

# Document Pack



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**TUESDAY, 23 MARCH 2020**

**TO: ALL MEMBERS OF THE PLANNING COMMITTEE**

I HEREBY SUMMON YOU TO ATTEND A **VIRTUAL MEETING** OF THE **PLANNING COMMITTEE** WHICH WILL BE HELD **AT 10.00 AM ON TUESDAY, 30<sup>TH</sup> JUNE, 2020** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

*Wendy Walters*

**CHIEF EXECUTIVE**

<b>Democratic Officer:</b>	<b>Janine Owen</b>
<b>Telephone (direct line):</b>	<b>01267 224030</b>
<b>E-Mail:</b>	<b>Democraticservices@carmarthenshire.gov.uk</b>

**NOTE:-**

If you require Welsh to English simultaneous translation during the meeting please telephone **0330 336 4321** Passcode: **69189754#**

**(For call charges contact your service provider)**

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

## LABOUR GROUP - 4 MEMBERS

- |    |                                 |  |
|----|---------------------------------|--|
| 1. | <b>Councillor Penny Edwards</b> |  |
| 2. | <b>Councillor John James</b>    | Member of Pembrey & Burry Port Community Council |
| 3. | <b>Councillor Dot Jones</b>     | Member of Llannon Community Council              |
| 4. | <b>Councillor Kevin Madge</b>   | Member of Cwmamman Town Council                  |

## INDEPENDENT GROUP - 4 MEMBERS

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

## NEW INDEPENDENT GROUP – 2 MEMBERS

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

***SUBSTITUTES ARE TEMPORARILY ALLOWED UNTIL THE 30<sup>TH</sup> APRIL 2021***

# **A G E N D A**

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF PERSONAL INTERESTS**
- 3. AREA EAST - DETERMINATION OF PLANNING APPLICATIONS. 5 - 16**
- 4. AREA SOUTH - DETERMINATION OF PLANNING APPLICATIONS. 17 - 54**
- 5. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS. 55 - 80**
- 6. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE:**
  - 6 .1 11<sup>TH</sup> FEBRUARY 2020; 81 - 84**
  - 6 .2 27<sup>TH</sup> FEBRUARY 2020; 85 - 88**
  - 6 .3 4<sup>TH</sup> MARCH 2020. 89 - 92**

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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 30 MEHEFIN 2020  
ON 30 JUNE 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.**

<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>30.06.2020</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

**INDEX - AREA EAST**

<b>REF.</b>	<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>	<b>PAGE</b>
<b>E/40029</b>	<b>CONSTRUCTION OF FOUR RESIDENTIAL DWELLINGS, AND ALL ASSOCIATED WORKS AT LAND AT, FFORDD Y GLOWYR, BETWS, AMMANFORD, SA18 2JZ</b>	<b>9</b>

**APPLICATIONS RECOMMENDED FOR APPROVAL**



<b>Application No</b>	<b>E/40029</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CONSTRUCTION OF FOUR RESIDENTIAL DWELLINGS, AND ALL ASSOCIATED WORKS AT LAND AT, FFORDD Y GLOWYR, BETWS, AMMANFORD, SA18 2JZ

<b>Applicant(s)</b>	LORAX HOMES LIMITED - G CROXALL, 4 COEDYBRONALLT, HENDY, CARMARTHENSHIRE, SA4 0ZW
<b>Agent</b>	
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Betws
<b>Date of validation</b>	02/01/2020

## 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 site is an irregular shaped parcel of previously developed land forming part of the former Betws Colliery which is being redeveloped for a mix of residential and commercial uses. The site extends to the South East and North of a small private estate known as Parc Nant Y Felin with a frontage onto Ffordd Y Glowyr.

The site has planning history for residential approval as part of a slightly larger parcel of land which indicatively earmarked 6 houses on the part of the site now proposed.

The site is allocated for residential development within the settlement development limits of Betws in the Local Development Plan.

The site is previously developed however has regenerated to a certain degree with some scrub and brownfield habitat.

## Proposal

The application seeks full detailed planning permission for four dwellings split into two elements. The first element is a terrace of three houses fronting onto Ffordd y Glowyr with a fourth forming an additional dwelling to the private estate known as Parc Nant Y Felin.

The terrace of three houses is proposed to be accessed via Ffordd y Glowyr with five parking spaces proposed to the front of the terrace with access directly from the highway. A further detached house is proposed to be accessed via Parc Nant Y Felin with a detached garage and turning area to serve the property.

There has been a detailed analysis of parking levels and visibility, with the conclusion that the proposal is acceptable without detriment to highway safety.

## Planning Site History

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

- E/26501      OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT  
– Outline ~Granted 04/09/2012
  
- E/24742      SUBMISSION OF RESERVED MATTERS FOR ACCESS, APPEARANCE,  
LANDSCAPING, LAYOUT AND SCALE IN RELATION TO 66 NO.  
RESIDENTIAL UNITS WITH ASSOCIATED WORKS  
Reserved Matters Granted 11/08/2011
  
- E/11998      VARIATION OF CONDITION 4 ON PLANNING PERMISSION E/09324  
DATED 15.09.2005 RE PLANTING TIMESCALES  
Variation of Planning Condition Granted - Delegated 27/02/2006
  
- E/21721      VARIATION OF CONDITION NO 1 OF E/09584 TO EXTEND PERIOD OF  
TIME FOR SUBMISSION OF RESERVED MATTERS FOR A FURTHER 24  
MONTHS  
Variation of Planning Condition Granted 04/11/09
  
- E/14701      RESIDENTIAL DEVELOPMENT  
Reserved Matters to E/09584 - Approved 24 October 2007
  
- E/09584      REDEVELOPMENT OF FORMER BETWS COLLIERY FOR MIXED USE  
PURPOSES COMPRISING EMPLOYMENT AND RESIDENTIAL  
Outline - Section 106 Signed 15 May 2006
  
- E/09324      DISCHARGE OF RESTORATION CONDITIONS NOS 2 & 3 ON  
APPLICATION E/06373  
Full Granted 15/09/05
  
- E/06373      VARIATION OF CONDITIONS 2,3 & 4 ON APPLICATION C6/301 AND  
CONDITIONS 1,2,3,& 4 ON C6/302 TO ALLOW 12 ADDITIONAL MONTHS  
FOR THE SUBMISSION OF RESIDENTIAL PROGRAMME AND  
MASTERPLAN  
Variation of Condition Granted 13/05/04

## Planning Policy

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

SP1	Sustainable Places and Spaces	
GP1	Sustainability and High Quality Design	
<b>Error! Reference source not found.</b>		Development Limits
H1	Housing Allocations	
<b>Error! Reference source not found.</b>		Housing within Development Limits
<b>Error! Reference source not found.</b>		Affordable Housing
<b>Error! Reference source not found.</b>		Highways in Developments - Design Considerations
EQ4	Biodiversity	

### [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 no objection subject to the imposition of appropriate conditions.

**Betws Community Council** – Has no objection subject to highway safety and drainage / sewerage concerns being met.

**Local Member(s)** - Councillor B Jones has not commented to date.

**Dwr Cymru/Welsh Water** – has no objection.

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

## Summary of Public Representations

The application was the subject of notification by way of 2No. Site Notices.

8No. representations were received objecting and the matters raised are summarised as follows:

- Spatial Character
  - Proximity to neighbouring properties
  - Scale and Mass
- Highway /Pedestrian Safety
  - Parking
  - Obstruction
  - Conflict with Junctions
  - Traffic Generation

- Traffic Calming Needed
- Removal of footpath
- Biodiversity
  - Damage to Ancient Woodland
  - Damage to neighbouring ornamental tree roots
- Loss of amenity
  - Over Shadowing / Loss of Light
  - Loss of privacy
  - Over bearance
  - Danger for children playing in culs de sac
  - Disruption during the build
  - Noise and Pollution

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

## Appraisal

### Spatial Character

The proposed dwellings fronting onto Ffordd y Glowyr are set back from the highway to allow parking but are in close proximity to the rear fences of neighbouring properties. The proposed houses are in line with the longest part of the garden of No.36 Heol Pac y Felin which allows 12.5m between the main rear elevation and the side of the proposed house. It should be noted that this form of development was accepted on the indicative plan for application E/26501 back in 2012.

The scale and mass and density is proposed to be similar to the site to the South East so is not considered to be out of keeping, however it is noted that it would be higher density with smaller units than the houses to the North West.

### Highway /Pedestrian Safety

The Head of Transport has assessed the proposal including parking levels. After careful consideration and application of the sustainability appraisal found in the CSS standards, it was concluded that five spaces to serve the terrace would be acceptable in this location. The visibility for cars accessing directly from the highway has been assessed and given the wide pavement, the visibility is considered to be adequate for a 30mph road. Therefore subject to the imposition of conditions, there is no highway safety objection.

The footpath which would be removed is an informal route from across the former colliery site which has no formal status and is not a public right of way.

### Loss of amenity

Over shadowing of one property is likely at times during the morning, however given the orientation, afternoon and evening times are not likely to be affected by the proposal. The existing houses are likely to cast their own shadow during the evening. Loss of light is a private civil consideration.

Loss of privacy is unlikely as the window in the gable serves a bathroom and would be obscurely glazed.

It is noted that the proposal is at a slightly higher ground level, however over bearing is not likely to be significant.

There is likely to be some disruption during construction and danger from construction traffic, however this is a temporary situation and the addition of one dwelling is not likely to have a major significant impact on noise, pollution or traffic in the culs de sac.

### Biodiversity

The site is a regenerating previously developed site with some scrub and semi improved grassland, the applicant has been asked for a Preliminary Ecological Assessment to establish whether there is any impact on habitat of ecological interest.

