

MONDAY, 24 FEBRUARY 2020

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, SA31 1JP AT 11.30 AM ON WEDNESDAY, 4TH MARCH, 2020** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Wendy Walters

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Emma Bryer
Telephone (direct line):	01267 224029
E-Mail:	Democraticservices@carmarthenshire.gov.uk

Wendy Walters Prif Weithredwr, *Chief Executive*,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

PLANNING COMMITTEE

20 MEMBERS

PLAID CYMRU GROUP - 10 MEMBERS

- | | | |
|-----|--------------------------------------|---|
| 1. | Councillor Mansel Charles | Member of Llanegwad Community Council |
| 2. | Councillor Tyssul Evans | Member of Llangyndeayrn 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 | Member of Llenedi Community Council |
| 10. | Councillor Eirwyn Williams | |

LABOUR GROUP - 4 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 Kevin Madge | Member of Cwmamman Town Council |

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 |

NEW INDEPENDENT GROUP – 2 MEMBERS

1. **Vacancy**
2. **Vacancy**

NO SUBSTITUTES ARE ALLOWED AT MEETINGS OF THIS COMMITTEE

Local Members invited to the meeting:

Agenda item 3.1 – Councillors R. James and S. Najmi

A G E N D A

- 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 S/39984 - RETROSPECTIVE APPLICATION FOR THE RETENTION OF DWELLINGS ON PLOTS 4 AND 5 PREVIOUSLY APPROVED UNDER REFERENCE S/33081 AT PLOT 4 & 5, CERDDI GLASFRYN GARDENS, LLANELLI, SA15 3LL** 5 - 14
- 4. AREA EAST - DETERMINATION OF PLANNING APPLICATIONS** 15 - 28
- 5. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS** 29 - 36

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Application No	S/39984
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Application Type	Full Planning
Proposal & Location	RETROSPECTIVE APPLICATION FOR THE RETENTION OF DWELLINGS ON PLOTS 4 AND 5 PREVIOUSLY APPROVED UNDER REFERENCE S/33081 AT PLOT 4 & 5, CERDDI GLASFRYN GARDENS, LLANELLI, SA15 3LL

Applicant(s)	PARKER BROTHER (CONTRACTORS) LTD - STUART PARKER, C/O AGENT, ,
Agent	ASBRI PLANNING - MR TOMAS HOPKINS, SUITE D, 1ST FLOOR, 220 HIGH STREET, SWANSEA, SA1 1NW
Case Officer	Robert Davies
Ward	Lliedi
Date of validation	18/12/2019

Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties.

Site

The application site consists of Plots 4 and 5 on the Glasfryn Gardens cul de sac development which is located to the immediate south of Glasfryn Terrace in Llanelli. The two plots to the south eastern most corner of the development are at a lower level than the rest of the development and are at an advanced stage of construction. They represent the rounding off of this housing development that has been ongoing on a plot by plot basis since the early part of the millennium.

Proposal

The application seeks full planning permission to regularise the development undertaken thus far and proposed on Plots 4 and 5, which varies from that granted full planning permission on the 18th January, 2016 under planning reference S/33081.

The revisions when viewed against the plans approved under S/33081 are as follows:-

Plot 4 Changes

East Elevation:

- Minor window changes at second-floor level;
- Removal of chimney stack

West Elevation:

- Addition of window at first-floor level;
- Removal of window at second-floor level

North Elevation:

- Minor alteration to front door;
- Addition of roof-light window

South Elevation:

- Removal of glass door and replacement with window

Other:

- Increase in the curtilage of the plot to the south-east

Plot 5 Changes

East Elevation:

- Addition of window at ground-floor level;
- Removal of chimney stack

West Elevation

- Minor window changes at second floor level

North Elevation

- Minor changes to the size (reduced in size) and the position of roof-lights

South Elevation

- Design of conservatory has been modified to reduce the amount of brick and increase glass;
- Additional of small roof light

Other

- Increase in the curtilage of the plot to the south;
- Addition of outbuilding/shed in the rear garden area

In order to facilitate the extended residential curtilage for each plot, due to the fact that the site slopes gently from north to south the rear boundary a retaining wall has been erected and constructed on the southern boundary of each plot. Included in this submission are 'Retaining Wall Engineering Details' and associated structural calculations to evidence the structural integrity of the works undertaken.

