIES

In the context of the current development control policy framework the site is located within a rural location the following policies of Carmarthenshire Local Development Plan (December 2014) are of relevance to the proposal.

Policy H4 is a policy that allows for the replacement of existing dwellings outside of defined Development Limits subject to criteria in relation to siting of the dwelling, the dwelling is not temporary, the design and materials are appropriate to the character and appearance of the area, the scale is acceptable at the location, there are no adverse effects on access, parking or utility services or on any local amenity, there are no adverse effects on nature conservation interests, the setting or integrity of the historic environment and the landscape/townscape, and the existing dwelling is demolished immediately prior to, or upon, its replacement.

Policy GP1 is a general policy which promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing. Development proposals should also not have a significant impact on the amenity of adjacent land uses and properties.

Policy EQ1 requires that proposals for development affecting landscapes, townscapes buildings and sites or features of historic or archaeological interest which by virtue of their historic importance, character or significance within a group of features make an important contribution to the local character and the interests of the area will only be permitted where it preserves or enhances the built and historic environment.

Policy EQ6 requires that proposals for development which enhance or improve the Special Landscape Areas through their design, appearance and landscape schemes will be permitted (subject to the policies and proposals of this Plan).

THIRD PARTY REPRESENTATIONS

No letters of objection received.

CONCLUSION

The proposed development is for a replacement dwelling at an elevated siting above the existing dwelling adjacent to the farm yard at Llettylicki. The proposal is required to be considered against the LDP policies referred to above, and policies H4 and EQ6 of the Carmarthenshire LDP is the most relevant policy for the consideration of the proposal.

As the proposal involves the re-siting of the replacement dwelling and the construction of a larger dwelling in the SLA whereby the local plan policy requirement is that development is not harmful to the character of the SLA, it has been considered imperative to consult the Authority's Landscape Officer. The Landscape Officer has conveyed in the consultation response that there insufficient information submitted in terms of excavation and fill in relation to the finished floor levels, boundary treatments, existing and proposed landscaping elements to mitigate. In addition, and the primary issue of concern is that the proposed location of the replacement dwelling is separated from the existing agricultural buildings and does not visually form part of the existing building grouping. The proposed building is located on elevated ground relative to the existing agricultural building group and residential property and therefore, it is recommended that relocation of the proposed replacement dwelling to relate more directly with the existing built form would act to decrease landscape and visual impact harm.

The submitted information in the application does not include an appropriate form of landscape scheme which demonstrates how the proposed development will deliver the policy objectives of policy GP1, specifically how the proposed development will *'conform with and enhance the character and appearance of the site or area'* and specifically how the proposed development will retain, and incorporate important local features; ensure the use of good quality hard and soft landscaping; and embrace opportunities to enhance biodiversity and ecological connectivity.

However, at the prominent location within the SLA the application does not specifically convey how in terms of policy EQ6 of the LDP how the proposed development will *'enhance or improve'* the SLA through *'design, appearance and landscape schemes'* or make a *'positive contribution to the landscape'*

The Landscape officer concludes by conveying that it remains for the Development Management Officer to determine because of the concerns whether the application is deferred to obtain further information or to refuse the application. It is considered that it shall not be possible to utilise existing landscape features and a proposed landscaping scheme to mitigate for the new siting of the dwelling at a prominent location within the Cothi Valley Special Landscape area. The proposed dwelling will be in an elevated position above the farm yard where the existing dwelling is sited, and will be very visible from the public highway at only 30 metres away, harmful to the character of the landscape.

Policy H4 clearly conveys that if a replacement dwelling is not located on the footprint of the existing dwelling, there shall be significant environmental, landscape and visual improvements; in this particular application, this has not be provided and the proposed dwelling will be disproportionately large at an elevated position, being an overly dominant feature in the landscape that will be harmful to the character and appearance of the surrounding rural area. The siting of a replacement dwelling at the site of the existing dwelling or at a location adjacent to the farm yard at a lower level than that proposed would likely to result in a more favourable recommendation as it will not be harmful to the special landscape area.

In light of the above appraisal, the proposed development does not accord with the relevant policies as contained in the LDP, and as such it is put forward with a recommendation for refusal.

RECOMMENDATION – REFUSAL

RECOMMENDATION – REFUSAL

- 1 The proposal is contrary to Policy H4 “Replacement Dwellings” of the Carmarthenshire Unitary Development Plan (July 2006):-

Policy H4 Replacement Dwellings

Proposals for the replacement of an existing dwelling outside the defined Development Limits of a defined settlement (Policy SP3) will be permitted where:

- (a) The replacement dwelling is located on the footprint of the existing dwelling, unless an alternative location within the existing curtilage brings significant environmental, landscape or visual improvements;**
- (b) The existing building is not a temporary structure, nor the subject of a temporary consent;**
- (c) The design and materials of the replacement dwelling are appropriate to the character and appearance of the area;**
- (d) The scale of the proposed dwelling is not disproportionate in size to the existing dwelling;**
- (e) There are no adverse effects on access, parking or utility services, or on local amenity;**
- (f) There are no adverse effects on nature conservation interests, the setting or integrity of the historic environment and the landscape/ townscape;**
- (g) The existing dwelling is demolished immediately prior to, or upon, its replacement.**

In that:-

- the proposed new dwelling is disproportionately large in relation to the existing dwelling and will, by virtue of its scale, massing and elevated countryside location, represent an overly dominant feature in the Cothi Valley Special Landscape Area that will be harmful to the character and appearance of the surrounding rural area.

- 2 The proposal is contrary to Policy EQ6 “Special Landscape Areas) of the Carmarthenshire Local Development Plan:-

Policy EQ6 Special Landscape Areas

Special Landscape Areas are designated in the following locations and as identified on the Proposals Map:

**Tywi Valley
Carmarthenshire Limestone Ridge
Teifi Valley
Drefach Velindre
Bran Valley (North of Llandovery)
Mynydd Mallaen
Llanllwni Mountain
North Eastern Uplands
Mynydd y Betws
Gwendraeth Levels
Pembrey Mountain
Swiss Valley
Talley
Lwchwr Valley
Lower Taf Valley
Cwm Cathan
Cothi Valley
Carmarthen Bay and Estuaries**

Proposals for development which enhance or improve the Special Landscape Areas through their design, appearance and landscape schemes will be permitted (subject to the policies and proposals of this Plan).

In that:-

- the proposed new dwelling is disproportionately large in relation to the existing dwelling and will, by virtue of its scale, massing and elevated countryside location, represent an overly dominant feature in the Cothi Valley Special Landscape area that will be harmful to the character and appearance of the surrounding rural area.

3 The proposal is contrary to Policy GP1 “Sustainability and High Quality Design” of the Carmarthenshire Local Development Plan:-

Policy GP1 Sustainability and High Quality Design

Development proposals will be permitted where they accord with the following:

- a) It conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing;**
- b) It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;**
- c) Utilises materials appropriate to the area within which it is located;**
- d) It would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community;**

- e) **Includes an integrated mixture of uses appropriate to the scale of the development;**
- f) **It retains, and where appropriate incorporates important local features (including buildings, amenity areas, spaces, trees, woodlands and hedgerows) and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity;**
- g) **It achieves and creates attractive, safe places and public spaces, which ensures security through the 'designing-out-crime' principles of Secured by Design (including providing natural surveillance, visibility, well-lit environments and areas of public movement);**
- h) **An appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality;**
- i) **It protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment;**
- j) **It ensures or provides for, the satisfactory generation, treatment and disposal of both surface and foul water;**
- k) **It has regard to the generation, treatment and disposal of waste.**
- l) **It has regard for the safe, effective and efficient use of the transportation network;**
- m) **It provides an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all;**
- n) **It includes, where applicable, provision for the appropriate management and eradication of invasive species.**

Proposals will also be considered in light of the policies and provisions of this Plan and National Policy (PPW: Edition 7 and TAN12: Design (2014)).

In that:-

- the proposed new dwelling is disproportionately large in relation to the existing dwelling and will, by virtue of its scale, massing and elevated countryside location, represent an overly dominant feature in the Cothi Valley Special Landscape area that will be harmful to the character and appearance of the surrounding rural area.

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR
AMGYLCHEDD**

**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

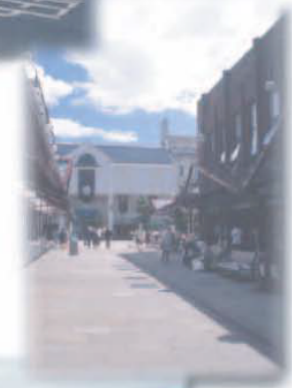
**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

**TO CARMARTHENSHIRE COUNTY
COUNCIL'S PLANNING COMMITTEE**

**AR 04 EBRILL 2019
ON 04 APRIL 2019**

**I'W BENDERFYNU/
FOR DECISION**

*Ardal
Dwyrain/
Area East*



Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yn rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.