The original scheme which included this parcel of land also included land to the North which is classed as semi natural ancient woodland. However this has been excluded from this scheme so the concerns are not founded in terms of direct impacts. In terms of indirect impact, the site is allocated for housing, so the principle of development has been accepted in the Local Development Plan.

## Planning Obligations

The standard affordable housing contribution based on the internal floor area is applicable in this case.

## 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 whilst there is local concern over the proposal, the site is within an allocated housing site as defined in the Local Development Plan and the houses are at a similar density to the estate to the South East. The proposal is on the periphery of the remaining allocated land and would not prejudice the remaining land from being developed. The site has had permission for a higher density scheme previously so the principle has been established. Highway safety has been assessed and the Head of Transport has no objection subject to the imposition of appropriate conditions.

It is therefore recommended to approve the proposal subject to the submission of a legal agreement in respect of the affordable housing. If no legal agreement is signed within 6 months of any Committee resolution to approve, the Head of Planning requests delegated power to refuse the application on the grounds of lack of affordable housing.

## 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 development hereby permitted shall be carried out strictly in accordance with the following schedule of plans dated 21 December 2019.
    - 1:1250 scale Location Plan. Drawing No. GC/001
    - 1:100 scale Double Garage – Proposed Floor Plan and Elevations. Drawing No. 001
    - 1:100 & 1:200 scale Plots 1-3 Proposed Floor Plans and Elevations. Drawing No. 001
    - 1:100 & 1:200 scale Plot 4 – Proposed Floor Plans and Elevations. Drawing No. 002
- and the following plan dated 24 March 2020
- 1:250 scale Site Layout Plan. Drawing No. 001RevB
- 3 The new vehicular accesses shall be laid out and constructed strictly in accordance with Carmarthenshire County Councils (Highways and Transport services) Typical Layout No. 1 (specification for which is attached to this planning permission), prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.
  - 4 The vehicular access into the site serving plots 1-3 shall at all times be left open, unimpeded by gates or any other barrier.
  - 5 Any access gates to Plot 1 shall be set back a minimum distance of 5.0 metres from the highway boundary, and shall open inwards into the site only.
  - 6 There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole Ffordd y Glowyr or Nant y Felin Road frontage within 2.4 metres of the near edge of the carriageway.
  - 7 The access, visibility splays and turning area required, shall be wholly provided 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 access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
  - 8 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

- 9 The accesses shall be hard surfaced in a bonded material for a minimum distance of 5.0 metres behind the highway boundary, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.
- 10 Before any development is commenced a detailed Travel Plan, setting out ways of reducing car usage and increasing walking and cycling to and from the development, shall be submitted to and agreed in writing by the Local Planning Authority. The detailed Travel Plan shall be implemented in accordance with the approved details at a timescale to be approved in writing by the Local Planning Authority.
- 11 No development shall be commenced until details and/or samples of facing brick, cladding and boundary treatment have been submitted to and approved in writing by the Local Planning Authority.
- 12 No development shall be commenced until full details of sustainable surface water drainage have been submitted to and approved in writing by the Local Planning Authority.

## Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2&11 In the interests of visual amenity in accordance with Policy GP1 of the LDP.
- 3-10 In the interests of highway safety in accordance with Policy TR3 of the LDP.
- 12 To ensure sustainable surface water drainage in accordance with Policy SP2 and EP3 of the LDP.

## Notes

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

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

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

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

- 2 The applicant/developer's attention is drawn to the signed unilateral undertaking which secures a contribution of £41.98 per square metre internal floor area towards affordable housing.
- 3 The applicant/developer's attention is drawn to the unilateral undertaking which sets out the contribution for affordable housing.
- 4 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk))



*Ardal Del/  
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 30 MEHEFIN 2020  
ON 30 JUNE 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 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.**

<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>30.06.2020</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

**INDEX - AREA SOUTH**

<b>REF.</b>	<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>	<b>PAGE</b>
<b>S/38282</b>	<b>PROPOSED CONSTRUCTION OF NEW 174 PLACE WELSH MEDIUM SCHOOL AND 30 PLACE NURSERY WITH ASSOCIATED ACCESS, CAR PARKING, SPORTS PITCH, MUGA AND ASSOCIATED LANDSCAPING &amp; INFRASTRUCTURE WORKS. AT LAND EAST OF PARC PENDRE, KIDWELLY, SA17 4AJ</b>	<b>21</b>
<b>S/39961</b>	<b>PROPOSED DOUBLE STOREY EXTENSION AND PARTIAL CONVERSION OF GARAGE AT 14 LLYS CILSAIG, DAFEN, LLANELLI, SA14 8QT</b>	<b>32</b>

<b>REF.</b>	<b>APPLICATIONS RECOMMENDED FOR REFUSAL</b>	<b>PAGE</b>
<b>S/39358</b>	<b>CHANGE OF USE OF THE PROPERTY FROM A CLASS C3 RESIDENTIAL DWELLING TO A CLASS C2 CHILDRENS RESIDENTIAL HOME AT 2 ERW LAS, LLWYNHENDY, LLANELLI, SA14 9SF</b>	<b>40</b>

**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>S/38282</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	PROPOSED CONSTRUCTION OF NEW 174 PLACE WELSH MEDIUM SCHOOL AND 30 PLACE NURSERY WITH ASSOCIATED ACCESS, CAR PARKING, SPORTS PITCH, MUGA AND ASSOCIATED LANDSCAPING & INFRASTRUCTURE WORKS. AT LAND EAST OF PARC PENDRE, KIDWELLY, SA17 4AJ

<b>Applicant(s)</b>	PROPERTY DESIGN & PROJECTS MANAGER - HYWEL HARRIES, CARMARTHENSHIRE COUNTY COUNCIL, BLOCK 3, PARC MYRDDIN, RICHMOND TERRACE, CARMARTHEN, SA31 1HQ
<b>Agent</b>	ASBRI PLANNING LTD MR RICHARD BOWEN, SUITE D, 1ST FLOOR, 220 HIGH ST, SWANSEA, SA1 1NW
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Kidwelly
<b>Date of validation</b>	11/01/2019

## Reason for Committee

This application is being reported to the Planning Committee as there are financial implications in respect of land acquisition from third parties.

## Site

The 1.8ha site is part of a housing allocation in the Carmarthenshire LDP. Part of the site had outline planning permission in 2017 under the former Unitary Development Plan and part of it had outline permission for residential development in 2006. An application to renew the residential permission is pending the signing of the Section 106 Legal Agreement. The site is within the settlement development limits of Kidwelly and the principle of development has been long established.

The site slopes gently down from Parc Pendre towards the centre which has a small watercourse present and rises to meet the railway embankment to the South East. The North Western part of the site has a coverage of trees and scrub. The South Eastern part of the site is a rough grazing pasture. There are mature hedgerows along the Northern and South Eastern boundaries.

The site has a 78m road frontage onto Parc Pendre to the West and extends back a variable distance given the irregular shape of the site.

The site has the cooperative store and a small residential estate known as Stockwell Forge to the north and an estate known as Clos Helyg to the South West, beyond which is a site which has the benefit of outline permission under the former Unitary Development Plan and has a pending Reserved Matters application for 14 houses. There is improved pasture land and part of an allocated housing site with extant outline permission beyond the railway embankment to the South East. The site is therefore within the urban fabric of the Town with a history of Planning Permission so the principle of development is considered appropriate.

## **Proposal**

The application seeks full permission for a 174 place Welsh Medium School and 30 place Nursery with associated access, car parking, sports pitch, MUGA and associated landscaping & infrastructure works. The school is designed as a replacement for the current Ysgol Gwenllian on Station Road which is an older more traditional urban school on a restricted site and is no longer meeting modern standards.

The school building is proposed to be sited to the rear of the site backing onto the south east boundary.

A playing field is proposed along Parc Pendre which would result in a good separation distance between the school and residential properties. In order to provide a safeguard for residential amenity, a 2.5m acoustic fence is proposed behind a landscaped corridor along Parc Pendre. A MUGA and outdoor education zone is proposed to the East of the school building, with significant ground level changes proposed to accommodate it given the ground level changes up to the former railway embankment.

The watercourse which currently passes through the site is proposed to be diverted to a new landscaped corridor which includes a pond to ensure attenuation and minimise the risk of flooding. A boardwalk is proposed along with an outdoor learning zone so the school can use the feature for educational purposes.

Access is proposed from Parc Pendre with a staff / visitor car park and drop off area proposed on the northern part of the site which backs onto the Coop. There is also a roundabout and bus stop on site to allow buses for school excursions to access and park safely within the grounds.

The application has been accompanied by a suite of documents to address ecology and drainage given the watercourse, to ensure safety and adequate protection.

Planning Design & Access Statement  
Transport Assessment  
Flood Consequences Assessment  
Drainage Report  
Planning Noise Impact Report  
Dormouse Method Statement  
Reptile Mitigation Strategy  
Bat Activity Survey

Outdoor lighting report  
Detailed Arboricultural Report  
Preliminary Geo Environmental and Geotechnical Assessment  
Mining Report  
Materials Palette.

These have been scrutinised by the relevant departments and further work was identified which has led to further flood modelling and ecological work. Further information has been received as requested and the result of re-consultation is reflected below.