Planning Site History

- S/33081 PROPOSED 2 NO DETACHED TWO STOREY DWELLINGS WITH DETACHED GARAGE (PLOT 4 ONLY)
Full Granted 18/01/2016
- S/14976 TO RETAIN DEVELOPMENT OF 10 NO. DWELLING HOUSES UNDERTAKEN AS PREVIOUSLY GRANTED PLANNING PERMISSION REF. S/01768 AND WITH AN AMENDED SCHEME FOR PLOT NO. 2 (PREVIOUSLY REFERRED NO.9)
Full Granted 10/01/2007
- S/11417 TO RETAIN DEVELOPMENT OF 10 NO. DWELLING HOUSES UNDERTAKEN AS PREVIOUSLY GRANTED PLANNING PERMISSION REFERENCE NO. S/01768 AND WITH AN AMENDED SCHEME FOR PLOTS 8, 9, 10
Withdraw - 24/11/2005
- S/1768 RESIDENTIAL - 10 DWELLING HOUSES
Approved – 26/05/1999
- S/1239 EIGHT EXECUTIVE HOUSES AND ROADWAY ACCESS TO MEET ADOPTABLE REQUIREMENTS
Approved - 18/05/1998
- D5/16842 DEMOLITION OF EXISTING NURSERY BUILDINGS AND CARRYING OUT OF RESIDENTIAL DEVELOPMENT
Withdrawn
- D5/9277 GREENHOUSE
Approved – 12/07/1986
- D5/6283 STORAGE BUILDING
Approved – 13/05/1982

Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

- SP1 Sustainable Places and Spaces
- SP3 Sustainable Distribution – Settlement Framework
- SP9 Transportation
- SP13 Protection and Enhancement of the Built and Historic Environment
- SP14 Protection and Enhancement of the Natural Environment
- SP17 Infrastructure
- GP1 Sustainability and High Quality Design

GP2 Development Limits
GP4 Infrastructure and New Development
H2 Housing within Development Limits
AH1 Affordable Housing
TR2 Location of Development – Transport Considerations
TR3 Highways in Developments – Design Considerations
EQ1 Protection of Buildings, Landscapes and Features of Historic Importance
EQ4 Biodiversity
EP1 Water Quality and Resources
EP2 Pollution
EP3 Sustainable Drainage

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Llanelli Town Council – No response received to date.

Local Members – County Councillor S Najmi has not responded to date.

County Councillor R James requests that the Planning Committee visit the site on the grounds of loss of privacy.

Dwr Cymru/Welsh Water – No objection subject to conditions.

All representations can be viewed in full on our [website](#).

Summary of Public Representations

14 neighbouring properties consulted on the application. To date, three letters of representation have been received raising the following concerns and objections:-

- Close proximity of dwelling to no.4 Glasfryn Terrace
- Overlooking of no.4 Glasfryn Terrace from side attic windows of Plot 4.
- Overlooking of no. 3 Glasfryn Gardens from additional velux rooflight in front roof slope
- The scale of dwelling built on Plot 4 dominates the area and is incongruous.
- How can the original two storey dwelling become three storey?
- Assurance is sought that the “top floor” windows facing the rear of 4 Glasfryn Terrace are obscure glazed.
- Devaluation of property

All representations can be viewed in full on our [website](#).

Appraisal

As aforementioned, three letters of representation have been received raising concerns and objections towards the application. The material reasons for consideration raised will now be addressed individually as part of this appraisal. Members will however be aware that devaluation of property is not a material planning consideration.

In terms of the concerns raised over the scale of development and proximity of the dwellings to no. 4 Glasfryn Terrace, it is worth noting that the scale and positioning of the two dwellings on Plots 4 and 5 has not changed from that previously approved. The two plots are sited at a lower level than other dwellings on the Glasfryn Gardens development and therefore are not considered to dominate the area in visual terms. There is a separation distance in excess of 23m from the side elevation of Plot 4 and the rear elevation of no.4 Glasfryn Terrace, whilst both properties are separated by a new 2m high brick boundary wall. This separation distance coupled with the high quality boundary treatment is considered to limit the impact upon this property.

Contrary to the respondent's understanding of what design of dwelling was previously approved on Plot 4, under planning permission S/33081. Those plans did show a 2 storey scale of dwelling, with a 2nd floor bedroom with en-suite facilities, accommodated in the attic space. Such detail was clearly evident on the submitted and approved floor plans, together with the conspicuous rooflight windows and gable elevation windows. There is a specific condition on the previous planning permission (S/33081) requiring the relevant gable windows be obscure glazed, which is amended and replicated in the recommended conditions to this present application.