COMMITTEE:	PLANNING COMMITTEE
DATE:	4 APRIL 2019
REPORT OF:	HEAD OF PLANNING

INDEX - AREA EAST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
E/37177	Proposed new self-catering and B&B tourism accommodation with managers accommodation and spa, facilitated through four residential units and the temporary siting of a residential caravan at Brecon View Eco Village, Land to north of Dinefwr Road, Garnant, Ammanford

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	E/37177
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Application Type	Full Planning
Proposal & Location	PROPOSED NEW SELF-CATERING AND B&B TOURISM ACCOMMODATION WITH MANAGERS ACCOMMODATION AND SPA, FACILITATED THROUGH FOUR RESIDENTIAL UNITS AND THE TEMPORARY SITING OF A RESIDENTIAL CARAVAN AT BRECON VIEW ECO VILLAGE, LAND TO NORTH OF DINEFWR ROAD, GARNANT, AMMANFORD

Applicant(s)	BRECON VIEW ECO VILLAGE - SIMON CARD, C/O AGENT,
Agent	JCR PLANNING LTD - JASON EVANS, UNIT2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, CARMARTHENSHIRE, SA14 6RE
Case Officer	Andrew Francis
Ward	Garnant
Date of validation	02/05/2018

CONSULTATIONS

Head of Transport – No formal comments have been received to date. Informally, the parking provision is now over provisioned, but there would still be requested a pedestrian footway alongside the existing carriageway.

Natural Resources Wales – Offers no objection to the proposal subject to the imposition of planning conditions.

Dwr Cymru Welsh Water – Recommends the imposition of planning conditions.

The Coal Authority – Has a substantive concern regarding the site, but subject to the imposition of planning conditions, withdraws its original objection.

Cwmamman Town Council – No observations received to date.

Local Members – County Councillor K Madge is a member of the Planning Committee and has therefore made no prior comment.

Neighbours/Public – The application was advertised by means of a Site Notice. As a result, eighteen letters of objection from have been received from twelve separate addresses.

The points of objection are summarised as follows:

- Part of the land that makes up the application site is not owned by the applicant, rather it is owned by a neighbour of the site who objects to this development and has been supported by Land Registry documents.
- There is a Japanese Knotweed problem on the application site which has been exacerbated by the applicant. He employed a groundworks team to rip up tarmac and other surfaces and dumped the spoil towards the edges. This has led to a spread of Japanese Knotweed along the boundary edges.
- The proposed dwellings would be directly behind the houses on Dynevor Road and would cause overlooking, particularly of the rear gardens. As the proposed dwellings are at a higher level, it would add to the sense of overlooking and be visually overbearing, potentially affecting sunlight, most acutely in winter months.
- The increase in traffic would cause extra harm to the amenity and safety in the area for the existing residents.
- There is a known surface water and drainage issue in this area due to the sloping land. This water, if not dealt with, could have a serious adverse impact upon existing properties and there is a high risk of flooding.
- The proposed development would be out of character with the area in terms of appearance, particularly with regard to the landscape.
- The proposed development will cause noise and disturbance affecting the Dynevor Road residents. Many on this road work shifts and the noise would affect their peace and quiet.
- Wildlife will suffer as their habitat will be destroyed.
- Signs have been erected on site denoting it as a building site. This pre-empts the decision making process and should be removed.
- The road leading from Garnant Golf Club to Dynevor Road has a STOP sign at the junction. However, the recent road markings show that the Dynevor Road to Golf Club section is a through road, in contradiction to the signage. The traffic calming has been removed also. This is dangerous and will likely cause accidents.

In addition to the above points, the following non material concerns were also raised:

- The proposal will devalue existing properties.
- The application site is to the south and not the north as described.

RELEVANT PLANNING HISTORY

PA/15527 - Proposed Tourism Accommodation Units,
B&B Unit, Spa Building And Facilitating
Residential Development (4 Units)
Pre-Application - Statutory

1 November 2017

E/34625 -	Variation of Condition 1 on E/28759 (Extend The Time Allowed For The Submission Of Reserved Matters Applications For A Further 3 Years) Variation of Planning Condition Granted	22 December 2016
E/33232 -	Proposed Pod Camping Site & Communal Facilities Full Planning Permission Granted	15 March 2016
E/29414 -	Proposed Outline Planning Permission With All Reserved Matters For 2 No Chalets Outline Granted	18 June 2014
E/28759 -	Erection Of Two Detached Dwellings Outline Granted	31 October 2013
E/01956 -	Residential Outline Refused	24 February 2000

APPRAISAL

THE SITE

The application site consists of two parcels of land either side of the currently private road that leads south, off Dynevor Road, Garnant, to Garnant Golf Club.

The larger and more southerly parcel of land is irregular in shape, and slopes downwards fairly steeply from beyond the southern end of the site to land beyond the northern end. It remains as it was landscaped following the previous use of this area by British Coal. It is bounded to the east by the Golf Course Road and to the west by a steep river bank, trees and the Nan y Gath stream, which is culverted at the application site's northern and southern ends. This parcel of land measures approximately 290 metres in length and with a maximum width of approximately 40 metres. This tapers very considerably to the northern end, which means that only approximately 225 metres of the site's length is useable.

The second parcel of land is in the opposite (eastern) side of the Golf Course road and towards the northern end of the site and on the old concrete parking area used by British Coal. This area is broadly rectangular in shape and has a road frontage of 50 metres and a plot depth of approximately 36 metres. Recently this land has been regraded and is now broadly flat. There is a 15 metre buffer between this part of the application site and the rear gardens of 17-25 Dynevor Road.

The application site currently is outside of any development limits. However, it does have extant permissions for the development of 2 guesthouses (E/34625) and the development of 9 camping pods (E/33232) from when this land was considered to be suitable for tourism development under the Unitary Development Plan.

This application has a sister application – E/38001 which seeks permission for car parking spaces on a strip of land on the opposite side of the road to the proposed spa building.

THE PROPOSAL

The application seeks full planning permission for the development of a fairly large scale tourism development to be called Brecon View. This is to consist of 10 log cabins for holiday rental and a larger Spa building, all on the land on the western side of the road. To help facilitate this development, which is intended to be built in phases, four residential dwellings are to be built and sold on the open market on the rectangular parcel of land on the eastern side of the site road.

Looking at the proposed dwellings first, each dwelling is to be identical, measuring 12.8 metres in length by 8.2 metres in width. They are proposed to be two storeys with half dormers on each side elevation, which are to face north and south. The main front and rear elevations are to be the two gable elevations and these will feature extensive fenestration. They are to be externally finished with cedar cladding to the walls and slate roofs and are to have design consistency with the tourist development associated.

Internally, they are to provide three bedrooms (1 en-suite) and a bathroom to the first floor, with a living area, kitchen/dining area, hallway, utility room and cloakroom on the ground floor.

With regard to the log cabins proposed, of the ten in total, there are to be three different sizes. Two, 1 bed 2 person cabins are proposed along with seven 2 bed 4 person cabins and one 3 bed 6 person cabin. This larger cabin is likely to operate as the Site Manager's cabin. All are single storey and are to have cedar clad walls, timber windows and doors and a grassed roof structure and heated with log burners.

The smallest cabin measures 7.7 metres in length by 5.2 metres in width and internally provides a living area, modest kitchenette, one bedroom and a shower room.

The medium sized cabin provides two bedrooms, a shower room and a kitchen/dining/living area and measures 9 metres in length by 6.25 metres in width.

The largest cabin measures 10.5 metres in length by 7.45 metres in width. Internally it is like the others but with three bedrooms.

The largest building proposed is the Spa building. This is proposed to be at the southernmost end of the site and as such, will be the most prominent building. Whereas the other buildings proposed are to be simple in terms of their architecture, the Spa building is complex and feature laden. This building has a total floor area of 521.5 m² and offers spa facilities and rooms over two levels. The Spa facility takes up all of the ground floor, with a pool area, with part of it raised and external, around which there are foot jacuzzi's plunge pools and a relaxation area. Leading to the pool there is a communal changing facility accessed via the reception. There are also two saunas, a steam room, 2 Hammam Treatment rooms, 4 individual therapy rooms along with 2 lifts, a plant room, a cleaner's room and a staff WC. There is an enclosed zen garden also easily accessible.

The first floor provides a cafe area, outdoor gallery and larger outdoor terrace. The main roof of the building features a grassed area, photovoltaic panels, larch cladding, whilst some of the walls are described as living walls – they have planting panels in them to allow plants to grow and thrive in them.

In terms of dimensions, the length of the overall building is 35.88 metres, with a maximum width of 18.5 metres and a maximum height of 8.94 metres. Given the modern design of the building, there is no uniform or typical dimension.

The proposed development is intended to be built in phases so as to ensure viability and deliverability. The first phase will involve the building of two of the dwellings and 4 of the cabins. Phase two will involve the construction and sale of another dwelling and the start of more cabin buildings. The third phase would involve the completion of all the dwellings and the cabin buildings with the fourth phase involving the construction of the spa.

The site's aspiration to be an eco village extend to being carbon neutral in operation when it is fully up and running. This is compared to the Building Regulations Part L 2014 compliant 'business as usual' building standards. It has been assessed that significant carbon reductions can be made of 42.59 tons of CO₂ per year which is the equivalent to 111% can be achieved through its energy strategy. This comes from energy efficiency measures (41.55%) and the use of solar photo voltaic panels and Tesla Powerwall batteries to store the gathered energy (69.45%).

PLANNING POLICY

The application site lies outside the settlement development limits for Garnant, as defined in the Carmarthenshire Local Development Plan. Therefore, in order to consider this application, policies there are many Local Plan policies which can be considered relevant. In particular, it is considered that policies SP1, SP11, SP14, SP15, GP1, GP3, H2, AH1, EMP2, TR1, TR2, TR3, EQ4, EQ5, TSM5 apply.