## Planning Site History

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

- S/30577      OUTLINE PLANNING PERMISSION FOR A RESIDENTIAL DEVELOPMENT OF 12 NO TWO STOREY DWELLINGS TOGETHER NEW CUL DE SAC AND ACCESS TO EXISTING ACCESS TO HIGHWAY – Outline Granted 06/03/2017
- S/30141      VARIATION OF CONDITION NO. 1 OF PLANNING PERMISSION S/14663 TO ALLOW FOR EXTENSION OF TIME. Pending S106 Agreement.
- S/14663      RESIDENTIAL DEVELOPMENT. Outline Planning Permission Committee 09/05/2011
- S/13109      PROPOSED HOUSING DEVELOPMENT - 4 NO. FLATS AND 12 NO. HOUSES - Full Granted - Committee 30/11/2006
- S/11850      PROPOSED HOUSING DEVELOPMENT - 4 NO. FLATS AND 12 NO. HOUSES - Full Refused - Delegated 28/02/2006
- D5/12237      TWO AND THREE PERSON FLATS (24 DWELLINGS) - Deemed Planning Permission - Regulation 4 - 13/11/1989
- D5/10185      RESIDENTIAL DEVELOPMENT - Deemed Planning Permission - Regulation 5 - 26/10/1987

## 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
- SP14 Protection and Enhancement of the Natural Environment
- SP16 Community Facilities
- SP18 The Welsh Language
- TR3 Highways in Developments- Design Considerations
- EQ4 Biodiversity
- EQ5 Corridors, Networks and Features of Distinctiveness

[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 No objections to the principle of the scheme but final details of road signage etc are awaited. Please note that these will need to be agreed separately to planning permission.

### **Head of Public Protection:**

**(Noise)** Has no objection subject to the imposition of appropriate conditions in respect of the acoustic fence.

**(Air Quality)** A Travel Plan needs to be conditioned in order to minimise car journeys and air pollution.

**(Dust)** A dust mitigation scheme needs to be conditioned.

**Kidwelly Town Council** - Concern was expressed as to the proposed simultaneous build proposals at Parc Pendre – school and housing development. Traffic congestion, routing of construction lorries, parking problems and debris from site vehicles were matters raised.

**Local Member(s)** - Councillor J Gilasbey is a Member of Planning Committee and has made no prior comment.

**Dwr Cymru/Welsh Water** – states that the site is crossed by a number of water mains and an easement needs to be retained in accordance with the size of the pipes as specified in the response.

**Natural Resources Wales** – sought additional modelling of the watercourse. This has been incorporated into the addendum to the Flood Consequence Assessment.

**Sustainable Drainage Approval Body** – states that the amended plans are acceptable. (SAB approval needs to be obtained separately from the planning process).

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

## Summary of Public Representations

The application was the subject of notification by way of 7No site notices on the original submission and on receipt of amended plans and information.

1No. representation was received (and reiterated) objecting and the matters raised are summarised as follows:

- The conditions on ecology and protection of trees / hedgerow that was previously imposed on the housing approval should be imposed on this proposal also and thereafter adhered to.



- The hedgerow between the site and Stockwell Forge needs to be protected.

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

## Appraisal

### Boundary hedgerow

A third party has highlighted the fact that there is a mature hedge running along the Northern boundary outside the application site and seeks assurance that the proposal is not going to affect the hedgerow. It is noted from the plans that the application site has vegetation beyond the boundary where stated, and further planting is proposed within the application site which would reinforce the hedgerow planting. A tree survey has been submitted which identifies the hedgerow concerned and shows it being protected during construction. It is recommended that a condition be imposed on protection of hedgerows to ensure the contents of the tree survey are implemented.

### Ecology

The site is an area of complex biodiversity with a watercourse, overgrown scrub and mature hedgerows. A suite of studies and assessments have been submitted as requested, to ensure that there is no loss of favourable conservation status for protected species which are known to be present within the vicinity of the proposal. There is ongoing discussion on the precise location for mitigation planting at a ratio of 2:1 so a resolution is being sought subject to it being confirmed. This has been delayed due to the current circumstances, however it is anticipated that further information can be reported in the addendum. The site is proposed to have features which enhance the biodiversity through landscaping and the sustainable drainage schemes as proposed. Further, it is noted that the site is hydrologically linked to the Carmarthen Bay and Estuaries SAC so an Appropriate Assessment needs to be carried out under the Habitat Regulations. A resolution is therefore sought, subject to the ecological issues being confirmed and signed off by NRW.

### Drainage

A comprehensive drainage plan has been submitted which indicates the presence of the water course and addresses surface water drainage arising from the scheme. It should be noted that the water course is currently culverted from the north, and opens out with in the site with the inclusion of a surface water attenuation pond so that it is released into the water course outside the site in a controlled manner. The scheme includes attenuation tanks, swales and the pond. The scheme integrates the pond into the learning experience with a learning zone and board walk. The drainage scheme has been scrutinised by NRW and the Council's drainage engineers to ensure it is fit for purpose.

### Highway Safety

The site is accessed via Parc Pendre, a residential area within settlement development limits. A Transport Assessment has been submitted which shows that the road network can accommodate the traffic from the school. The proposal includes staff and visitor parking and drop off, a drop off zone along Parc Pendre and a Bus Stop within the site to allow excursion buses to park safely off the public highway.

It should be noted that the site is allocated for housing in the LDP and has extant/pending planning permission for residential development so a degree of traffic generation from the site has already been accepted. The Head of Transport has queried some matters of detail, however has no objection to the scheme. Final details of off site signage etc have been agreed in principle subject to consent outside the planning process.

### Residential Amenity

The school is proposed to be set back from Parc Pendre with the playing field and watercourse forming a buffer between the school and residential properties. It is noted that an acoustic fence is proposed along the edge of the playing field to minimise noise, and landscaping is proposed along the highway to minimise the visual impact of the fence. The proposal is not therefore considered likely to have an adverse impact on residential amenity.

### Simultaneous development

The Town Council is concerned about the amount of development proposed along Parc Pendre at the same time as there is a housing proposal to the South West which has a pending application. There would be disruption during the construction period but it should be noted that this is a temporary, and the site is allocated for housing, so has been earmarked for development in the LDP.

## Planning Obligations

Not Applicable.

## 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 the proposal would be a modern Welsh medium school to serve Kidwelly. The site is within the settlement limits of Kidwelly and allocated for housing, so the principle of development is well established. The school is of a modern design and appearance which is of similar design character as other recently developed schools, and is not likely to have an impact on the residential amenity of the locality. The site has been assessed in terms of ecology, flooding and highways and it is considered that there would be no unacceptable adverse impacts.

The application is recommended for a resolution to approve subject to the confirmation of mitigation planting and the necessary Appropriate Assessment.

## 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 development hereby permitted shall be carried out strictly in accordance with the following schedule of plans dated 20 December 2018.

1:1250 scale Site Location Plan. Drawing No. 001  
NTS Kerbs, Footways & Paved Areas Kerbs & Edge Details – Sheet 1. Drawing No. 91100  
NTS Kerbs, Footways & Paved Areas Kerbs & Edge Details – Sheet 2. Drawing No. 91101  
NTS Kerbs, Footways & Paved Areas Kerbs & Edge Details – Sheet 3. Drawing No. 91102  
NTS Kerbs, Footways & Paved Areas Kerb Reinstatement Detail. Drawing No. 91104.  
NTS Road Pavements Trench Reinstatement. Drawing No. 90705 Rev 00  
NTS Road Pavements Tie In Details. Drawing No. 90701 Rev 00  
1:250 scale Drainage Layout. Drawing No. 90101  
NTS Drainage and Service Ducts Attenuation Tank – General Construction Details. Drawing No. 90599 Rev 00  
NTS Drainage and Service Ducts Linear Drainage Channel System. Drawing No. 90578 Rev 00  
NTS Typical Step Foundation Detail. Drawing No. 91150  
NTS 6m Lighting Column Foundation Detail. Drawing No. 91150  
NTS Bus Bay Detail. Drawing No. 91145  
NTS Drainage and Service Ducts – Type 1 Concrete Manhole  
NTS Drainage and Service Ducts – Type 1 Pipe Bedding Details  
NTS Drainage and Service Ducts – Type 2 Concrete Manhole  
NTS Drainage and Service Ducts - Type 3 Plastic Catch Pit  
NTS Drainage and Service Ducts – Type 4 Polypropelene Inspection Chamber  
NTS Drainage and Service Ducts – Type 5 Shallow Concrete Manhole  
NTS Drainage and Service Ducts – Permitted Location of Sewers Between Buildings  
NTS Drainage and Service Ducts – Connection to Existing Manhole  
NTS Drainage and Service Ducts – Road Gully Details  
NTS Drainage and Service Ducts - Combined Drainage & Kerb Standard Unit  
NTS Drainage and Service Ducts - Pipe Beneath Slab  
NTS Drainage and Service Ducts – External rainwater connections trapped, untrapped and yard gully  
NTS Drainage and Service Ducts – Gully Connections  
NTS Drainage and Service Ducts – Pipe Details  
1:100 scale Figure 2 – Ground Investigation Point Plan  
1:25 scale Proposed Culvert Details. Drawing No. 90102  
NTS Earthworks Treatment of Soft Spots. Drawing No. 90605 Rev00  
1:250 scale Lighting Layout for School Access Areas. Drawing No. P01.1  
1:250 scale Lighting Layout for Planning Information – Existing Highways. Drawing No. P01.1

the following plans dated 24 February 2020

1:250 scale Landscape Plan. Drawing No. 001 RevP03  
1:250 scale General Arrangement. Drawing No. 90100 Rev02

the following plans dated 27 February 2020

1:100 scale Proposed Ground Floor Plan. Drawing No. 010 Rev P03  
1:100 scale Proposed First Floor Plan. Drawing No. 011 Rev P03

and the following plans dated 6 March 2020.