The previous planning permission S/33081, for essentially the same scale and general design of dwelling, was determined under delegated authority (not by the Planning Committee) in the absence of any objections.

The previously approved scheme had two attic windows in the side elevation facing no.4 Glasfryn Gardens which were conditioned to be obscure glazed. There has only been some minor changes to these windows, which will again be conditioned to be obscure glazed. One additional velux roof light has been included in the front elevation of Plot 4 facing towards no.3 Glasfryn Gardens, however due to the nature of velux rooflights and their positioning in the roof slope it is not considered that this results in any adverse impact in terms of overlooking.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

The application site is located within the defined settlement limits of Llanelli as delineated within the Adopted LDP and benefits from extant planning permission for residential development. Therefore there is no in principle objection to residential development on the site, whilst the changes undertaken are relatively minor in nature and are considered acceptable subject to conditions. The extension to the domestic curtilage of each Plot is considered acceptable and retains sufficient rear garden spaces for other surrounding dwellings.

It is considered that there are no loss of amenity issues associated with the proposed development whilst the issues of concern and objection raised have adequately been addressed as part of the above appraisal.

On balance after careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that the proposal does accord with the Policies contained within the Adopted LDP. As such the application is put forward with a recommendation for approval subject to the following conditions.

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 18 December, 2019.
- 2 The development hereby permitted shall be retained and completed strictly in accordance with the following schedule of plans:-
 - Block and location plan (592 01) 1:500; 1:2500 @ A3 received 16th December, 2019
 - Plot 4 Floor plans, elevations and section (A102) 1:100 @ A1 received 16th December, 2019
 - Plot 5 Floor plans, elevations and section (A100) 1:100 @ A1 received 16th December, 2019
 - Double garage Plot 4 floor plan and elevations (A100) 1:100 @ A1 received 16th December, 2019
 - Shed Plot 5 floor plan and elevations (A100) 1:50 @ A4 received 16th December, 2019
 - Retaining wall details plan (BX1) 1:20; 1:40 @ A3 received 16th December, 2019
 - Site plan (592 02A) 1:200 @ A3 received 10th February, 2020
 - Site section plan (592 03) 1:200 @ A3 received 10th February, 2020
- 3 The first floor and second floor windows in the side elevations of Plots 4 and 5 shall be glazed in obscure glass and thereafter retained as such in perpetuity.

- 4 The parking spaces and layout shown on the plans herewith approved shall be provided to the written approval of the Local Planning Authority prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only.
- 5 The garage hereby approved on Plot 4 and outbuilding on Plot 5 shall be used for domestic purposes in perpetuity, and not for trade or business use.

Reasons

- 1 To comply with Section 73A of the Town and Country Planning Act (as amended)
- 2 In the interest of visual amenity
- 3 In the interest of preserving residential amenity.
- 4 In the interest of highway safety
- 5 To prevent any separate use on the site, and to ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.

Reasons for granting planning permission

The decision to grant planning permission has been taken in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise.

- It is considered that the proposal complies with Policy SP1 of the LDP in that the proposed development is environmentally sustainable.
- It is considered that the proposal complies with Policy SP3 of the LDP in that the proposed development accords with the LDP's settlement framework.
- It is considered that the proposal complies with Policy SP9 of the LDP in that the proposed development is located in a sustainable location, accessible by a variety of transport means.
- It is considered that the proposal complies with Policy SP13 of the LDP in that the proposed development respects, and will not adversely affect the built and historic environment or its setting.
- It is considered that the proposal complies with Policy SP14 of the LDP in that proposed development protects and does not adversely affect the natural environment.
- It is considered that the proposal complies with Policy SP17 of the LDP in that the proposed development will be served by appropriate infrastructure.
- It is considered that the proposal complies with Policy GP1 of the LDP in that the proposed development is sustainable and will enhance the character and appearance of the area.
- It is considered that the proposal complies with Policy GP2 of the LDP in that the application site is within defined settlement limits
- It is considered that the proposal complies with Policy GP4 of the LDP in that adequate infrastructure is proposed to serve the proposed development.