In terms of the overarching strategic policies, policy SP1 in this instance supports development where they reflect sustainable development and design principles by distributing development to sustainable locations, appropriately promoting the efficient use of previously developed sites, integrating with the local community, taking into account character and amenity. The development should create safe, attractive and accessible environments which contribute to people's health and wellbeing and promote active transport infrastructure and safe and convenient access, particularly through walking and cycling. It should also utilise sustainable construction methods, improve social and economic wellbeing and protect and enhance the area's biodiversity value.

Given the nature of the development, policy SP11 can also be considered to be relevant. It states that development proposals which incorporate energy efficiency measures and renewable energy production technologies will be supported in areas where the environmental and cumulative impacts can be addresses satisfactorily. These developments will not cause demonstrable harm to residential amenity and will be acceptable within the landscape.

As the proposal is for an eco-village, it must reflect the need to protect and enhance the County's natural environment. In considering the proposal in light of SP14, due consideration must be given to areas of nature conservation value and countryside landscapes; in particular biodiversity including protected species and habitats of acknowledged importance as well as key connective corridors and pathways and features which contribute to local distinctiveness, nature conservation and landscape value.

Given the tourism element of the proposal, policy SP15 seeks to permit such proposals specifically in open countryside locations where the site specific small scale development must satisfy policy TSM3 except where they are subject to the provisions of TSM2 or TSM5.

Looking the general development management policies GP1 states that in this instance the development should conform with and enhance the character and appearance of the area, incorporate existing landscape features and take into account the site contours and levels, utilise appropriate materials and should not have a significant impact on the amenity of adjacent land uses, properties, residents or the community. The development should include an integrated mixture of uses appropriate to the scale of the development and seek to retain and incorporate important local features , such as woodlands, hedgerows, trees but also ensure the use of good quality hard and soft landscaping whilst taking opportunities to enhance biodiversity and ecological connectivity. The development should provide an appropriate access and provided for the satisfactory generation, treatment and disposal of both surface and foul water and general waste. For it to be successful it needs visitors and therefore it should have regard for the safe and effective use of the transportation network, including for pedestrians, cyclists and users of public transport. Finally, it should provide for the appropriate management and eradication of invasive species.

In terms of housing policy AH1 states that a contribution to affordable housing will be required on all windfall sites – sites within development limits. In this area, the site should provide a commuted sum contribution based on a sum of £41.98 per sq m of internal floor space proposed. This would equate to approximately £24,516. The policy does advise that where viability at the target levels cannot be achieved, variation may be agreed on a case by case basis.

As the site is outside limits, policy AH2 would normally be considered to be more applicable. This allows residential development on sites immediately adjacent to the development limits of defined settlements, as this site is, but requires that the dwellings proposed would be 100% affordable and meet a genuine identified local need.

Along with the tourism use, it is expected that the proposed development is to create 11 full time and 5 part time jobs. As such, EMP2 becomes relevant and requires that all employment proposals adjacent or directly related to the development limits of all settlements can be permitted provided that there is no existing employment site available for such a development, the proposal is of an acceptable size and form and is compatible with the character and appearance of the area and the neighbouring uses and users.

Policy TR2 considers proposals which have the potential for significant trip generation and will be permitted where it is located in a manner consistent with the Plan's strategic objectives, policies and proposals, is accessible to non-car modes of transport and provision is made for non-car modes of transport and those with mobility difficulties.

Policy TR3 in this instance requires that it has suitable provision for access by public transport, the development has appropriate parking and servicing space in accordance with required standards, an appropriate access reflective of the relevant class of road and speed limit and suitable drainage systems that dispose of surface water from the highway. Proposals which do not generate unacceptable levels of traffic on the surrounding road network and would not be detrimental to highway safety or cause significant harm to the residents will be permitted, as will proposals which will not result in offsite congestion where the road network capacity is sufficient.

As touched upon in SP14, policy EQ4 has concerns relating to the negative effect of the development on priority species, habitats and features of principal importance to the conservation of biodiversity and nature conservation.

Policy EQ5 seeks to retain features which contribute to local distinctiveness and qualities to the County and to the management and development of ecological networks, accessible green corridors and their continuity and integrity.

With specific regard to tourism, policy TSM1 states that new chalet sites will only be permitted within development limits. However, policy TSM3 considers that proposals for small scale facilities in the open countryside can be approved where there is no suitable site available within limits, the site is directly related to the settlement, the proposal is highly dependant upon the attributes of the site and the proposal can clearly justify the need for the development at that location. It is also expected that the development will increase the vitality, sustainability and environmental quality of the site and there will be no adverse effects on the surrounding landscape/townscape.

THIRD PARTY REPRESENTATIONS

The application was advertised by means of a Site Notice. As a result of the process, eighteen letters of objection have been received from twelve separate addresses.

The points of objection are summarised, grouped and discussed as follows:

Land Ownership

- Part of the land that makes up the application site is not owned by the applicant, rather it is owned by a neighbour of the site who objects to this development and has been supported by Land Registry documents.

The objector has supplied Land Registry documents as part of the objection which does indicate that part of the application site where the four dwellings are proposed, appears to be owned by the objector. However, the agent acting on behalf of the applicant has also provided evidence of the land purchase, which also shows that the applicant owns all the land that relates to this application site. As Members will be aware, it is beyond the scope of the Planning Department to adjudicate on land ownership disputes. We have to take at face value that the applicant claims that he owns the land and as such, proceed to determine the application based on that.

Residential Amenity Concerns

- The proposed dwellings would be directly behind the houses on Dynevor Road and would cause overlooking, particularly of the rear gardens. As the proposed dwellings are at a higher level, it would add to the sense of overlooking and be visually overbearing, potentially affecting sunlight, most acutely in winter months.
- The proposed development will cause noise and disturbance affecting the Dynevor Road residents. Many on this road work shifts and the noise would affect their peace and quiet.

Turning to the issues raised by many of the objectors relating to residential amenity concerns, it is clear that they are focusing mainly on the harm they perceive the new residential dwellings might cause.

Considering specifically at the issue of overlooking, the proposed dwellings have been orientated so that they are orientated and have views to the east and west and not to the

north, where the existing residential dwellings are located. As the four proposed dwellings are lined up in a north to south line, only the northern most dwelling would have any views over towards the existing dwellings. In measuring the distance from this dwelling to the southern edge of the gardens of the existing dwellings, this measures approximately 30 metres. This is over the minimum 21 metres distance that is typically required where there are windows directly opposite each other. Furthermore, the distance from the proposed dwelling to the rear of the existing dwellings is approximately 53.5 metres, again comfortably beyond what would normally be a distance that would be a concern. Finally, the two first floor windows proposed on this elevation are to serve the family bathroom and en suite and as such, will be obscure glazed. Therefore, the design of the proposed dwellings mitigates against overlooking and safeguards against any loss of privacy.

Another amenity concern raised is through the loss of sunlight, particularly in winter months. The land behind the existing dwellings rises to the south so the proposed new dwellings will be built at a higher level than the existing dwellings and will be 7.82 metres tall from a finished floor level of approximately 83-84 metres. However, given the distances involved between the proposed dwellings and the existing dwellings, and the ultimate height of the top of the hill to the south, any potential loss of sunlight will not be sufficient to warrant considering this application for refusal.

Considering next the issue of noise and disturbance from the proposed development, as Members will be aware, in considering this application, it is the potential for noise and disturbance from the fully developed eco-village that we must concern ourselves with and not the temporary period of disruption during the build.

The ten log cabins and spa building are intended to be provided for relaxation holidays, and with the hope of providing accommodation for golfers in particular. It is not envisaged that the location or facilities will draw in particularly rowdy guests and the Authority's Public Protection Team have not objected to this proposal with regard to issues relating to noise.

Public Protection have also looked at the issue of air quality as a result of this development operating log burners in the dwellings and cabins. There has been some confusion over this as the initial reports were not clear as to whether a biomass boiler or log burners were to be used. It has been confirmed that log burners are the preferred option. Given this, final comments relating to air quality are awaited.

Highways Concerns

- The increase in traffic would cause extra harm to the amenity and safety in the area for the existing residents.
- The road leading from Garnant Golf Club to Dynevor Road has a STOP sign at the junction. However, the recent road markings show that the Dynevor Road to Golf Club section is a through road, in contradiction to the signage. The traffic calming has been removed also. This is dangerous and will likely cause accidents.

In considering the highways matters, the Authority's Head of Transport has been consulted on this proposal, but formal comments have yet to be received. It is informally advised that the parking provision to serve the residential dwellings is acceptable. However parking for the log cabins (45 spaces) is a significant over provision. The Head of Transport advises that there is no safe pedestrian link providing a safe route to the development site – there

should be a footway with raised kerbs alongside the existing carriageway. As a result, the proposal isn't compliant with the Active Travel (Wales) Act 2013.

It is also advised that the car parking spaces to serve the spa are undersized and should be at least 2.6m by 4.8m. A 6.0m aisle separation between spaces is also needed to accommodate reversing moments in and out of spaces, which needs to be advised as some of the spaces are directly opposite those contained in the sister application (E/38001)

Integral to the highways issue is that of the footpath 67/16. The road through the site is also the footpath and as such, there would be more conflict between vehicles and pedestrians using footpath 67/16. As the Head of Transport has recommended, a footpath would be the preferred option along the length of the road, however, the Public Rights of Way team advise that at the very least, refuge areas along the road should be provided so pedestrians can move off the roadway, if necessary to avoid traffic.