1:100 scale Proposed North and East Elevations. Drawing No. 600 – P02  
Materials Palette

1:100 scale Proposed South and West Elevations. Drawing No. 601 - P02

1:100 scale Proposed Sections. Drawing No. 800 – P02

1:100 scale Proposed Roof Plan. Drawing No. 012 – P02

1:10 scale Proposed Palette. Drawing No. 901 – P02

- 3 Prior to the beneficial use of the school hereby approved, an active travel plan shall be submitted to and approved in writing by the Local Planning Authority. The school shall thereafter operate strictly in accordance with the approved travel plan.
- 4 All mature deciduous trees and hedgerow along the boundary as identified for retention in the submitted tree survey shall be protected for the duration of the construction period following guidelines in BS5837 2005 (Trees in relation to construction) as follows and shall thereafter be retained in perpetuity:
  - An exclusion zone is to be identified by the Authority and agreed in writing **prior** to start of works.
  - Any arboricultural works that are required in pursuance of given planning permission eg to form access way etc - to be undertaken by suitably qualified professionals before the erection of protective barriers.
  - Following any necessary arboricultural works all trees to be retained to be protected by permanent non moveable barriers. In light of previous experience with chestnut paling the barriers should consist of 2.9 m scaffolding poles sunk 0.6 metres into the ground. Steel mesh should then be secured to the scaffold frame to adequately shield the trees from machinery.
  - The protective barrier is to remain until written permission is given by this Authority for its removal.
  - Absolutely no materials are to be stored at any time within the agreed exclusion zone.
  - Arboricultural works and erection of protective barriers is to be supervised / inspected prior to start of any development
- 5 No development shall take place until full details of means of enclosure have been submitted to and approved in writing by the Local Planning Authority.

- 6 The surface water scheme shall be implemented strictly in accordance with the approved Drainage strategy prior to the beneficial use of the school.
- 7 No development hereby approved shall be commenced until a scheme for the mitigation of dust has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during all stages of construction. Vehicles transporting materials which are likely to cause dust onto and off site shall be suitably covered.
- 8 No development hereby approved shall be commenced until a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include:

- Details of the siting and type of external lighting to be used
- Drawings setting out light spillage in key sensitive areas (Northern, Eastern and Southern boundaries), including measures to limit light spillage;
- Details of lighting to be used both during construction and/or operation

The lighting shall be installed and retained as approved during construction and operation.

- 9 The rating level of the noise emitted from plant/machinery associated with the proposed development shall not exceed the existing background noise level, where the background noise levels are defined as follows.

- 40dB LA90 1hr at receptors along Clos Yr Helig
- 41dB LA90 1hr at receptors along Parc Pendre
- 44dB LA90 1hr at receptors along Monksford Close and Stockwell Forge

The noise 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 BS4142: 2014 Methods for rating and assessing industrial and commercial sound. Where the background noise levels shall be expressed as LA90 1hr and the ambient noise levels shall be expressed at Laeq 1hr.

- 10 At the written request of the Local Planning Authority, the operator within a period of 1 month shall undertake and submit to the authority a noise assessment conforming to BS 4142: 2014 Methods for rating and assessing industrial and commercial sound to determine whether noise arising from development exceeds the level specified in condition 1 above. The assessment shall be undertaken under the supervision of the Local Authority. In the event that Condition 1 is exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the noise level specified in Condition 9. The development shall then be undertaken in accordance with the approved details.

- 11 An acoustic barrier should be installed along northern and western sides of the proposed sports pitch in accordance with the location provided in section 5 of the

Planning Noise Assessment Report provided regarding the abovementioned planning application by WSP (Ref: 62253054-NIA-02, dated February 2020). The barrier should be of a minimum height of 2.5m along its entire length and should have a minimum surface mass of 10kg/m<sup>2</sup>. The barrier should be constructed ensuring there are no gaps between adjacent panels, and against the floor. The surface of the sports pitch side of the barrier should be of a sufficiently damped material, such as foam backed vinyl (or equivalent), to minimise impact noise.

- 12 Where weldmesh fencing is used around the sports pitch or the MUGA, the panels shall be securely clamped with acoustically resilient fixings.

## Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2&5 In the interests of visual amenity in accordance with Policy GP1 of the LDP.
- 3 In the interests of highway safety in accordance with Policy TR3 of the LDP.
- 4 To protect features of biodiversity and visual importance in accordance with Policy EQ5 and GP1 of the LDP.
- 6 To ensure sustainable surface water drainage in accordance with Policy SP2 and EP3 of the LDP.
- 7 In the interests of biodiversity in accordance with Policy EQ4.
- 8-12 To ensure that the amenity of local residents is adequately protected from dust during demolition/construction in accordance with Policy GP1 of the LDP.

## Notes/Informatives

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

<b>Application No</b>	<b>S/39961</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	PROPOSED DOUBLE STOREY EXTENSION AND PARTIAL CONVERSION OF GARAGE AT 14 LLYS CILSAIG, DAFEN, LLANELLI, SA14 8QT

<b>Applicant(s)</b>	MR JAMES BENNETT, 14 LLYS CILSAIG, DAFEN, LLANELLI, SA14 8QT
<b>Agent</b>	DIMENSION DRAWING SERVICES - IAN JONES, 15 STEBONHEATH TERRACE, LLANELLI, SA15 1NE
<b>Case Officer</b>	Zoe James
<b>Ward</b>	Dafen
<b>Date of validation</b>	13/12/2019

## 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 the curtilage of detached property located in Llys Cilsaig within Dafen. The two storey dwelling is sited fairly centrally within the site with a driveway and car parking space to the front and a patio and landscaped garden area to the rear. The existing garden area is bordered by wooden close boarded fence to both sides and the rear.

The dwelling fronts onto Llys Cilsaig with main front door and two windows alongside a garage door. The house has a yellow face brick finish with brown UPVC windows and brown concrete roof tiles.

The site is not situated within any environmental or ecological designations, and is entirely within the Coal Authority's Development Low Risk Area.

## Proposal

The application seeks full planning permission for a two-storey rear extension to the property and conversion of the existing garage. The extension is proposed to provide a sun room at ground floor and internal re-organisation of the first floor to provide a larger bedroom to the front of the property alongside a dedicated ensuite and dressing room and larger third



bedroom to the rear. The garage is proposed to be converted to a utility room and additional living space at ground floor level.

The extension will project around 4 metres from the existing dwellinghouse to the rear, in line with the existing east elevation of the property and will have a width of 4.6 metres. No new windows are proposed on the east side elevation at ground floor, with the creation of one new window at first floor. Following the submission of revised plans, the window will serve the ensuite for bedroom 3 and will be obscure glazing. A large horizontal emphasis window is proposed on the rear elevation at ground floor and two smaller windows at first floor. To the west side elevation large patio doors are proposed at ground floor with no additional windows at first floor.

The proposed extension seeks to match the materials utilised in the existing dwelling and comprise yellow face brick with UPVC brown windows and doors. The roof is proposed to be flat consisting of EPDM rubber flat roof.

Following the initial submission revised plans have been received with a revised layout for bedroom 3, the ensuite and dressing room and changing the partial conversion of the garage to a full conversion to living accommodation.

## Planning Site History

The following planning applications have been submitted at the site:

- |          |   |
|----------|---|
| D5/12792 | REMOVAL OF PLANNING CONDITION 6 ON D5/10717 -<br>Refused 04/06/1990 |
| D5/12357 | RESIDENTIAL DEVELOPMENT<br>Reserved Matters Granted 09/05/1990      |
| D5/10717 | RESIDENTIAL DEVELOPMENT<br>Outline Granted 12/09/1988               |

## Planning Policy

In the context of the Authority's current Local Development Plan (LDP) the site is located within the Development Limits of Llanelli. Reference is drawn to the following policies of the Plan:-

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

GP1 Sustainability and High Quality Design  
GP6 Extensions

[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** - No objections.

**Sustainable Drainage Approval Body (SAB)** – no comments on the scheme.

**Planning Ecology** – no objection, issued bat advisory.

**Llanelli Rural Council** - No objection.

**Local Member(s)** - Councillor Rob Evans has not commented to date.

**Dwr Cymru/Welsh Water** – no objection subject to imposition of conditions.

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

## Summary of Public Representations

The application was the subject of notification by way of neighbouring letters and a site notice.

Three representations were received (two from one household), predominantly raising concerns, the matters raised are summarised as follows:

- Development is out of character as it is a two storey extension, no other nearby two storey extensions have been permitted.
- Proposed extension is directly overlooking property so will lose any right to privacy.
- New extension will have a detrimental effect on right to light with overshadowing.
- Consider that the proposed glazing which will overlook the property does not comply with building regulations.
- No details have been submitted demonstrating how the development will impact neighbouring properties.
- Existing property commands an elevated position to neighbouring property and will occupy 'greater elevation than if it were on the flat'.
- Proposed extension will partially obscure light received at rear of property.
- Concerns regarding the effect the development will have on value of property.
- No objection to the proposed partial garage conversion (comments received before revised plans submitted).
- Fully support applicant for wanting to improve property.

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

## Appraisal

The proposed development comprises a two storey extension to the rear of the property to allow for the provision of a sunroom at ground floor and internal reorganisation of the first floor to increase the size of two bedrooms and provide a dedicated dressing room and ensuite for bedroom three. At ground floor the existing garage is proposed to be converted into residential living accommodation and the existing garage door is proposed to be removed and replaced with a three pane window.

Local Development Plan Policy GP6 relates to extensions and requires them to be subordinate and compatible to the size, type and character of the existing development and not result in over development of the site. The extension protrudes just over 4 metres from the rear of the existing dwellinghouse and has a width of 4.6 metres. As such, it is considered to be subordinate to the existing dwellinghouse which has a depth of over 9.6 metres and width of over 8 metres. The proposed extension is to be located on part of the existing patio area within the garden, patio area will remain to the side of the proposed extension and adequately sized garden area remains beyond this. The proposal is therefore not considered to be overdevelopment of the site and complies with criteria a) of LDP Policy GP6.

Comments are made that the extension is out of character and no other two storey extensions have been permitted. Within the wider residential area other two storey extensions have previously been permitted. However, in this case it is noteworthy that the proposed extension is not visible from the front of the property and therefore does not impact on the streetscene.