- It is considered that the proposal complies with Policy H2 of the LDP in that it will deliver new housing within development limits.
- It is considered that the proposal complies with Policy AH1 of the LDP in that a commuted sum contribution towards affordable housing is not required in this instance as the application site benefits from having extant planning permission for two dwellings and the current proposal only relates to some minor changes
- It is considered that the proposal complies with Policy TR2 of the LDP in that the proposed development is located in a highly accessible and sustainable location.
- It is considered that the proposal complies with Policy TR3 of the LDP in that the proposed development would not be detrimental to highway safety or cause significant harm to the amenity of residents.
- It is considered that the proposal complies with Policy EQ1 of the LDP in that the proposed development preserves the built and historic environment.
- It is considered that the proposal complies with Policy EQ4 of the LDP in that the proposed development will not have an adverse impact on priority species, habitats and features of principal importance.
- It is considered that the proposal complies with Policy EP1 of the LDP in that the proposed development will not lead to a deterioration of either the water environment and/or the quality of controlled waters.
- It is considered that the proposal complies with Policy EP2 of the LDP in that the proposed development will not result in any adverse pollution issues.
- It is considered that the proposal complies with Policy EP3 of the LDP in that the impact of surface water drainage and the effectiveness of incorporating SUDS has been fully investigated.

Notes

- 1 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, are available on the Authority's website.
- 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.

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**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR
AMGYLCHEDD**

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

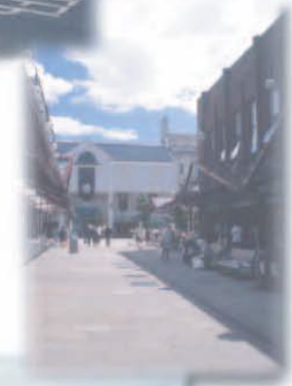
**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 04 MAWRTH 2020
ON 04 MARCH 2020**

**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:	04 MARCH 2020
REPORT OF:	HEAD OF PLANNING

INDEX - AREA EAST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
E/38576	SINGLE STOREY DWELLING WITH HABITABLE ROOFSPACE AND INTEGRAL GARAGE AT LAND ADJACENT TO 15 PLAS GWYN ROAD, PENYGROES, LLANELLI, SA14 7RY

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	E/38576
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Application Type	Outline
Proposal & Location	SINGLE STOREY DWELLING WITH HABITABLE ROOFSPACE AND INTEGRAL GARAGE AT LAND ADJACENT TO 15 PLAS GWYN ROAD, PENYGROES, LLANELLI, SA14 7RY

Applicant(s)	WILLIAM LLOYD OWEN, 30 BRIDGE ST, LLANDAFF, CARDIFF, CF5 2EL
Agent	CHRIS OWEN, MEXICKA 2, PRAGUE, CZECH REPUBLIC, 10100
Case Officer	John L Thomas
Ward	Penygroes
Date of validation	19/03/2019

Reason for committee

This application is being reported to the Planning Committee following the receipt of more than one letter of objection from different third parties. The application was previously reported to the Planning Committee at its meeting on the 27th June 2019, whereupon the Committee resolved to defer determination until such time as the requested bat survey report was received, and the Planning Ecologist had considered its contents.

Site

The application site consists of an irregular plot of land situated to the south of 13 and 15 Plas Gwyn Road, Penygroes. The area in which the dwelling is proposed does not have a defined development pattern or discernible building line, and is border to the immediate South and South-east by 26 Bridge Street and 17 Plas Gwyn Road respectively.

The site is to accessed off Plas Gwyn Road, utilising the same access that is used for the existing dwellings of 13, 15, 17 and 21 Plas Gwyn Road along with the car repair garage situated on the road frontage to the same.

The irregular shaped plot has a site area of approximately 515 square metres, with a maximum plot depth of 25.5 metres and a maximum plot width of 29 metres. The site is broadly flat and currently overgrown, with two modest outbuildings sited within its boundary. The plot is entirely enclosed by third party properties, other than for the shared driveway, which serves as the sole means of access into the plot.

The application site is situated approximately 100 metres from Penygroes Square and the amenities that this village centre offers.

Proposal

The application seeks outline planning permission for the provision of one residential dwelling, described as a 'single storey bungalow with habitable roofspace, and adopting footprint and siting similar to that previously approved under an earlier outline application which lapsed in 2013'.

The application seeks to consider the otherwise reserved matters of "Access" and "Scale". The further reserved matters of "Appearance", "Layout", and "Landscape" are however reserved under this hybrid outline planning application.

With regards to "Access", this is to be off Plas Gwyn Road via the same route that serves the existing dwellings of Nos. 13, 15, 17 and 21 Plas Gwyn Road, leading past these dwellings on-route into the plot, ultimately via a gated access. Three parking spaces are proposed, which accord with the CSS 2008 South Wales Parking Standards, with one shown as being an integral garage. The forecourt is shown to have adequate turning space which is situated to the north of the dwelling.