Part of the concerns ties in with those above relating to disturbance. As the scheme is to be developed in phases, any increases in vehicular movements will be gradual so they can be assessed carefully. If it is noted that they begin to cause issues, traffic solutions could be employed to mitigate against these concerns. Therefore, it is not considered that there would be any long term detriment to the parking or residential amenity of the occupiers of the existing dwellings in the vicinity if the proposed development.

Other Issues

- There is a known surface water and drainage issue in this area due to the sloping land. This water, if not dealt with, could have a serious adverse impact upon existing properties and there is a high risk of flooding.

The issue of surface water is one that has been under careful scrutiny given the sloping nature of the land. The Authority's Land Drainage Department have carefully considered the proposal and have advised that the proposed surface water drainage system within the red lines of the site is acceptable to serve the development.

However, there is still a request outstanding from the land Drainage Department for further details relating to the overland flow rates from the south and east of the development. This is the upslope area which raises concerns as it is thought flow rates could potentially cause damage to the proposed structures. To take the above into account, a new drainage strategy has been submitted and final comments are awaited. If acceptable, it is envisaged that the surface water issues currently ongoing will improve with the progress of this development.

- The proposed development would be out of character with the area in terms of appearance, particularly with regard to the landscape.

The application site currently is a road and grassed area that leads up to Garnant Golf Course. It was all once part of old mining works which have been regraded and, over time, softened into the current form. The golf course is an excellent example of a creative re-use of former mining land that unfortunately is operating sub-optimally. It is considered that nearby tourism developments can help to support the Golf Course as well as take advantage of the other opportunities available in the Amman Valley. The proposed eco-village attempts to do that with a minimal long term impact upon the environment whilst offering high quality facilities for all to make use of. It is therefore considered that the proposal seeks to enhance

the character of the area and allow more people to experience the Amman Valley, in turn potentially bringing more investment to the area.

- Wildlife will suffer as their habitat will be destroyed.

As part of this development there is no intention to destroy any habitat. All trees are to be retained and this requirement will be subject to conditions. However, there is some concern that the drainage pipes may affect the root protection areas of existing trees on the steep river bank, whilst the most southerly of the proposed dwellings would be close to the edge of Tree Protection Area E78. Arboriculture details specifically considering these issues have been requested, though have yet to be received.

- There is a Japanese Knotweed problem on the application site which has been exacerbated by the applicant. He employed a groundworks team to rip up tarmac and other surfaces and dumped the spoil towards the edges. This has led to a spread of Japanese Knotweed along the boundary edges.

The issue of Japanese Knotweed has been raised and there will be a requirement to treat and manage the issue as part of the development.

- Signs have been erected on site denoting it as a building site. This pre-empts the decision making process and should be removed.

The erection of 'For Sale' signs and other signs of this nature are outside the control of the Planning Department as they have Deemed Consent. It is up to the developer if they want to advertise a scheme without the benefit of planning permission.

In addition to the above points, the following non-material concerns were also raised:

- The proposal will devalue existing properties.
- The application site is to the south and not the north as described.

With regard to the above non material points, as Members will be aware, these cannot be taken into consideration when determining this planning application.

CONCLUSION

The main policy issue that this application faces is the provision of the four residential dwellings outside limits. These are vital to the overall scheme as they provide much of the initial capital to allow the scheme to progress and now offer the required affordable housing contributions, yet are not offered as long term affordable local needs dwellings, as per the requirements of policy AH2. Therefore, the consideration is whether the overall scheme has the overall potential and deliverability to justify itself in this location, with the dwellings as enabling development, albeit outside development limits.

The tourist side of the proposal has support from the policies contained within the Local Development Plan and also enjoys the benefit of the two current planning permissions on the land for tourism. It is considered that this proposed scheme is far more beneficial to the overall area than the schemes that enjoy the benefit of planning permission.

Therefore a balance needs to be struck in terms of the provision of a potentially exciting tourist scheme in Garnant against the provision of four dwellings outside development limits, which seek to provide affordable home contributions, but do not offer themselves as long term affordable local need dwellings.

With regard to the issue of development limits, the site is adjacent to the current development limits and the site is generally well served by transport links – it is approximately 200 metres from the nearest bus stop and a similar distance to the nearest shop, public house and other village facilities. As such, it is considered that the location is sustainable and the concern would then be more to do with the dwellings to be provided being full market dwellings, contrary to the requirements of policy AH2.

In justifying this development, the scheme would be unviable without the proposed market dwellings. Given that the tourism project is generally supported and has policy support, there is likely no financially feasible way to provide affordable local needs dwellings in this location, at least without the provision of more market dwellings. Given the constrained nature of this site, and the requirement for it to be a tourism scheme, the provision of any more dwellings would impact upon the area available to provide the log cabins and spa. As such, it has been argued that no more dwellings should be provided and that any more would be damaging to the scheme. This view was supported. However, this would mean that the proposed development would not be viable if it were to provide the affordable local needs dwellings, as required by policy AH2.

As such, whilst the proposal does not strictly comply with policy AH2, it is compliant with policies SP1, SP11, SP15, GP1, TR2, TR3, EQ4, EQ5 and TSM3 of the Carmarthenshire Local Development Plan.

On balance, the benefits of this proposal, if delivered outweigh the potential negative effects and as such, this application is recommended for approval, subject to a legal agreement.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The above approved development relates to the following plans and documents and works should be carried out strictly in accordance with them unless amended by any of the following conditions:
 - The 1:200 and 1:1250 scale amended Site Location Plan and Spa Facility Extract (01H) received on 20 February 2019
 - The 1:500 scale amended Site Layout North and South (02F) received on 20 February 2019.
 - The 1:50 scale amended Site Plan (05C) received on the 20 February 2019
 - The 1:50 and 1:100 scale amended Proposed West and South Elevations (12) received on the 4 December 2018
 - The 1:50 and 1:100 scale amended First Floor and Roof Plan (10) received on 4 December 2018

- The 1:50 scale amended Ground Floor Plan (09) received on the 4 December 2018
 - The 1:200 scale amended Site Cross sections (08C) received on the 4 December 2018
 - The 1:200 scale amended Site Layout North Extract (03C) received on the 4 December 2018
 - The 1:50 and 1:100 scale amended Proposed East and North Elevations (11) received on 4 December 2018
 - The 1:100 scale Log Cabins ~ Layout and Elevations (04B) received on 4 December 2018
 - The 1:50 scale amended Residential Units ~ Elevations (06) received on 4 December 2018
 - The 1:1250 scale Topographical Survey (07B) received on the 4 December 2018
 - The 1:500 scale amended Drainage Strategy Plan (DS1 E) received on the 13 March 2019
- 3 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development and any trees or plants which within a period of 5 years from the commencement of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variations and thereafter shall be retained in perpetuity.
 - 4 No development shall commence until a scheme of remedial works has been submitted to, and approved in writing by the Local Planning Authority for the treatment of shallow mine workings across the application site and for the treatment of Mine Adit 268212-020. These works shall be implemented as approved.
 - 5 The rating level of sound emitted from any fixed part or machinery associated with the development shall not exceed the existing background sound level. The rating sound levels shall be determined at the nearest noise sensitive premises or at another location that is deemed suitable by the authority. Measurements and assessments shall be made in accordance with BS 4142: 2014 Methods for Rating and Assessing Industrial and Commercial Sound and/or its subsequent amendments.
 - 6 Within 28 days from the receipt of written request from the Local Planning Authority, the operator of the development shall, at its own expense, employ an independent consultant approved by the Local Planning Authority to assess the level of sound immissions arising from the development to determine whether they exceed the sound levels specified in condition 1. The assessment shall be undertaken under the supervision of the Local Authority.
 - 7 In the event that Condition 5 is exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the sound level specified in condition 5. These measures will then be implemented forthwith.
 - 8 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
 - 9 No development shall take place on the application site until the applicant has:

- Prepared 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.
 - Prepare 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.
 - Submitted 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.
- 10 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.
- 11 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'.
- 12 A copy of the certificate of analysis, details of the source of the topsoil and an interpretation of the analytical results by a suitably qualified individual [topsoil must be approved in writing by the Local Authority prior to importation].
- 13 If tree works are to be carried out on the two trees identified as having moderate potential for bats, then further survey work must be carried out. These should be assessed for bat potential and where appropriate climbing surveys shall be undertaken; in accordance with published best practice guidelines. The results of these assessments / surveys shall be used to inform mitigation proposals for any bat roost found in the trees and shall be submitted to the local authorities Planning Ecologist and Natural Resources Wales. The assessment / survey will to be carried out and the results submitted prior to the commencement of works on site.
- 14 Highways conditions
- 15 Air quality conditions
- 16 Land drainage conditions

17 Arboriculture conditions

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2-3 In the interest of visual amenity.
- 4 To prevent the risk of former mine workings harming the safety of the future users of the site.
- 5-7 In the interest of residential amenity.
- 8 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.
- 9-12 To prevent the importation or spread of contaminated material to and from the site.