Concerns are also raised by neighbours in relation to loss of privacy. The proposed extension involves new windows on the rear elevation at ground and first floor and new glazed patio doors to the side elevation at ground floor oriented towards the boundary with no. 12 Llys Cilsaig. There is an existing fence along the boundary with no. 12 albeit it is noted that the present height of this allows some views over and a condition is proposed requiring a 1.8 metre high boundary fence to ensure there is no loss of privacy. One new window is proposed to the side elevation of the existing dwelling at first floor level to serve the ensuite bathroom for bedroom three. Given the position of this it will look directly out to the adjacent wall of no. 16 with the opportunity for minimal views into the rear garden of the property. However, as this is proposed to serve the ensuite obscure glazing is proposed for the window and this will be conditioned to ensure there is no loss of privacy to the neighbouring occupier.

In terms of overbearance on the neighbouring property, the proposed extension is set to the south of the existing dwellinghouse and is situated approximately 14.7 metres from the adjacent property to the west (no. 12). To the east, the neighbouring property of no. 16 is situated at a slightly higher level than the application site which seeks to reduce the impact. A flat roof is proposed for the extension to minimise the height and ensure that this does not extend significantly higher than the existing eaves line of the dwelling. As such, in line with Policy GP6, there is not considered to be an adverse effect on the amenity of adjacent occupiers by loss of privacy or overbearance.

No concerns are raised regarding the change of use of the existing garage to additional living space and consent has previously been granted for similar conversions on the estate. The Authority's Head of Highways and Transport has no objection to the proposal.

The comments made in relation to loss of property value are not a material planning consideration.

There are no ecological/environmental considerations, a bat advisory has been issued to the applicant.

Following the above assessment and the relevant material considerations in this case, the proposal is considered to be acceptable.

## Planning Obligations

None

## 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, along with third party comments and the relevant material considerations it is concluded on balance that the proposed extension and alterations are acceptable. The scale and design of the proposed extension is considered to be compatible to the existing dwelling and there will be no significant adverse impact on the amenities of adjacent neighbouring occupiers through the conditions proposed.

The proposal is in accordance with the policies of the adopted Local Development Plan and is therefore put forward with a favourable recommendation subject to the below conditions.

## 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 development hereby permitted shall be carried out strictly in accordance with the details shown on the following plans:-
  - Site Location Plan, Existing Floor Plans and Elevations drawing no. JB-01 rev A received 6 December 2019;
  - Proposed Site Plan, Proposed Floor Plans and Elevations drawing no. JB-02 rev D received 28 February 2020.
- 3 The materials to be used in the construction of the external surfaces of the extensions and porch shall be as specified on Proposed Floor Plans and Elevations drawing no. JB-02 rev D and match those used in the existing building.
- 4 Before the development hereby permitted is first brought into use the en-suite bathroom window (as shown on Proposed Floor Plan drawing no. JB-02 rev D) shall be fitted with obscure glazing and shall be permanently retained in that condition thereafter.

- 5 Before the development hereby permitted is first brought into use a 1.8 metre high close boarded fence shall be erected along the western boundary of the rear garden with no. 12 Llys Cilsaig.
- 6 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

## Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interests of visual amenity and to confirm the extent of the permission.
- 3 In the interests of visual amenity.
- 4-5 In the interest of privacy.
- 6 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.

## 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 responses received from consultees and third parties can be found on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)). They may also relate to other permissions or consents required or include further advice and guidance.

- Please see the relevant responses from Dwr Cymru/Welsh Water and the Council's Planning Ecologist and refer to the recommendations and advice contained therein.

**APPLICATIONS RECOMMENDED FOR REFUSAL**

<b>Application No</b>	<b>S/39358</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CHANGE OF USE OF THE PROPERTY FROM A CLASS C3 RESIDENTIAL DWELLING TO A CLASS C2 CHILDRENS RESIDENTIAL HOME AT 2 ERW LAS, LLWYNHENDY, LLANELLI, SA14 9SF

<b>Applicant(s)</b>	FRESHSTART CARE LTD, C/O AGENT,
<b>Agent</b>	ASBRI PLANNING - MR TOMAS HOPKINS, SUITE D, 1ST FLOOR, 220 HIGH STREET, SWANSEA, SA1 1NW
<b>Case Officer</b>	Zoe James
<b>Ward</b>	Llwynhendy
<b>Date of validation</b>	29/08/2019

## Reason for Committee

This application is being reported back to the Planning Committee following the initial report to Planning Committee on 14 January 2020 and a site visit undertaken on 11 February 2020 and the subsequent discussion where Members resolved to refuse the application contrary to Officer's recommendation.

The application is now being reported back with draft refusal reasons based on the reasons provided by the Planning Committee. The original Committee Report is included for reference purposes.

The application is now the subject of a non-determination appeal and due to the circumstances the dual-jurisdiction period has now expired. As such, the application will now be considered and determined by Welsh Government. Nevertheless, the application is reported back to Committee for the refusal reasons previously discussed by members on 11 February to be agreed. This will be reported to Welsh Government as part of the non-determination appeal

## Draft Refusal Reasons

- 1 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 building is not considered to be in a safe location in regard to highway matters and flooding concerns at the site.
- The car parking is situated within the rear garden adjacent to the patio doors.
- The property has a history of flooding.
- It is considered that the amenity of nearby residents and the wider community would be significantly adversely affected.

2 The proposal is contrary to Policy GP3 “Sustainable Drainage” of the Carmarthenshire Local Development Plan:-

### **Policy EP3 Sustainable Drainage**

**Proposals for development will be required to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Drainage Systems (SUDS), has been fully investigated.**

**The details and options resulting from the investigation must show that there are justifiable reasons for not incorporating SUDS into the scheme in accordance with section 8 of TAN 15.**

In that:-

- The property has a history of flooding caused by surface water run-off.

- 3 The proposal is contrary to Policy H6 “Residential Care Facilities” of the Carmarthenshire Local Development Plan:-

### **Policy H6 Residential Care Facilities**

**Proposals for the development of residential care facilities and extensions to existing facilities within the Development Limits of a defined settlement (Policy SP3) will be permitted where it has safe and convenient access to community facilities and services.**

**Proposals for new purpose built accommodation outside defined Development Limits will be permitted where it is ancillary to an existing institution, and is integrated with the existing complex is not disproportionate in scale and subject to their being no adverse effects on the landscape/townscape or the setting and integrity of the historic environment.**

In that:-

- The building is not considered to be in a safe location and does not benefit from safe and convenient access to community facilities and services.

**The remainder of the report contains the Committee Report as previously reported to Planning Committee on 14 January 2020 and 11 February 2020.**

## **Site**

The application site comprises no. 2 Erw Las a semi-detached dwellinghouse and associated parking and garden area to the rear. The property consists of a two storey renovated cottage fronting Erw Las in Llwynhendy. The property was extensively enlarged following granting of planning permission for a two storey extension to the rear in 2000. As a result, the dwellinghouse now has seven bedrooms, four of which benefit from individual ensuite bathroom facilities. At ground floor the accommodation comprises one of the bedrooms, alongside a large lounge, breakfast room, utility room, kitchen, dining room and two small toilets.

The property also benefits from a long extensive private garden area to the rear, this is accessed via a side driveway which allows access to car parking to the rear.

The property is situated within the defined development limits of Llanelli. To the east of the site is the C2206 classified road Erw Las beyond this and to the west of the site is open fields. Immediately to the south is adjoining property 4 Erw Las and a further detached property Ty To Maen beyond this. Directly to the north is grassland beyond which land is allocated for residential development under reference GA2/H35 in the adopted Local Development Plan.

## **Proposal**

The current planning application seeks change of use of the existing dwelling house for use Class C2 as a children's residential home. No physical external alterations are proposed to the dwelling or curtilage with the exception of the creation of a dedicated parking area to the rear to provide spaces for 3 cars. A new bike store is also proposed within the rear patio/garden area to allow secure storage for bicycles.

The proposed use will provide residential care for three young people between the ages of 11 and 18 years and will result in the employment of 4 staff members at the property (original submission proposed four young persons). It is understood that there will be two staff members at the property at all times and a staff change once every 12 hours. The team leader will be present to transfer information to the incoming team and shift changeover.

The applicants Freshstart Care Ltd have confirmed that the home will be used for vulnerable, neglected and disadvantaged children who are currently in the care of a Local Authority and need a safe home. The proposal is not to accommodate children who are in the justice system. There has been a lot of miscommunication surrounding the application and the children who may be accommodated at the site.

## Planning Site History

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

- S/05641 PERMISSION TO USE 2 BEDROOMS AS OVERSPILL GUEST HOUSE  
ACCOMMODATION - MAXIMUM OF 4 GUESTS  
Retrospective Change of Use  
Full Granted - 29/01/2004
- S/02789 RENOVATION OF EXISTING DWELLING AND CONSTRUCTION OF 2  
STOREY EXTENSION  
Full Granted - 21/12/2000

## Planning Policy

In the context of the Authority's current Local Development Plan (LDP) the site is located within the Development Limits of Llanelli. Reference is drawn to the following policies of the Plan:-

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

- SP1 Sustainable Places and Spaces
- SP3 Sustainable Distribution- Settlement Framework
- SP9 Transportation
- H6 Residential Care Facilities

[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** – raised initial queries regarding staff arrangements and parking requirements at the property. Following discussion with the agent and submission of a revised parking layout, the Highways Officer has confirmed no objection subject to imposition of conditions.

**Head of Public Protection** - No observations.

**Llanelli Rural Council** – object to the application and consider that the use is inappropriate in this location given the number of vehicles accessing the site being detrimental to highway safety, parking provision is insufficient, the proposed use does not complement the use of the adjoining semi-detached residential dwelling and will have a detrimental impact on the residential amenity of this property and other neighbours.