With regards to the scale of the proposed dwelling, the width is to be a maximum of 11.7 metres and maximum depth of 8.5 metres. The height of the proposed dwelling is to be a maximum of 7 metres.

Indicatively, the proposed dwelling is shown to have 4 bedrooms, together with the customary kitchen, dining area, and living room. The amenity area to serve the dwelling is shown to the west of the dwelling and measures approximately 14 metres in depth.

As the site presently accommodates a small number of redundant outbuildings, with the potential to harbour bats (a protected species), a bat survey report was requested, and ultimately provided in support of the application.

Surface water is stated as being dealt with via a soakaway, and a separate SAB application has been submitted.

Planning site history

The following previous applications have been received in respect of the application site:-

- | | |
|------------|---|
| E/17799 | Renewal Of Outline Planning Permission E/08398
(One Dwelling)
Outline Granted 18 March 2008 |
| E/08398 | One Dwelling
Outline Granted Committee 18 November 2004 |
| P6/5043/79 | 4 Dwellings
Full Granted 18 October 2004 |
| P6/2034/76 | Residential Development
Full Granted 26 August 1976 |

Planning policy

In the context of the Authority's current adopted Carmarthenshire Local Development Plan (LDP), the application site is located within the development limits of Penygroes, as defined by Inset Map No. GA3 Ammanford/Cross Hands, to the same. The following policies are of relevance to the proposal:-

Policy GP1
Policy GP3
Policy H2
Policy AH1
Policy EQ4

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

Summary of consultation responses

Head of Transportation & Highways – Offers no objections subject to the imposition of conditions.

Llandybie Community Council – Offers no observations on the proposal.

Local Member - County Councillor D Thomas objects to the proposal raising the following issues:

- The previous planning permission granted in 2004 was for a single storey building, whereas this is described as a single storey building with habitable roof space. This sounds like a 2 storey building.
- The access to the main road is very poor as it passes through the forecourt of a car repair business which is increasingly busy and the junction with the main road has extremely poor visibility.
- There would be fairly major problems in getting mains services as well as machinery needed for construction to this site. A site visit is needed.

Dwr Cymru/Welsh Water – No objections subject to the imposition of a planning condition.

Coal Authority – Offers no objection to the proposal.

Summary of Public Representations

The application was the subject of notification by way of neighbouring letters.

Two representations were received, both objecting. The matters raised are summarised as follows:

- The access to the site is poor and due to the car repair garage, increasingly busy.

- The junction from the private road onto the main road has poor visibility with no splay. The main road is very busy and people park outside their houses which further restricts visibility.
- To bring in mains services will be problematic and will require digging up the existing garage forecourt to install the mains pipes.
- Accessing the site with building machinery will be problematic also, the access to pass the corner of No. 15 is very narrow.
- The previous permission on site was for a bungalow. This proposal sounds like it is a two storey dwelling.

All representations can be viewed in full on our [website](#).

Appraisal

Principle of development

The principle of residential development on this site has long been established, with the site history showing that planning permission was first granted in 1976. The most recent permission granted on this site was an outline permission granted in 2008, which expired in 2011. This sought to develop a single storey bungalow on the site and is a point that has been raised by both objectors and the Local Member.

Privacy and Amenity Impacts

The indicative plans show that the dwelling is to have 2 bedrooms in the roof space and the height of the proposed dwelling would be a maximum of 7 metres. As highlighted by certain of the respondents, this may not be try to certain interpretations of what is understood to be a “bungalow”, but the definition of a bungalow can include a dwelling with upstairs rooms set in the roof. However, the indicative plans also show unbroken roof planes with the only glazing to the roof space being in the form of roof light windows in the roof planes facing away from the two closest properties of 13 and 15 Plas Gwyn Road. Therefore, the potential for injury to privacy would be greatly minimised by the indicative roof form and glazing shown. Furthermore, the eaves level is indicatively shown to be approximately 3 metres, typical of a modern single storey dwelling. As such, provided that the design of the proposed dwelling was to be similar to that shown on the indicative plans, and that no vertical windows were proposed to serve the rooms occupying the roof space, it is considered that although the dwelling would in practice be two storey, the amenity and privacy of the occupiers of the existing dwellings would be adequately safeguarded.

Impact upon character and appearance of the area

Whilst Penygroes has typically developed in a ribbon development pattern, this section of the village, just beyond Penygroes square, has no discernible development pattern. As such, the inclusion of this proposed dwelling at this location would not cause a detrimental impact upon the character and appearance of the area.