REASONS FOR GRANTING PLANNING 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 SP1 of the LDP in that the proposed location is considered to be sustainable and providing a facility that will seek to enhance the local character and creating a safe and attractive environment that contributes to people's health and wellbeing. The overall scheme would be carbon neutral and would be intended to improve the economic well being of the area which respecting the ecology and biodiversity.
- The proposed development accords with policy SP11 of the LDP in that the proposed development intends to be carbon neutral by virtue of the solar panels, battery storage, log burners and highly efficient build techniques.
- The proposed development accords with policy SP15 of the LDP in that the location specific proposal is situated in a sustainable location and is intended to offer significant benefits to the village.
- The proposed development accords with policy GP1 of the LDP in that the proposed development represents an acceptable form of development which is appropriate to the character and appearance of the surrounding area, is of an acceptable design and will not have an unacceptable impact upon the residential amenity of nearby properties and provides an acceptable access and parking facilities. The proposed development takes into account the topography of the site and also retains important local habitat features whilst creating an attractive safe place. It is readily accessible

and linked to existing transport networks and provides for the satisfactory generation, treatment and disposal of both surface and foul water.

- The proposed development accords with policy AH1 of the LDP in that the proposed development provides a commuted sum towards the provision of affordable housing, based on the 10% sub market area calculation.
- The proposed development accords with policies TR2 and TR3 of the LDP in that the proposed development is accessible from non car modes of transport, located in a manner consistent with the plan's objectives, would not generate unacceptable levels of traffic on the surrounding road network, or harm highway safety whilst providing acceptable parking and service space to highway standards.
- The proposed development accords with policy EQ4 of the LDP in that the impacts of the development can be satisfactorily mitigated and in time, potentially managed to provide enhancements.
- The proposed development accords with policy EQ5 of the LDP in that the proposal seeks to retain the site features of local distinctiveness.
- The proposed development accords with policy TSM3 of the LDP in that there is no suitable site within the development limits of Garnant but is directly related and is highly dependant upon the attributes and location of the site and should increase the vitality, sustainability and environmental quality of the site and in particular the Golf Club.

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 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 applicant has entered into a Unilateral Undertaking to ensure the provision of the following:

A commuted sum of based on a contribution of £24,516.32 towards an Affordable Housing Fund as per the requirement in Local Development Plan policy AH1 in the low viability (10%) sub market area.

*Ardal De/
Area South*

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR
AMGYLCHEDD**

**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

**TO CARMARTHENSHIRE COUNTY
COUNCIL'S PLANNING COMMITTEE**

**AR 04 EBRILL 2019
ON 04 APRIL 2019**

**I'W BENDERFYNU/
FOR DECISION**



Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yna rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.

COMMITTEE:	PLANNING COMMITTEE
DATE:	04 APRIL 2019
REPORT OF:	HEAD OF PLANNING

INDEX - AREA SOUTH

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
S/34180	New cubicle housing for young stock (retrospective) at Cwmbarem Farm, Pontyberem, Llanelli, SA15 5BP

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	S/34180
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Application Type	Full Planning
Proposal & Location	NEW CUBICLE HOUSING FOR YOUNG STOCK (RETROSPECTIVE) AT CWMBEREM FARM, PONTYBEREM, LLANELLI, SA15 5BP

Applicant(s)	NOEL RICHARDS, COEDMOELON FARM, PONTYBEREM, LLANELLI, SA15 5AN
Case Officer	Gary Glenister
Ward	Pontyberem
Date of validation	26/07/2016

CONSULTATION

Head of Public Protection – Noise complaints have been received under other legislation, however the applicant has been working with Public Protection to ensure that the issues are resolved. There are no adverse comments on the proposal as there is no increase in stocking numbers proposed.

Pontyberem Community Council – Raises the following matters:-

- The application is retrospective.
- The proposal does not comply with the approved plans.
- The proposal is not in keeping with the village.
- Impact on neighbours due to size.
- Impact on environment due to increase in animals.
- Precedent for unauthorised works.
- Access is unsuitable for heavy vehicles.

Local Member – Former County Councillor J S Williams was a member of Planning Committee at the time of last reporting and did not comment. The current Local Member has been briefed on the application and has not commented to date.

Dwr Cymru/Welsh Water – Has no adverse comments.

Neighbours/Public – the application has been advertised by the posting of one site notice with responses from 8No parties received to date raising the following matters:-

- Application is retrospective.
- Proximity to third party property.
- Scale of development is over powering.
- Highway safety.
 - increase in vehicles;
 - mud on road;
 - damage to verges;
 - speed/weight of vehicles.
- Loss of amenity.
 - statutory nuisance;
 - odour/air quality;
 - light pollution;
 - insect infestation/flies;
 - slurry storage;
 - starlings;
 - noise/hours of operation.
- Lack of enforcement.
- Farm office (above garage).

RELEVANT PLANNING HISTORY

The following planning applications have been received on the application site:-

S/32710	Proposed cubicle housing. Full planning permission	3 December 2015
S/31889	Retrospective application for extension to existing cubicle/feed building. Full planning permission	23 June 2015
S/31827	Discharge of Condition 4 of planning permission S/30670 (Provide Method Statement). Discharge of Condition granted	27 April 2015
S/30670	Replacement of existing dwelling. Full planning permission	26 September 2014
S/08474	Construction of loose housing cattle building Approved	14 February 2005
S/00922	New kitchen/dining/bedroom extension Approved	27 November 1997

APPRAISAL

This application was reported to planning committee on the 19th April 2017 and there was a resolution to approve subject to further discussion so that objections by a third party could be overcome. Delegated powers were granted to seek a resolution to the objections. The third party however still has objections despite a prolonged period of discussion and further information being submitted, so the application is being reported back for determination.

Both the Planning Committee and Local Member have changed since the scheme was last reported so the report has been re-drafted and updated for Members to consider. The new Local Member has been informed that the application is being reported.

This application has been submitted following an investigation/action undertaken by the Authority's planning enforcement officers.

THE SITE

The application site is a well-established farm holding in open countryside to the North of Pontyberem. The site is in the same ownership as Coedmoelon which is a major milk producer in the area and functions as part of a network of holdings in the area owned by the applicant.

The site has existing buildings approved in 2005 and extended in 2014 and an existing slurry pit. The site of the building was formerly unused land immediately adjacent to the existing shed, forming part of the farm complex. The farm complex has the steep gorge formed by the Afon Berem to the West so the shed has been developed to the East of the existing buildings.

The site has one residential dwelling to the North which has a replacement dwelling which is currently under construction at an advanced stage. Planning permission has also been granted for the relocation of the farm office from Coedmoelon to Cwamberem. The farm office is being developed above the applicant's replacement garage which has been built immediately adjacent to the replacement farm dwelling.

There is a third party dwelling which has recently been extended approximately 56m to the north east of the nearest part of the shed. The dwelling forms part of a small holding which itself has stables and an equestrian building, however it is noted that the residential garden lies between the dwelling and the proposal.

The farm complex is crossed by a public right of way, however this is not affected by the proposal. Unauthorised engineering works have taken place elsewhere on the holding however these are subject to separate enforcement proceedings and do not affect the consideration of this application.

Planning permission was granted in December 2015 for a similar proposal however it has not been built in accordance with the approved plans so the current proposal is retrospective and seeks retention of the building.

THE PROPOSAL

The application seeks full retrospective planning permission for the erection of a 50m by 29.15m cubicle shed on the holding. Given the sloping nature of the site, the shed is 4.285m to eaves and 8.8m to the ridge when viewed from the nearest neighbouring property to the North and 5.685m to eaves and 10.2m to ridge when viewed from the South. The original scheme measured 4.852 to eaves and 8.151m to ridge assuming a flat site and measured from the same finished floor level as the original shed adjacent.

The eave height is proposed to be 0.833m higher and ridge height is proposed to be 2.049m higher than the approved scheme when viewed from the South. It is noted however that the original heights are annotated from the same level as the adjacent building, which is 0.56m lower than the floor level shown for the new building, therefore the difference is 0.56m greater than indicated. The land is higher from the north so the difference is not as significant, being some 0.649m higher to ridge, but as adjusted for ground levels, would be 1.209m higher when viewed from the neighbouring property.

The building is narrower than approved by 0.45m, however the original had a feeding passage to serve the new and existing shed and as built it incorporates a separate feeding passage for the new shed only and there is a 4.1m gap between the buildings to allow a feeding passage for the original building to run in parallel. The new building is sited 1.1m further forward than the original building and was originally approved set back 4.5m. The result of the re-siting of the building forward and sideways with the formation of a double feeding passage is that the nearest corner of the building is some 10m closer to the nearest property than approved.

The applicant states that the holding has been re-organised since the new building has become operational in that the cubicles have replaced the older cubicle building which is now used partly for loose housing of young stock and to the greater extent for storage. The proposal has not therefore increased the stocking level on the holding, and has merely improved conditions for the stocking level which was there previously.

PLANNING POLICY

In the context of the current development control policy framework the site is outside the settlement development limits of Pontyberem as defined in the Carmarthenshire Local Development Plan (LDP) Adopted December 2014.

Policy SP1 Sustainable Places and Spaces states that proposals for development will be supported where they reflect sustainable development and design principles.

Policy GP1 Sustainability and High Quality Design provides a list of criteria which demonstrates principles of good design to ensure that development is appropriate to the character of the area and would not have a significant impact on third parties. In particular,

Policy EQ4 sets out the general policy on biodiversity and nature conservation along with the legislative framework. The policy aims to ensure that any environmental impacts are mitigated and that biodiversity interests are protected.