**Local Member** - Councillor Sharen Davies has objected to the application on grounds of increased noise, highway safety, parking arrangements, flooding concerns, safety of existing residents, property value and insufficient consultation with members of the community. Cllr Davies also requested that the application is considered at Planning

Committee, that a site visit be undertaken and she would like to speak against the application.

**Local Member** - Councillor Fozia Akhtar has not commented to date.

**Local Member** - Councillor Deryk Cundy from the adjacent ward has also objected on the basis that there is no correlation with the housing of children on the Council Register given the Local Authority are not involved with the project, the property is inappropriate, insufficient parking, the proposed use of the property is unknown and there is a lack of information or details regarding the regulation of the property, qualifications and safety of staff. Reference is also made to the concerns of local residents regarding their security and safety given the lack of information regarding the future occupants and no consultation with the community.

**Community Councillor** – Councillor Jason Hart has also objected given the numerous objections received from local residents and considers that the proposal will result in a hostile environment for the children. Also concerns regarding increased traffic flow, increased noise, lack of car parking and no option to extend further given flooding concerns. Requests a site visit is undertaken.

**Carmarthenshire Children's Services** – advise that they do not use private residential homes for looked after children so will be utilised by outside local authorities.

**Police Liaison** - No observations received to date.

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

## Summary of Public Representations

The application was the subject of notification by way of neighbouring letters and site notices posted in the vicinity of the site and along Erw Las.

Over 30 representations were received, all objecting, with the exception of 2 in support, and the matters raised are summarised as follows:

- Fresh Start Care Serviced Ltd will be caring for young vulnerable people between ages of 16-21 years of age who may have a history of offending and this is not suitable in a semi-detached private property within a rural residential area.
- There are existing problems in the area concerning anti-social behaviour, fly tipping, traffic incidents and drug usage.
- Social problems presently experienced in Erw Law could cause aggravation and trouble for vulnerable youngsters.
- A petition has been started which is already on 133 signatures from people in the community.
- The safety of existing children is paramount, the proposal will jeopardise this.
- There are a lot of elderly residents within the street who will be very vulnerable.
- The community is very family oriented with 4 primary schools and a number of nurseries.
- Concerns raised regarding next door neighbour who has recently been burgled and will be negatively impacted by the proposal, particularly through additional noise from the development.
- If the company proposing the development did not know that they need planning permission then there is extreme doubt of their professionalism.

- Appears that the company are not disclosing information, if the property is used to house young offenders then this is Use Class C2A rather than C2 which is what the application refers to. Also the ratio of staff to children confirms suspicions that trouble will be expected.
- Inconsistency between application submission and Fresh Start Care website.
- Proposal fails to comply with Policy GP1, H3, SP1, SP2, EP1 and EP3 of the Council's Local Development Plan.
- Many more suitable buildings elsewhere in Llanelli, children in care face huge challenges and need to be in an appropriate location.
- Limited information has been provided to neighbours regarding the future occupants.
- The applicant should expand on what measures will be put in place to supervise the young people living there and their safety.
- Existing services and facilities are already overwhelmed and do not have capacity for additional residents.
- Erw Las is being used as a short cut to the link road to Llanelli and Burry Port so is a dangerous road, the 30mph speed limit is ignored and there is no pavement along the side of the road on which the property is situated.
- Staff arriving at the property will add traffic on a quiet rural byway.
- Cycling on the roads is dangerous.
- Property is on a flood plain and has previously been flooded despite application form not making reference to this.
- The previous use of the property as overflow accommodation for Llwyn Hall Hotel caused nuisance to neighbours at times.
- No amenities of suitable interest for youngsters nearby.
- Reference is made to no work being undertaken yet all of the rooms are already set up for occupation
- Brand new company set up with no experience, with the primary motive being financial gain.
- Proposal will be used to house children from outside the local area, the company are set up outside of Wales.
- Where would the resources come from for the children when they leave the care system?
- Detrimental impact on house prices.
- Limited consultation taken place with residents.
- Everything for this proposed development has been done covertly until it was reported to the planning and enforcement officer.
- Support the proposal and consider more homes should be built/set up if required.
- Children should not be defined by the crimes they have committed, they are misguided and unloved.
- People need to learn to be more compassionate, open minded and not live in fear of what is posted on social media.
- More should be done to educate people.
- Scaremongering to local community causing numerous objections. Instead community should be supporting the youngsters.

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

# Appraisal

## Clarity regarding the proposal

There has been a significant number of objections raised regarding the application and concerns regarding the nature of the proposed occupants. A number of the objections make reference to the proposed residents being criminals or young offenders and the care home being a secure establishment. This is incorrect. The application seeks change of use for a children's residential care home to provide a suitable home for disadvantaged children within the care system. Care is to be provided in a family type environment for a maximum of three children and four staff members working on a shift pattern to cater for the resident's needs. The proposed use falls within the definition of Use Class C2 which is specified as: "*residential accommodation and care to people in need of care – residential schools, colleges or training centres, hospital or nursing home.*" The proposal does not fall within the separate Use Class C2a which refers to a secure residential institution and includes prisons, young offenders' institution and detention centre etc.

The applicant, Freshstart Care Ltd do not presently have a website. The company trading under the same name is entirely separate to the applicants for the proposed development as confirmed in writing in the letter from Asbri Planning dated 21 October 2019. On this basis, a number of the concerns raised by members of the local community in their objections to the proposal are misplaced and irrelevant.

## Principle of development

The planning application proposes a change of use from the existing residential dwelling to a children's care home under use class C2. Policy H6 of the Adopted Local Development Plan (LDP) is the most pertinent in the consideration of the application. The policy permits proposals for residential care facilities within development limits of a defined settlement where it has safe and convenient access to community facilities and services. The site is located within the defined development limits of Llanelli and is within walking distance of local facilities in Llwynhendy and bus stops providing services to Swansea, Llanelli and the local area. Whilst it is noted reference is made to there not being a footway along the road from the site to the bus stops, there is a pedestrian footway on the opposite side of the road which runs up Erw Las with only a section on Parc Gitto to the north not benefiting from a separate pedestrian pavement. The Authority's Head of Highways has not raised any concerns in this regard.

In addition, the supporting text to the policy acknowledges that "the inclusion of such facilities within the development limits ensures that residents remain integrated into the community." As such, the location of the site within the existing community is considered to comply with policy requirements.

Comments have been received from the Authority's Children's Services Team who advise that they do not support the proposal on the basis that the service does not use private residential homes for looked after children and as a result the proposal will be utilised by other local authorities. However, the applicant is not a consideration in the determination of planning applications, the process is unable to differentiate between whether the service would be operated by the Authority or a private service provider.

## Impact upon character and appearance of the area

In terms of the impact of the use on the existing character and appearance of the locality, the proposal involves no external changes to the building fabric of the host property and limited external changes to the curtilage. The property would retain its appearance as a large, semi-detached domestic property with large garden alongside patio and parking area to the rear. The change of use would have limited impact on the general character of the surrounding area.

The proposal is to provide residential care for up to three children/young people occupying the property who are intending to live as a family. Notwithstanding the provision of care to the residents, the use of the property will remain residential within an area largely dominated by residential development and within defined development limits and would not impact on the character of the locality.

### Residential Amenity Considerations

In terms of the impact on the amenity of the adjoining residential property and neighbouring properties, the main issues to consider include noise and loss of privacy. Firstly, turning to noise, the proposed change of use remains within a residential use and given the proposal seeks consent for a maximum of three children at the property there will not be an excessive number of children residing at the property. The application site is a large property benefiting from a number of large double bedrooms and as such could be occupied by a large family now with excess of three children without any planning permission required. As such, it is not considered that the proposal will exceed normal noise levels generated by a large residential property. Notwithstanding this, conditions are suggested to be imposed on any planning permission granted restricting noise levels and ensuring any necessary noise insulation is installed to protect any potential impact on the neighbouring occupier.

Turning to loss of privacy, the application site consists of a semi-detached dwelling with rear garden of the neighbouring property also running in parallel. There are three windows on the rear elevation of the site which directly adjoin the neighbouring property and one side window on the vast extension to the property which looks towards the garden of the neighbouring property. This window and one on the rear elevation are shown to be bathroom windows on the submitted floor plans and therefore would be obscure glazed. The other two windows on this element of the rear elevation do allow views into the rear area of the garden of no. 4 Erw Las yet are not oriented towards the property.

A number of objections raised make reference to current anti-social behaviour problems relating to the locality and raise concern that this proposal will exacerbate the situation. Existing issues are matters for the police and the proposal, which is a residential use for a maximum of three children, is unlikely to result in such high levels of anti-social behaviour to warrant the refusal of the planning application. Furthermore, concerns are raised regarding community safety in relation to the nature of the residents of the property. The development is not considered to be of a scale or nature to raise adverse concerns in this regard. The submitted details highlight that staffing arrangements ensure care will be provided to the residents on a 24 hour basis and the occupants are no more likely to disturb or adversely impact on neighbours than the occupants of a large family home.

In land-use terms this proposal appears very much like a large family home but arguably what makes it different is the perceived personalities of the young people that would occupy the property and the potential level of disruption that might arise from their behaviour. This is somewhat of an unknown, variable factor and one that it is difficult to predict in the consideration of this planning application. The intensity of the use of the site would differ to



some degree from that of a normal household as the level of care and support may result in a more frequently accessed site by staff and is likely to lead to some additional activity compared to its use as a single dwelling. However, the applicants have advised that the shift operation would be 12 hourly with only two changeover points per day. Otherwise the submission highlights that the peak traffic generation from the property would be broadly similar to that of a normal dwelling with regard to the school run etc. The movements caused by staff members would be relatively minor and would not be significant in relation to impact on local amenity.