Highway Impacts

All three objectors have raised concerns relating to the access to the site off Plas Gwyn Road, via the busy shared private access lane that passes through the yard of the car repair garage. In consideration of the proposal, the Authority's Head of Transport has advised that the proposal is considered to be acceptable from a highways perspective, subject to the imposition of conditions. As such, it is considered that the visibility from the private lane access onto Plas Gwyn Road is acceptable, as is the private lane itself, and the plot can provide adequate parking and turning facilities to serve the proposed development.

Biodiversity Impacts

The application site is currently overgrown and contains two old modest outbuildings that are to be removed. As these buildings are to be removed, the Authority's Planning Ecologist has advised that the development site meets the criteria for requiring a bat survey, required to be submitted and scrutinised prior to the determination of the planning application. The applicant's Agent has now provided a bat scoping survey which found no signs of bats roosting in any of the buildings proposed to be demolished, as well as qualifying that the buildings had negligible potential to be used by bats.

Based on what has been submitted, the Authority's Planning Ecologist has raised no objection, subject to the imposition of a condition making express reference to specific conclusions and recommendations contained in the bat report.

Other Matters eg non-material considerations (catch all e.g. property value)

With regard to the other matters raised in objection, these cannot be considered to be material planning matters. Specifically, although it might be problematic to bring mains services to the application site, these are not considered to be insurmountable obstacles to the development. Any negotiations will have to be carried out with the neighbouring landowners, with these negotiations taking place outside the realm of planning control.

Similarly, issues of bringing machinery and materials on site are matters that fall outside the remit of planning control.

Planning obligations

The Applicant has entered into a Unilateral Undertaking to provide the relevant contributions towards the affordable housing fund and towards the Caeau Mynydd Mawr Special Area of Conservation.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). The decision takes into account the ways of working set out at section 5 of the WCFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

Conclusion

After careful consideration of the scheme as submitted it is concluded, on balance, that given the longstanding planning history at this site which shows that the principle of residential development is well established, the currently proposed scheme is generally considered to be an acceptable form of development. As such, the application is recommended for approval, subject to the completion of a unilateral undertaking securing payment of the requisite affordable housing contribution, as well as that required to be paid in accordance with the provisions of the Caeau Mynydd Mawr Special Area of Conservation SPG.

RECOMMENDATION – APPROVAL

Conditions and reasons

- 1 Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:-
 - (a) the expiration of five years from the date of this permission; or
 - (b) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- 2 The permission now granted is an Outline permission only within the meaning of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.
- 3 The permission now granted relates to the land defined by the following schedule of plans and specific supporting documentation:-
 - The Location Plan [01] 1:500 @ A3 received on the 15 December 2018
 - The Drawing Site Plan [02] 1:500 @ A3 received on the 15 December 2018
 - The Location Plan 1:1250 @ A4 received on the 6 February 2019
 - The Site and Access Plan [PL 03] 1:200 @ A4 received on the 6 February 2019;
- 4 Development shall not commence until detailed plans of the layout, external appearance and landscaping have been submitted to, and received the written approval of the Local Planning Authority.
- 5 The design of the dwelling hereby granted planning permission shall be of a single storey appearance, with unbroken roof planes.
- 6 All planting, seeding or turfing that comprise the approved landscaping details shall be carried out in the first planting season following the completion of the development.

- 7 Development shall not commence until details of boundary treatments to serve the site have been submitted to and approved in writing by the Local Planning Authority.
- 8 Development shall not commence until details of existing ground levels, proposed finished ground and floor levels and site cross sections have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 9 Prior to the commencement of development the written approval of the Local Planning Authority shall be obtained for a scheme of parking and turning facilities within the curtilage of the site, and this shall be dedicated to serve the proposal. The approved scheme is to be fully implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 10 All surface water from the development herewith approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway.
- 11 No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.
- 12 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
- 13 The development hereby approved shall be undertaken in strict accordance with the provisions of sections 6.3.1 – 6.3.4 and sections 6.4.1 – 6.4.2 of the Preliminary Bat Roost and Nesting Bird Assessment Report prepared by Acer Ecology (August 2019). Prior to the commencement of development full details of a scheme of the referenced details and enhancements referenced in sections 6.3.2, 6.3.3, 6.3.4 and 6.4.2 shall be submitted to, and approved in writing by the local planning authority, and thereafter implemented as approved.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 The application is in outline only.
- 4-8 In the interest of visual amenity.
- 9-11 In the interest of highway safety.
- 12 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.
- 13 To comply with the relevant policies and legislation and ensure the necessary ecological mitigation and enhancement requirements are implemented.