Policy TR2 states that development which generates significant trip generation will be permitted where they are accessible sustainably to non car modes of transport and incorporate travel plans where appropriate.

Policy TR3 Highways in Developments - Design Considerations, sets out the requirements for development to be situated in a suitable location and incorporate appropriate parking, access and sustainable transport features.

Good design is encouraged at all levels and national policy contained in Planning Policy Wales Edition 10 – December 2018 which emphasises well-being, place making & sustainability and TAN12 provides design guidance.

THIRD PARTY REPRESENTATIONS

The retrospective nature of the application should be noted in that the shed as submitted has already been constructed. Members will recall an application for a smaller scheme being reported to Committee in December 2015 which was approved. The applicant however has not built in accordance with the approved plans as a feeding corridor was required between the old and new buildings, so the overall scale was increased and the ground levels have resulted in a change in how the shed sits in relation to the access. As noted above, the width and height have increased, and the siting of the shed has been amended so the Committee is being asked to make a decision on the shed as built and whether the amendments would have an unacceptable impact compared with the approved shed.

There is concern over the proximity of the proposal to third party properties. It is acknowledged that there is a residential dwelling approximately 66m from the original siting of the shed, however this gap has reduced by approximately 10m due to the amended siting. It is noted that the roof of the shed can be seen from the neighbouring property, however the reduced distance and increased height do not unacceptably affect the residential amenity of the dwelling or the garden area. It is further noted that intervening vegetation obscures the view and lessens the impact.

As previously reported, the site is in a rural area and the shed as built is immediately adjacent to existing buildings and the nearest property is itself a small holding with stables and an equestrian building present. The amended siting and proximity of the proposal to a residential dwelling needs careful consideration, however it is not considered to be unacceptable within the wider context of the agricultural farm complex.

The scale and height of the proposal is said to be over powering, however in the context of the approved scheme, the additional height is not considered likely to have an unacceptable additional impact. In the context of an existing farm complex, the additional footprint is also considered unlikely to have an over bearing impact on the character and amenity of the countryside. Given the retrospective nature of the application, the precise impact has been assessed in coming to this conclusion. In terms of scale, the applicant provided the number of cows prior to the erection of the shed and those proposed post construction. The applicant has been asked to confirm what the maximum number of cows has been since the working practices have changed with the use of the shed and this confirms that the numbers are within the level of the original sheds. However it would not be reasonable to impose a condition as the nature of the unit is such that there could be occasional spikes in numbers depending on fertility rates at any given year, and the rest of the buildings have no restrictions on numbers so the overall numbers will fluctuate and it is not practical to count stock on a continuous basis.

There is concern over highway safety, however it should be noted that the proposal is on an existing farm complex and is for animal welfare purposes with no increase in stock proposed. The additional width is for feeding purposes and height is due to ground levels, therefore the amendments to the proposal are not likely to lead to an increase in traffic generation.

The presence of mud on the road and damage to verges are not a material planning considerations and isn't affected by the amendments being considered retrospectively. It is however noted that the Head of Transport has no observations as the herd size is not increased and there are no complaints from a highway maintenance perspective.

There is no increase in stock, so the number of vehicles need not increase, it is also noted that the applicant will be moving to the replacement agricultural dwelling and therefore cut down on traffic between Coedmoelon and Cwmlberem. The speed of the vehicles using the road is outside the control of the local planning authority. Any road traffic violations are matter for the police, however it should be noted that the road has a 60mph speed limit so it is unlikely that agricultural vehicles are exceeding this. The weight of agricultural vehicles is reflective of modern agricultural practices and therefore is appropriate for an agricultural business.

There is concern over the shed causing a statutory noise nuisance. It should however be noted that statutory nuisance is covered by other legislation and that any grant of planning permission does not prejudice other statutory functions of the Council so if a statutory nuisance occurs, action can be taken outside the planning process. It should be noted that the Council has received a noise complaint which relates to the operational practices of the holding and this is currently under investigation. The Public Protection service has been consulted and acknowledges that complaints have been received. However given the fact that the shed is effectively a maternity unit and has no increase in stock compared with the holding before the shed was built, has no objection to the shed as amended. It is noted that a degree of noise is attributable to the young cows which are kept in an older building which is not affected by this building. It is also noted that to the greater extent, the as approved and as built buildings overlap. There is no evidence to suggest that the amended siting has generated the occasional bellowing of the cows, or that the closer proximity would have a materially greater impact on the third party.

There is a concern over the number of flies which are present on the site. The Public Protection teams has acknowledged that complaints have been received but the source and reason for the flies remains unknown. The shed as amended is not however likely to affect fly infestations.

It should be noted that as a result of complaints, the applicant has taken measures to reduce the noise and impact of the operational routine on third parties. This includes a later start time in the morning and the use of a different type of machine to push the feed closer to the cattle feeding bar to ensure the animals can reach it. The use of alternative reversing beepers has also been employed to ensure noise is minimised. The third party acknowledges that the changes have been beneficial, however maintains that there is an audible noise nuisance from cows bellowing in the night.

There is concern regarding slurry storage and it is noted that there have been issues outside planning regarding the slurry arising from the unit which have now been resolved. There is an existing slurry store to the South of the building which is considered acceptable to cater for the needs of the cubicles. It is further noted that the loose housing has dry straw bedding

which is collected and does not add to the wet slurry. As no additional waste is arising, there is no requirement to increase capacity.

The impact on the character of the village raised by the community council is not considered material as the shed is an agricultural building on an agricultural holding away from the village.

There are allegations that there has been a lack of enforcement. It should be noted however that as a result of enforcement action, an application was submitted to regularise the shed. The Planning Committee resolved to approve the shed subject to agreement with the third party so there has been no expediency to take further enforcement action. The delay post resolution has been a result of protracted discussion between the Planning Authority, applicant and third party and the request for additional information etc. In respect of other matters that have become apparent, enforcement action has stopped the works and this is subject to separate consideration.

There is concern about the applicant developing a farm office above the garage and concentrating functions at Cwmlerem. This was considered under a separate application and given the previous owner operating a farm and construction firm from an office above the original garage, the quiet nature of office use and the separation distance from the garage and third party property, it was considered acceptable.

CONCLUSION

After careful consideration of the site and its surrounding environs in the context of the representations received to date, it is considered that the cubicle shed has been built on an existing established farm complex immediately adjacent to existing buildings. The height, width and siting has been assessed in the context of the original scheme approved and whether or not the amendments have an unacceptable impact compared with the approved. Whilst there is concern locally, issues have been carefully examined and the amendments are not considered to materially alter the impact of the building and is not therefore considered unacceptable.

Given the fact that the proposal is for animal welfare purposes rather than an increase in numbers, the use and scale of the site has remained as previously operated, so levels and nature of traffic etc. are not considered unacceptable.

Concerns from the third party have not been resolved in that there are still cows bellowing occasionally in the night. The applicant has employed the services of an engineer who has provided the advice that there are no practical ways of preventing any sound from the building. It has been suggested that the building be enclosed. However to achieve external feeding, the lower section need to be left open and if the gable was subject to enclosure, a solid wall would result in ventilation concerns and echoing of any noise within the building which would amplify it, and any Yorkshire boarding in keeping with the rest of the building would be acoustically transparent and therefore be ineffective. It is noted that the applicant will shortly be living on site, monitoring equipment can be used to alert him of any significant noise issues so he can address the causes of the distress. Two additional factors should be noted, firstly there are other sheds on site which could generate noise from cows bellowing, and secondly, the shed significantly overlaps the footprint of the approved scheme, so for the greatest part, any bellowing within the shed would be no closer to the third party than would have been the case if the shed had been built as approved. Given

the fact that no practical solutions are available that can be conditioned, it is recommended that the scheme be approved as built.

It is noted that the applicant has amended the operational times for the feeding, however it is not reasonable to condition operating hours for an agricultural use as there are operational considerations and emergencies which will require work outside normal hours. Similarly, whilst the applicant states that there are no increases in stocking levels, given the nature of the site as a maternity unit, there could be instances when more than the expected number of cows are in calf, or they produce more calves than expected at the same time and additional cows would need to be accommodated. It is noted that there is a limit to the number of cows that can be accommodated due to animal welfare concerns, so to a certain extent, the unit would be self-regulating.

The building is visible from a residential dwelling to the North East which is itself a small holding with equestrian uses, however the impact of the amendments is not considered to be unacceptable.

On balance, whilst there are concerns from the nearest neighbour, the proposal is considered to be in accordance with the above policies.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 26th July 2016.
- 2 The development hereby permitted shall be retained strictly in accordance with the following schedule of plans:-
 - 1:1250 & 1:500 scale Block Plan and Location Plan Drawing No. P/03 dated 21st June 2016;
 - 1:100 scale Proposed Cubicle Housing. Drawing No. P/02 Rev A dated 31st March 2017;
 - 1:100 scale Elevations and Existing Ground Levels. Drawing No. P/01 Rev A dated 31st March 2017.
- 3 The entire building hereby approved shall be used for agricultural purposes as defined under Section 336 of the Town and Country Planning Act 1990 and not for any other purposes.

REASONS

- 1 To comply with Section 73A of the Town and Country Planning Act (as amended).
- 2 In the interest of visual amenities.
- 3 The proposal is for agricultural purposes only.