In line with the Regulation and Inspection of Social Care Act (Wales) 2016, the applicant is required to register with the Care Inspectorate Wales (CIW) prior to providing a care service. As part of the application process a premises assessment is undertaken to evaluate and assess the suitability of the proposed premises in line with the needs of the intended occupiers. The applicant have advised that they are in the process of obtaining the relevant licence and without which it will not be possible for the care home to operate. The management of the site would then be regulated by the Care Inspectorate Wales independent of the planning process.

As a result, it is considered that the proposed development complies with policy GP1 and in particular part d) in so far as any potential impact on amenity of adjacent residents.

#### Highway Impacts

A number of objections received refer to the inadequacy of the existing road network, existing problems concerning dangerous driving and traffic incidents and consider that the proposal and the parking arrangements for the property will heighten the problems.

In considering the traffic and transport implications of the proposed change of use it is noted that the site benefits from three parking spaces permitted to the rear of the site as part of the previous permission granting use of two bedrooms of the property for overflow guest house accommodation. The Authority's Highways Planning Liaison Officer has queried the staff arrangements at the property and the previous potential intensification proposed on an existing sub-standard access. Following additional information submitted from the agent and a reduction in the number of children proposed to reside at the property and therefore reduction in staff, the proposal will now not require an additional level of parking than the existing use. The Highways Officer has confirmed no objection subject to imposition of conditions.

In terms of the additional traffic associated with the proposal, as acknowledged above the traffic movements will largely be as expected for a family dwelling with the additional movements caused by staff members being limited.

#### Flood Risk Implications

Many of the objections refer to flooding concerns at the application site and make reference to historic flood events at the property and adjoining property. However, the site is located within Zone A on the Development Advice Maps. Technical Advice Note (TAN) 15: Development and Flood Risk. TAN15 defines Zone A as being land considered to be at little or no risk of fluvial or tidal/coastal flooding and no further flood risk consideration is required.

Nevertheless, the change of use proposed remains a residential use and therefore is considered 'highly vulnerable' development, as per the existing use at the property. On this basis, there is no change in the vulnerability of the site as a result of the proposal.

#### Lack of transparency/consultation

A number of the objectors make reference to there being limited consultation undertaken with members of the local community. For an application of this scale (not major development) there is no requirement under planning legislation to carry out pre-application consultation with local residents.

In line with Article 12 (5) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended), the Local Planning Authority must publicise an application by giving requisite notice-

- (a) by site notice displayed in at least one place on or near the land to which the application relates for not less than 21 days; or
- (b) by serving notice on any adjoining owner or occupier.

Consultation letters were sent to neighbouring properties and two site notices were erected within the vicinity of the site along Erw Las. As such, the requirement for the Local Planning Authority to undertake relevant publicity has been undertaken in compliance with the regulations.

#### Other Matters

In terms of the other matters raised and not addressed above, the number of staff proposed is not the ratio of staff to children and all four staff members will not be working at the property at the same time. There will be two members of staff per 3 children at the property. Comments have been received stating that the use should be located elsewhere, the planning application must be considered on the basis of what has been submitted and other locations are not reviewed as part of this application.

Objections are raised regarding pressure on existing services, given the scale and nature of the application proposal for a care home for three children and given that the existing property could presently be occupied by a family with three or more children, additional pressure on resources is not considered to be significant or warrant refusal of the application. Comments make reference to the Police being consulted and fire safety. The Police Liaison team were consulted as part of the planning application and no response has been received to date. A copy of a support letter for the proposed use has been received from SMS Fire Safety Consultants who visited the property to carry out a fire risk assessment.

No objections have been raised from local service providers in response to the application. The issues raised by the respondents in respect of depreciation of property value are not material in the consideration of the application.

## **Planning Obligations**

None

# 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, alongside the responses from statutory consultees and numerous comments received from third parties, it is concluded on balance that the proposed development complies with the relevant LDP policies and would not adversely affect the character of the area, prejudice highway safety or significantly harm neighbours' amenities. The concern regarding the adverse impact on residential amenity and the fear for an increase in anti-social behaviour, arising from the perceived behaviour of the proposed residents is not sufficient to warrant refusal. In balancing the planning matters of the proposal the scheme is considered acceptable and is recommended for approval subject to the following conditions.

## Conditions

- 1 The development shall begin no later than five years from the date of this decision.
- 2 The development shall be carried out in accordance with the following approved plans and documents:-
  - Site Location Plan scale 1:1250 received 20 July 2019;
  - Block Plan scale 1:500 received 20 July 2019;
  - Existing and Proposed Floor Plans received 13 November 2019;
  - Asbri Planning Covering Letter reference. S19.173 dated 18 July 2019 received 20 July 2019;
  - Freshstart Care Ltd – Supporting Statement received 1 November 2019;
  - Asbri Planning response to third party comments reference. S19.173 dated 21 October 2019;
  - Parking Layout – Inbound Movements drawing 1 received 23 December 2019;
  - Parking Layout – Outbound Movements drawing 2 received 23 December 2019;
- 3 The premises shall be used for a children's residential care home for a maximum of three children and for no other purpose including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.
- 4 Noise associated with the proposed development shall not exceed a cumulative rating level of 35dB at the facade of the nearest noise sensitive receptor between the

hours of 07:00 and 23:00. Measurements shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound.

- 5 Noise associated with the proposed development shall not exceed a cumulative rating level of 30dB at the facade of the nearest noise sensitive receptor between the hours of 23:00 and 07:00. Measurements shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound.
- 6 At the written request of the Local Planning Authority, the operator within a period of 1 month shall undertake and submit to the authority a noise assessment conforming to a methodology agreed by the Local Planning Authority to determine whether noise arising from development exceeds the levels specified in condition 5 and/or 6 above. The assessment shall be undertaken under the supervision of the Local Authority. In the event that Conditions 5 and/or 6 are exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the noise level specified in conditions 5 and/or 6. The development shall then be undertaken in accordance with the approved details.
- 7 The access and turning area required, shall be wholly provided 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 access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 8 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 9 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.
- 10 No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.

## **Reasons**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To confirm the extent of the permission and in the interest of visual amenity.
- 3 To enable the Local Planning Authority to retain effective control over the use of the premises in the interests of highway safety and residential amenity.
- 4-6 To protect the amenity of neighbouring residents.
- 7-10 In the interest of Highway Safety.

## 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 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)).

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*Ardal  
Gorllewin/  
Area West*

**ADRODDIAD PENNAETH  
CYNLLUNIO,  
CYFARWYDDIAETH YR AMGYLCHEDD**

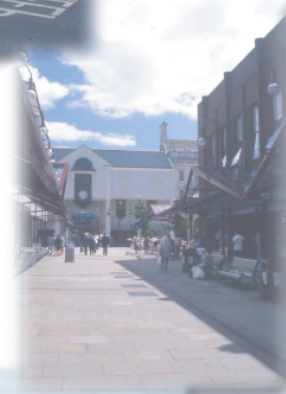
**REPORT OF THE  
HEAD OF PLANNING,  
DIRECTORATE OF ENVIRONMENT**

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

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

**AR 30 MEHEFIN 2020  
ON 30 JUNE 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.**



<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>30.06.2020</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

**INDEX - AREA WEST**

<b>REF.</b>	<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>	<b>PAGE</b>
<b>W/39871</b>	<b>CONVERSION OF BARN INTO A HOLIDAY LET AT PANTYBARCUD, VELINDRE, LLANDYSUL, SA44 5XJ</b>	<b>59</b>
<b>W/40201</b>	<b>DEMOLITION OF EXISTING KITCHEN, BATHROOM AND OUTBUILDING. CONSTRUCTION OF SINGLE STORE FLAT ROOF EXTENSION TO DWELLING TO INCLUDE KITCHEN AND BATHROOM AT 53 HILLCROFT, HEOL BLAENHIRWAUN, DREFACH, LLANELLI, SA14 7AJ</b>	<b>67</b>

<b>REF.</b>	<b>APPLICATIONS RECOMMENDED FOR REFUSAL</b>	<b>PAGE</b>
<b>W/39913</b>	<b>CONVERSION OF A PRINCIPAL OUTBUILDING, THE DISMANTLE AND RECONSTRUCTION OF AN ATTACHED EXISTING OUTBUILDING TOGETHER WITH A CONNECTING EXTENSION TO FORM TWO HOLIDAY ACCOMMODATION UNITS AT BWLCH, CAPEL IWAN, NEWCASTLE EMLYN, SA38 9NW</b>	<b>74</b>

**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>W/39871</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CONVERSION OF BARN INTO A HOLIDAY LET AT PANTYBARCUD, VELINDRE, LLANDYSUL, SA44 5XJ

<b>Applicant(s)</b>	MRS ROBERTS, PANTYBARCUD, VELINDRE, LLANDYSUL, SA44 5XJ
<b>Agent</b>	ALED THOMAS PLANNING DESIGN LTD, CAECEITHIN, FFAIRFACH, LLANDEILO, SA19 6PY
<b>Case Officer</b>	Helen Rice
<b>Ward</b>	Llangeler
<b>Date of validation</b>	27/11/2019

## Reason for Committee

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

## Site

The application site comprises a stone outbuilding within a former farmyard courtyard setting in the countryside west of the village of Drefach Felindre. The site is accessed via a minor road that leads from the road between Drefach Felindre and Cwmpenraig to the site and onwards to serve a number of other dwellings before returning to the main road within the village of Cwmpenraig. The access road down to the application site is also a public footpath with a further public footpath running through the courtyard area down into the valley where it connects with a series of other footpath networks.

The building the subject of the application comprises a single storey traditional building comprising primarily of stone walls under a slate roof with some small sections of rendered walls and some concrete block sections. The building lies due opposite the host dwelling known as Pantybarcud and whilst originally would have been used as an agricultural building it is now used in association with the wider residential use of the host dwelling. Due to its position on the valley side the land slopes from east to west, with the existing barn stepping down to respond to the site's topography. The wider area is characterised by other interspersed dwellings and farmsteads which are largely screened from views due to existing vegetation and the local topography.