Reasons for granting planning permission

The decision to grant planning permission has been taken in accordance with Section 38 of the Planning and Compulsory Purchase act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise.

- It is considered that the proposed development complies with policy GP1 of the Carmarthenshire Local Development Plan (LDP) in that the proposal conforms with and the character and appearance of the site, it would not have an unacceptable impact upon the amenity of adjacent land uses or the residents of the properties. The proposal provides a suitable access which does not give rise to parking or highway safety issues and provides for the satisfactory generation, treatment and disposal of surface and foul water.
- It is considered that the proposed development complies with policy H2 of the Carmarthenshire Local Development Plan (LDP) in that the proposal accords with the principles of the plan's strategies, policies and proposals.
- It is considered that the proposed development complies with policy AH1 of the Carmarthenshire local Development Plan (LDP) in that the submission includes a legal agreement to contribute towards the affordable housing fund based on the 10% sub market area.
- It is considered that the proposed development complies with policy EQ4 of the Carmarthenshire local Development Plan (LDP) in that subject to the submission of a favourable bat survey, the application site should be capable of the development with any potential impacts able to be satisfactorily mitigated, acceptably minimised or appropriately managed to include net enhancements.
- It is considered that the proposed development complies with policy EQ7 of the Carmarthenshire local Development Plan (LDP) in that the submission includes a legal agreement to contribute towards the Caeau Mynydd Mawr Special Area of Conservation, as per the requirements of this policy and the Supplementary Planning Guidance (SPG)

Notes

- 1 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any Conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all Conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any Conditions which require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other Conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).
- 3 The applicant has entered into a Unilateral Undertaking to ensure the provision of the following:

A commuted sum of based on a contribution of £41.98 per square metre of internal floor space of the dwelling, towards an Affordable Housing Fund as per the requirement in Local Development Plan policy AH1 based in the low viability (10%) sub market area. 50% of the contribution is to be paid prior to occupation and 50% of the contribution is to be paid prior to first sale.

A commuted sum of £1043 for mitigating the impact of the development on the Marsh Fritillary Butterfly population within the Caeau Mynydd Mawr Special Area of Conservation. The contribution is to be paid prior to the commencement of development.

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*Ardal
Gorllewin/
Area West*

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

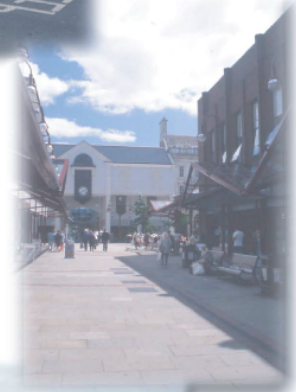
**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN/**

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

**AR 04 MAWRTH 2020
ON 04 MARCH 2020**

**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 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:	04 MARCH 2020
REPORT OF:	HEAD OF PLANNING

INDEX - AREA WEST

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL
W/40091	RURAL ENTERPRISE DWELLING AT LAND AT LLWYNONNILL FAWR, LLANDDAROG ROAD, LLANDDAROG, SA32 8AL

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	W/40091
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Application Type	Full Planning
Proposal & Location	RURAL ENTERPRISE DWELLING AT LAND AT LLWYNONNILL FAWR, LLANDDAROG ROAD, LLANDDAROG, SA32 8AL

Applicant(s)	MR & MRS WILLIAMS, LLWYNONNILL FAWR, LLANDDAROG ROAD, LLANDDAROG, CARMARTHEN
Agent	JCR PLANNING LTD - JASON EVANS, UNITS 1-3 BUSINESS WORKSHOPS, HEOL PARC MAWR, CROSS HANDS, CARMARTHENSHIRE, SA14 6RE
Case Officer	Gary Glenister
Ward	Llanddarog
Date of validation	20/01/2020

Reason for Committee

This application is being reported to the Planning Committee following the request of the Local Member.

Site

The application site is a 0.1ha parcel of land in open countryside 1.16km North East of the village of Llanddarog on the Northern side of the A48. There is a scattering of individual dwellings along the road in close proximity to the site, however they are not considered to be a coherent settlement or hamlet.

The site is improved agricultural grazing land opposite the farm complex behind a traditional hedgerow which is well established. The site is accessed via an existing gateway which is proposed to be widened with the provision of two parking spaces.

The farm complex includes a range of traditional barns and a farmhouse with later portal frame barns to the rear.