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 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.

- 2 Planning permission does not give permission to stop up or divert any public rights of way on the site. If necessary, the footpath would need to be diverted through other legislation.
- 3 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).

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*Ardal
Gorllewin/
Area West*

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

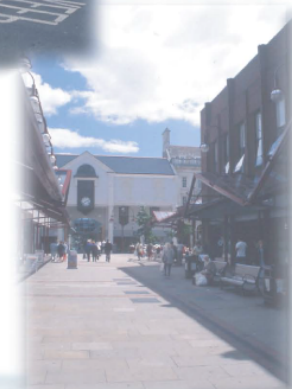
**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

**TO CARMARTHENSHIRE COUNTY
COUNCIL'S PLANNING COMMITTEE**

**AR 04 EBRILL 2019
ON 04 APRIL 2019**

***I'W BENDERFYNU
FOR DECISION***



Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yna rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.

COMMITTEE:	PLANNING COMMITTEE
DATE:	04 APRIL 2019
REPORT OF:	HEAD OF PLANNING

INDEX - AREA WEST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
W/38461	Conservation Area Consent for the renewal of expired planning approval (W/20488) residential dwelling and garage at 14 Heol Gwermont, Llansaint, Kidwelly, Carmarthenshire, SA17 5JA

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/38461
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Application Type	Conservation Area Consent
Proposal & Location	CONSERVATION AREA CONSENT FOR THE RENEWAL OF EXPIRED PLANNING APPROVAL (W/20488) RESIDENTIAL DWELLING AND GARAGE AT 14 HEOL GWERMONT, LLANSAIN, KIDWELLY, CARMARTHENSHIRE, SA17 5JA

Applicant(s)	JO LEWIS, 9 HEOL TREGWYR, LLANSAIN, CARMARTHEN, SA17 5JF
Agent	GETHIN LLOYD JAMES BA (HONS) ARCH. MCIAT, IAGO CYMRU LTD, TROED Y BRYN, LLANARTHNE, CARMARTHEN, SA32 8JE
Case Officer	Richard Jones
Ward	St Ishmael
Date of validation	19/02/2019

CONSULTATIONS

St Ishmaels Community Council – Has not responded to date.

Local Members - County Councillor L M Stephens has made no comment to date.

Neighbours/Public - The application has been publicised by the posting of a Site Notice as a development within a conservation area. Two objection letters have been received and are summarised below:-

- Significant loss of privacy to garden and habitable rooms due to overlooking from proposed first floor window.
- Additional noise and disturbance as a result of the dwelling.
- Over-development and overcrowding of the site which will have an impact upon the character of the area in addition to the effect it would have on the Llansaint Conservation Area.
- Negative visual impact on the landscape.
- Increased volume of traffic as a result of the proposal resulting in a greater risk to pedestrians in the immediate locality.

- The driveway dimensions appear to fall short of the regulations.
- Concern regarding the management, control and safe dismantling and disposal of the structure currently on site. There could be hazardous material such as asbestos in the building which could pose a threat to the health of adjacent occupiers.
- Disappointment that neighbouring dwellings were not consulted and no notice of planning being put up.
- Traffic congestion will be caused to a very narrow street and cause access issues to an adjacent property.
- Lack of visibility at the site's proposed access with Heol Gwermont. There are obstructions that prevent visibility when vehicles emerge from the site.
- Loss of view due to the proposed height of the dwelling.
- The height of the building is not in keeping with the scale of adjacent dwellings.
- Impact on ecological interests at the site.
- There are empty properties in the village and the proposal will add to the number of properties that could become further holiday homes in the village.
- The person named as the applicant on the application form is not the applicant.

RELEVANT PLANNING HISTORY

The following previous applications have been received on the application site:-

W/38150	Renewal of expired planning approval (W/20486) residential dwelling (Resolution to approve at Planning Committee subject to Conservation Area Consent)	Pending
W/20486	Residential dwelling Full planning permission	25 March 2010
W/17517	Demolition of former garage and outbuilding into 1 no. dwelling house with garage Full planning refused	16 November 2007
D4/24934	Temporary use of existing building as domestic garage Full planning permission	22 September 1994
D4/22795	Conversion of disused shop into a bungalow Outline planning permission	10 November 1992
D4/18273	Siting of residential unit Outline planning permission	12 September 1989

APPRAISAL

THE SITE/PLANNING HISTORY

The application site comprises a large garage and store structure sited on a parcel of land that is sandwiched between the residential dwellings of No.12 and 16a Heol Gwermont, Llansaint. The structure is set back from the highway by some 5m and measures 19m across its frontage, has a depth of 17.1m and a height of 5.4m. The site is within the Llansaint Conservation Area which is characterised by modest terraced cottages sited along an organic street pattern of narrow roads and alleys. The tight street pattern and the close arrangement of dwellings to one another provide the village with a sense of place which adds significant character to the settlement. The street pattern is irregular, twisting and turning, widening and contracting in a sequential and inviting manner. Dwellings are modest in height whilst the use of materials is predominantly lime washed stone and spar and slate roof tiles. Minor detailing of the dwellings includes chimney stacks, 40° degree roof pitches and 'clipped' eaves.

Full planning permission was approved subject to conditions at this site for a dwelling in March 2010. This permission has since lapsed, nevertheless this permission demonstrates that residential development, albeit under the previous Local Plan's policies, was acceptable at this location. The design, scale, layout and parking arrangements approved in 2010 are the same as those currently under consideration. Moreover, the site has a history of unimplemented residential planning approvals dating back to 1978. These permissions are considered material to the consideration of this current application.

Members made a resolution to approve full planning permission at this site for a single detached residential dwelling subject to the granting of a counterpart conservation area consent at the 7th February 2019 Planning Committee.

THE PROPOSAL

Conservation Area Consent is sought for the demolition of the building that stands on site and having regard to the special character and appearance of the Llansaint Conservation Area. Applications for Conservation Area Consent are required when structures of a certain size, are proposed for demolition. Consideration will also be required on whether the dwelling proposed makes a positive contribution towards the character and appearance of the conservation area.

The building to be demolished is known as the former Cooperative store which measures 5.9m in width by 12m in length and has a maximum height of 4.5m. The structure is constructed of brickwork, some elevations in stretcher bond facing brickwork and the remainder in render. It has a fibre cement mansard type roof, flat roofed extension to the side and rear, with metal roof windows and dates back to circa 1930. The building is set back approximately and 3.5m from the edge of Heol Gwermont, a narrow road primarily characterised by a mix of terraced and detached dwellings of early 20th century construction, rear boundaries walls and garden outbuildings such as garages and sheds.

Following demolition it is proposed to construct of a detached garage and dwelling as per the details submitted under application W/38150 which the committee have already resolved to approve. For clarity the dwelling will be approximately 2.2m from the edge of Heol Gwermont and will have a frontage width of 6.7m, a length of 11.2m and a height of 7.9m. A proposed detached garage will be sited to the north east of the dwelling and set back some 2.5m from the front building line. The garage will measure 3.6m in width by 5.7m in length and will be constructed with a pitched roof measuring 4.5m in height. External finishes will consists of slates to the roof, a smooth external render to the elevations and hardwood windows. A rear garden area will be provided which will have a maximum depth of approximately 7.5m. Additional off street parking will be provided in an area in front of the proposed detached garage.

PLANNING POLICY

The relevant policies are:-

In the context of the current development control policy framework the site is located within the defined development limits for Llansaint and within the Llansaint Conservation Area as contained in the adopted Carmarthenshire Local Development Plan Adopted December 2014 and within a Conservation Area.

Policies SP13 and EQ1 of the LDP relate to development in conservation areas and require that development preserves and enhances the historic environment.

Section 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to pay special attention shall be paid the desirability of preserving or enhancing the character of appearance of a conservation area.

Paragraph 2.2 of Technical Advice Note 12 Design (2014) states:-

2.2 The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales - from householder extensions to new mixed use communities.

Paragraph 2.6 of Technical Advice Note 12 Design (2014) states:-

2.6 Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities.

Planning Policy Wales 10 (December 2018) provides advice in relation to the assessment of proposals in Conservation Areas. Specifically, Para 6.1.14 states there should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings. Positive management of conservation areas is necessary if their character or appearance are to be preserved or enhanced and their heritage value is to be fully realised. Planning authorities should establish their own criteria against which existing and/or new conservation areas and their boundaries should be reviewed. The preparation of conservation area appraisals and management plans can assist planning authorities in the exercise of their development management functions.

Para 6.1.15 states there is a strong presumption against the granting of planning permission for developments, including advertisements, which damage the character or appearance of a conservation area or its setting to an unacceptable level. In exceptional cases, the presumption may be overridden in favour of development considered desirable on public interest grounds.

Para 6.1.16 states that preservation or enhancement of a conservation area can be achieved by a development which either makes a positive contribution to an area's character or appearance or leaves them unharmed. Mitigation measures can also be considered which could result in an overall neutral or positive impact of a proposed development in a conservation area.

Para 6.1.17 states that conservation area designation introduces control over the total or substantial demolition of unlisted buildings within these areas, but partial demolition does not require conservation area consent. Procedures are essentially the same as for listed building consent. When considering an application for conservation area consent, account should be taken of the wider effects of demolition on the building's surroundings and on the architectural, archaeological or historic interest of the conservation area as a whole. Consideration should also be given to replacement structures.

Issues

The main issue for consideration regarding this application will be whether the demolition of the existing outbuilding and its replacement with a new dwelling and detached garage has regard to preserving or enhancing the character and appearance of the conservation area, its setting and any buildings or features of architectural or historic interest which it possesses.

The building to be demolished is currently used for storage and evidence suggests it was built in the 1930s and used as a Coop store at some point in the past. It was not evident on the inspection of the site it is used by as commercial use or used for any purpose other than storage. The building shows signs of neglect with vegetation growing from the walls and is of no significant architectural merit or group value to the conservation area. This utilitarian building is also considered an anomaly within this residential street and it is considered its demolition will not harm the character of the conservation area.

Turning now to whether the dwelling that will be built will preserve or enhance the character of the conservation area. The design and scale of the dwelling is consistent with surrounding properties, sharing similarities in terms of, relationship and proximity to the highway, frontage width, height, depth, vertical window openings, and entrance to front elevation, clipped eaves and use of materials. On this basis the proposal is considered to be consistent with the character and appearance of the area, whilst preserving and enhancing the Llansaint Conservation Area.

The dwelling is not considered cramped or over-developed within the plot, given that its dimensions allow for an adequately sized rear garden comprising approximately 70 square metres. The building to plot ratio is comparable to neighbouring dwellings in the conservation area. Overall the dwelling will appear visually acceptable and will preserve the conservation area and is not considered to harm the character and appearance of this part of the village.

THIRD PARTY REPRESENTATIONS

Three objection letters have been received which repeat the matters raised regarding the application for full planning permission, ref: W/38150, save for a concern regarding the authenticity of the applicant's name on the application form. The objectors claim that the applicant is not aware of the application being submitted despite her name written on the form. This is noted however, no written confirmation has been submitted by the person in question indicating that the information on the application form is incorrect.

The remaining issues raised will not be addressed in full in this report as these were done in the officer's appraisal on W/38150. Concerns with regard to the impact on the character and appearance on the Llansaint conservation area are nevertheless valid in respect of this application and have been addressed in the "Issues" section of the report.

CONCLUSION

In conclusion, the proposed dwelling is considered acceptable in that its design and scale is consistent with neighbouring dwellings and will ensure no detrimental harm to the character and appearance of the Llansaint Conservation Area. The demolition of the existing outbuilding that stands on site will not have a harmful impact on the conservation area and its loss is considered to preserve and enhance the character of the conservation area.

It is requested that members of the Planning Committee resolve to approve the application subject to the applicant entering into a S106 legal agreement to secure a financial contribution towards affordable housing in the area. On this basis approval is recommended.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years of the date of this permission.
- 2 The development shall be carried out strictly in accordance with the following approved plans and documents received on 4th February 2019, unless otherwise stipulated by conditions:-
 - Site and Location Plan [PA/06] 1:500, 1:2500 @A2;
 - Existing Floor Plan [PA/01] 1:50 @A2;
 - Existing Elevations [PA/02] 1:50 @A2;
 - Existing Elevations [PA/03] 1:50 @A2;
 - Proposed Floor Plans [PA/04] 1:50 @A2;
 - Proposed Elevations [PA/05] 1:100 @A2;
 - Design and Access Statement;
 - Heritage Impact Assessment.
- 3 No work for the demolition of the buildings hereby approved shall commence until such time as the applicant or their agents or successors in title have secured a time specific contract for the demolition of the existing buildings and redevelopment of the site in accordance with a valid planning permission. Details of such a contract shall be made available to the Local Planning Authority.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.
- 3 In order to ensure that the site is not left vacant and derelict, and the replacement buildings are constructed within a reasonable period of time from the commencement of the demolition work.

SUMMARY REASONS FOR APPROVAL

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 proposal complies with Policy SP13 and EQ1 of the adopted Carmarthenshire Local Development Plan (2014) in that the proposed dwelling will not adversely affect existing buildings, structures, open spaces, trees and other features which make a positive contribution to the character and appearance of the conservation area. The demolition of the existing outbuilding is considered acceptable and will ensure the Llansaint Conservation Area is preserved and enhanced.

NOTE(S)

- 1 This permission is subject to a Unilateral Undertaking to secure financial contributions towards affordable housing that is payable prior to the commencement of any further works (£51.35 per square metre of internal floor space).
- 2 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.

- 3 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).

PLANNING COMMITTEE

Thursday, 7 March 2019

PRESENT: Councillor A. Lenny (Chair);

Councillors:

J.M. Charles, I.W. Davies, J.A. Davies, W.T. Evans, S.J.G. Gilasbey, J.K. Howell, J.D. James, C. Jones, D. Jones, H.I. Jones, M.J.A. Lewis, K. Lloyd, K. Madge, B.D.J. Phillips, J.G. Prosser, G.B. Thomas and J.E. Williams;

Also in attendance:

Councillor D. Cundy in respect of planning application S/34991;

The following Officers were in attendance:

J. Edwards, Development & Built Heritage Manager
 S. Murphy, Senior Solicitor
 J. Thomas, Senior Development Management Officer [South]
 K Phillips, Development Management Officer
 Z.A. Evans, Senior Technician (Planning Liaison)
 M.S. Davies, Democratic Services Officer.

Chamber, County Hall, Carmarthen: 10.00 am - 11.45 am

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S.M. Allen and P. M. Edwards

2. DECLARATIONS OF PERSONAL INTERESTS

Councillor	Minute Number	Nature of Interest
J. Gilasbey	4 – Planning Application S/38288 Proposed demolition of existing school building and redevelopment of site to provide new 270 place English medium primary school with 30 place nursery and up to 23 full time places for early years (wrap around care) provision with car park, sports pitch, MUGA and associated landscaping & infrastructure works at Ysgol Y Castell, Priory Street, Kidwelly, SA17 4TR;	Vice-Chair of the School's Governing Body
D. Jones	4 – Planning Application S/38166 Variation of condition 5 (opening hours) of consent GW/00362 - gymnasium and fitness centre, granted 27/02/2002 - to extend the opening hours by one hour from 7.00 am to open at 6.00 am at	Has previously dealt with residents living by the gym.

	Evolution Health & Fitness Centre, Heol Nantyreos, Cross Hands, Llanelli, SA14 6RJ;	
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3. AREA EAST - DETERMINATION OF PLANNING APPLICATIONS

UNANIMOUSLY RESOLVED that consideration of the following planning application be deferred to enable the Committee to undertake a site visit:-

E/37577	Replacement dwelling and construction of 1 no 3 bedroom two storey detached dwelling at Llettylicky, Crugybar, Llanwrda, SA19 8SL REASON: To enable the committee to view the site and neighbouring properties.
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4. AREA SOUTH - DETERMINATION OF PLANNING APPLICATIONS

4.1 UNANIMOUSLY RESOLVED that consideration of the following planning applications be deferred to enable the Committee to undertake site visits:-

S/34991	Residential development of up to 94 dwellings, vehicular access from Maes-Ar-Ddafen Road, open space, landscaping and other associated infrastructure at land at Cefncaeau, off Maes-Ar-Ddafen Road and Erwlas, Llwynhendy, Llanelli; REASON: To enable the committee to view the site in light of concerns raised locally;
S/38295	Construction of new house with integral garage at Plot 3, Heol Bronallt, Fforest, Llanelli, SA4 7TE REASON: To enable the committee to view the site and its environs;

4.2 UNANIMOUSLY RESOLVED that the following planning applications be granted subject to the conditions detailed within the Report/Addendum of the Head of Planning and/or reported at the meeting;

S/38166	Variation of condition 5 (opening hours) of consent GW/00362 - gymnasium and fitness centre, granted 27/02/2002 - to extend the opening hours by one hour from 7.00 am to open at 6.00 am at Evolution Health & Fitness Centre, Heol Nantyreos, Cross Hands, Llanelli, SA14 6RJ; [Note: Councillor D. Jones, having earlier declared an interest in this item, left the Council Chamber prior to the consideration and determination thereof.]
S/38288	Proposed demolition of existing school building and redevelopment of site to provide new 270 place English medium primary school with 30 place nursery and up to 23 full time places for early years (wrap around care) provision

	<p>with car park, sports pitch, MUGA and associated landscaping & infrastructure works at Ysgol Y Castell, Priory Street, Kidwelly, SA17 4TR.</p> <p>[Note: Councillor J. Gilasbey, having earlier declared an interest in this item, left the Council Chamber prior to the consideration and determination thereof.]</p>
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5. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS

UNANIMOUSLY RESOLVED that the following planning application be granted subject to the conditions detailed within the Report of the Head of Planning and/or reported at the meeting;

W/35345	<p>Application for the construction of an earth banked slurry store and all associated works at land formerly part of Sarnginni/Nantyrhafod, Heol Glantren, Llanybydder, SA40 9SA.</p>
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6. MINUTES - 22ND JANUARY 2019

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Committee held on the 22ND January, 2019 be signed as a correct record.

7. MINUTES - 7TH FEBRUARY 2019

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Committee held on the 7TH February, 2019 be signed as a correct record.

CHAIR

DATE

[PLEASE NOTE: These minutes reflect the order of business itemised on the agenda for the meeting which may differ from that on any webcast recording as applications with members of the public attending to speak would have been dealt with first.]

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