The farm is some 90 ha owned and a further 20 ha on an unsecured tenancy, however the primary economic activity is storage of hay and straw and distribution of approximately 5,000 tonnes to farms per annum with HGV lorries evident on the yard.

Proposal

The application seeks full planning permission for a detached 2 bed bungalow along with associated garden, access and off street parking area.

The bungalow is of a modern hip roofed design with rendered walls and brick plinth and quoins under a tiled or slate roof.

An Agricultural Appraisal has been submitted setting out the holding's case for a rural enterprise dwelling however due to commercial sensitivities, the facts within the appraisal is not being replicated within this Committee Report. The appraisal section however picks up the relevant points that have led to the recommendation.

Details of surface water drainage have been submitted with a soakaway and planted landscaped water garden indicated within the supporting information.

Planning Site History

There is no relevant planning history.

Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

SP1 Sustainable Places and Spaces
SP2 Climate Change
SP14 Protection and Enhancement of the Natural Environment
GP1 Sustainability and High Quality Design
GP2 Development Limits
H2 Housing within Development Limits

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Head of Transportation & Highways – has concerns over visibility, however the splay in within the control of the applicant.

Llanarthne Community Council - No observations received to date.

Local Member(s) - Councillor A Davies has requested the application be reported to Committee so that the TAN6 issues can be assessed as it is a Rural Enterprise Dwelling.

Head of Property – the appraisal for a rural enterprise dwelling has been scrutinised and the conclusion is that there is no justification for a rural enterprise dwelling on the site.

All representations can be viewed in full on our [website](#).

Summary of Public Representations

The application has not received any third party representations from neighbours.

Appraisal

Rural Enterprise Justification

A detailed appraisal has been submitted putting forward the circumstances and financial status of the holding. Details of the appraisal are not replicated within this report as it is sensitive information. However as a summary, the dwelling is said to be needed as the owner is advancing in years and requires appropriate accommodation so that one of the sons can move back to the holding. The sons are living elsewhere in the area and currently travel back to the holding to work. It should however be noted that the majority of the economic activity is hay and straw storage and delivery which means that the work is off site and storage is not dependant on the site as it could take place elsewhere. The agricultural justification relies on land which is rented and not secure so cannot be guaranteed in the future. Therefore the need for a second dwelling is not supported.

Siting

The location of the proposed dwelling is opposite the farm house on the Northern side of the highway. If the justification for an additional residential unit was to be accepted, there are other options which have not been adequately assessed. There are traditional barns on the yard which are said to be in agricultural use however they do not lend themselves to modern agricultural practices so could be converted. There are also opportunities to develop ancillary accommodation for the elderly parents in the form of an annexe to the main house which has not been assessed. The proposal on the opposite side of the road from the complex is not integral to the complex and would form an incursion into the open countryside that is detrimental to its character and appearance.

Highways

There is concern that the access visibility needs to be improved and that a splay of 2.4m by 59m would be required. The applicant would need to cut back the hedgerow to achieve this, however it is in the applicant's ownership so could be achieved.

Planning Obligations

The standard affordable housing contribution would not be applicable for a rural enterprise dwelling as it would be restricted and could not be sold on the open market.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle

through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

After careful consideration of the scheme as submitted, it is concluded on balance that there is insufficient justification for the additional dwelling on the holding.

Additionally, there appear to be other options for ancillary accommodation which have not been adequately assessed. In such cases, the needs of the holding have to be considered, rather than the desires of the applicant to have a detached bungalow on land opposite but detached from the farm complex. Therefore even if the justification of need was accepted, the location of the bungalow would not be supported.

The proposal is therefore considered to be unjustified development which would be detrimental to the character and appearance of the open countryside and is recommended for refusal.

RECOMMENDATION – REFUSAL

Reasons for Refusal

- 1 The proposal is contrary to Policy GP1 and GP2 of the LDP in that it is unjustified development that will be detrimental to the character and appearance of the open countryside.
- 2 The proposal is contrary to the five criteria set out in section 4.4.1 of Technical Advice Note 6 in that:
 - i) the agricultural appraisal has been scrutinised and it is not accepted that there is justification for an additional dwelling on the holding.
 - ii) in terms of criteria e) the location of the proposal is not supported as there is lack of appraisal of other options such as an annexe or conversion of existing buildings. The proposal is detrimental to the character and appearance of the open countryside.
- 3 The proposal is contrary to paragraph 4.5 of Planning Policy Wales Technical Advice Note 6 in that the holding is operating profitably with one dwelling and there is no justification for a second dwelling on the holding.