## Proposal

The proposal seeks conversion of the existing building into a 1 bedroom holiday let. The works would include a small extension to the eastern end of the barn that would have the effect of rounding off the existing building. All existing openings on the northern (front) elevation would remain with only new openings added to the southern (rear) elevation. The existing southern end would be partially altered to change the existing roof pitch to match that of the main building. Proposed materials include natural slate roof, timber weather boards, timber windows and doors with slate cills and stone walls as required for the areas to be altered. Access to the site would be via the existing road, albeit would be separated from the existing access into the main courtyard area. Ample space for car parking and amenity would be provided towards the rear of the unit.

## Planning Site History

No relevant planning history.

## Planning Policy

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

SP1 Sustainable Places and Spaces

SP14 Protection and Enhancement of the Natural Environment

SP15 Tourism and the Visitor Economy

GP1 Sustainability and High Quality Design

H5 Adaptation and Re-use of Rural Buildings for Residential Use

TR3 Highways in Developments- Design Considerations

EQ4 Biodiversity

TSM4 Visitor Accommodation

[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** - No objection subject to imposition of conditions.

**Public Rights of Way Officer** – Confirm that footpaths 12/129 and 12/130 abuts and crosses the site respectively and requests that if planning permission is to be granted that reference should be made to the existence of these footpaths and the legal requirement not to obstruct or encroach upon them at any time and that any alterations to the surface of footpaths will require prior approval from the Local Authority.

**Llangeler Town / Community Council** – No objections

**Local Member(s)** - Councillor Ken Howell is a member of the Planning Committee and has made no prior comment.

**Natural Resources Wales** – no objection on grounds that development is not likely to be detrimental to the maintenance of the population of bats at a favourable conservation status in its natural range. Advised that use of a septic tank may require separate permit or registration from NRW.

**Dyfed Archaeological Trust** – no objection subject to the imposition of a condition requiring the submission of a photographic survey of the building prior to any works commencing as the building is recorded on the 1888 1<sup>st</sup> edition Ordnance Survey map as part of the wider farmstead and is considered to be of historical interest. The survey would ensure that a record of the building is maintained in the interests of cultural heritage.

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

## Summary of Public Representations

The application was the subject of notification by way of site notice. 2 objections from separate households were received as a result and the matters raised of pertinence to this application are summarised as follows:

- Increase in traffic through neighbouring yard area affecting health and safety of occupiers and farm animals.
- Increased risk of agricultural gates being left open along footpath/access road.
- Applicants should contribute towards upkeep of track.
- Existing track not suitable for additional use and is subject to subsidence.
- Property already converted into 2 self-contained units with new bathroom added.
- Annex to the barn being used for commercial activities.
- Not notified in writing of the application.

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

## Appraisal

The main issues of this application are considered to be whether the principle of development is acceptable, whether the development would have an unacceptable impact upon the character and appearance of the area and the living conditions of nearby residents and farms, whether the development would give rise to unacceptable impacts upon the highway and any impact upon biodiversity interests.

### ***Principle of development***

This development seeks to convert an existing traditional stone former agricultural barn into a holiday let which is generally supported by the Council under policy TSM4 of the LDP subject to adherence with the criteria set out in Policy H5. Policy H5 specifically requires buildings proposed for conversion to be structurally sound, substantially intact and of sufficient size to accommodate the proposed use without extensive alteration, extension or reconstruction. It is considered in this case that the proposal complies within this policy in that the submitted structural survey confirms that the building is capable of conversion and whilst some alterations are required these are not considered to be substantial. Furthermore, the policy requires such proposals to retain architectural features and traditional materials with no significant loss of the character and integrity of the original structure. In this regard the proposal fully complies in that limited new

openings are proposed and all existing opening will be maintained with the use of traditional materials. It is considered that the resultant proposal will retain the existing appearance of the traditional building whilst bringing it back into beneficial use and therefore safeguarding its contribution to the wider area which the policy principally seeks to achieve. It is therefore considered that in principle the proposal complies with policy TSM4 and H5 of the LDP.

### ***Impact upon character and appearance of the area***

Further to the above assessment of the proposals, given that the resultant building would largely retain existing features and would not include significant alterations it is not considered that the proposal would have an unacceptable impact upon the appearance of the building. Whilst there will be some changes to the character and appearance of its immediate environs due to the difference in use, it is not considered that these changes would be so significant to raise concerns. The site is well screened by existing vegetation and topography and would in any event be viewed within the wider context of the former farmyard complex. It is therefore considered that the proposal complies with Policy GP1 (a), (b) and (c) of the LDP.

### ***Impact on nearby residents/users/businesses***

The application site is located within its own courtyard area and whilst there are properties nearby these are some distance away and largely separated by agricultural land, changes in land levels and vegetation. It is therefore not anticipated that any unacceptable impacts on the living conditions of nearby properties will occur. It is acknowledged that concerns have been raised by one objector referring to an increase in footfall and users of the holiday let raising the risk of biosecurity breaches such as leaving gates open etc. Whilst acknowledged, it is not considered that the creation of one additional holiday let would have a noticeable increase in footfall along the existing public footpaths within the area. The application is therefore considered to comply with Policy GP1 (d) of the LDP.

### ***Highway Impacts***

A number of concerns have been raised in relation to the proposals impact upon the access road. This primarily stems from the perceived increase in traffic generated as a result of the development. The access road as referred to above is a single lane narrow road with a poor surface standard which serves a number of properties along its length. The access is not maintained by the Council but provides a route for public footpaths. The concerns raised by a resident along the road are noted however, the proposed development is for a 1 bed holiday let and it is not considered that this can be attributed to a significant increase in traffic generation to warrant concerns from a highway use perspective. Matters concerning the upkeep of the road is a matter for the relevant owners and users. The Highways Officer has reviewed the application and confirms that given the small scale nature of the proposal no concerns are raised in relation to highway safety. The site is clearly very well serviced by public footpaths and therefore occupiers of the holiday let can easily access the footpath network without use of a private car. The village of Drefach Felindre and its services and facilities is approximately 800m from the property via the public footpath network and as such, for a rural location, the development site is well connected. The application is therefore considered to comply with Policy GP1 (h) and TR3 of the LDP.

### ***Biodiversity Impacts***

The proposal includes the conversion of a rural building in a wooded area near to a stream and is therefore has the potential to accommodate protected species such as bats. The application is supported by a bat survey that confirms that bats utilise the existing barn. NRW has confirmed that on the basis of the bat survey report the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. An European Protected Species Licence from NRW would be required in any event before works are undertaken. The Authority's Planning Ecologist has also confirmed the need for an EPS Licence and raises no objection to the scheme subject to the imposition of conditions requiring the recommendations in the bat survey to be adhered to and the submission of alighting scheme prior to their installation. On this basis the application is considered to comply with policies SP14 and EQ4 of the LDP.

### ***Other Matters raised by third parties***

Objectors have raised concerns that the barns are currently being used for commercial purposes and the property has already been split into 2 self-contained units. The applicant has since qualified that whilst the property had an annexe previously this is no longer the case and use of the barns opposite the dwelling relate to uses which are considered to be ancillary to the use of the dwellinghouse. In terms of notification of the application, Officers confirm that the application was publicised in accordance with planning legislation.

## **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 the proposed development includes an appropriate re-use of a traditional barn of architectural character and quality that can withstand the proposed conversion works without substantial alterations and/or re-instatement. The works proposed are sensitively designed with limited new interventions and the proposed use of natural and traditional materials. Sufficient amenity and parking space is to be provided and it is not considered that the development would have an unacceptable impact upon highway safety by reason of its scale and nature. The property is well connected by existing public footpath networks and is within walking distance via the footpath and highway network to nearby Drefach Felindre. Subject to adherence with the submitted bat survey and an EPS licence no concerns are raised in relation to biodiversity. The application is therefore considered to comply with policies SP1, SP14, GP1, H5, TSM4, EQ4 and TR3 of the Carmarthenshire Local Development Plan 2014 and is therefore recommended for the approval subject to the following conditions:

# Recommendation

## Conditions

- 1 The works hereby granted consent shall be commenced before the expiration of two years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
  - 1:2500 scale Location Plan received 15 November 2019
  - 1:500 scale Block Plan received 15 November 2019
  - 1:100 scale Proposed Ground Floor Plan (05) received 6 October 2019
  - 1:100 scale Proposed Elevations (04A) received 6 October 2019
  - 1:100 scale Proposed Roof Plan (06) received 6 October 2019
  - Condition Report and Structural Survey by SWS Limited received 6 October 2019
  - Bat Survey Report by Ecology Planning received 15 November 2019
- 3 The development hereby approved shall be carried out strictly in accordance with the proposed avoidance, mitigation and compensation measures as detailed in Sections 5.7 - 5.12, 5.14 – 5.20 (inclusive), Appendix 2 and Plan 2 of the Bat Survey Report by Ecology Planning received 15 November 2019.
- 4 Prior to the installation of any external lighting a detailed lighting plan, focusing particularly on minimising lighting impacts near to proposed bat roosts and maintaining flight lines and dark corridors shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details.
- 5 No development shall take place (including clearance, stripping out or demolition) until a photographic survey of the existing building(s) has been carried out in accordance with guidelines first provided by the Local Planning Authority. The resulting photographs shall be submitted to the Local Planning Authority and sent to the regional Historic Environment Record, currently held and maintained by the Dyfed Archaeological Trust, the Shire Hall, Carmarthen Street, Llandeilo, Carmarthenshire, SA19 6AF, (Tel 01558-823121).
- 6 The development hereby approved shall be used for holiday accommodation only and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning(Use Classes)Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
- 7 The holiday accommodation hereby approved shall not be occupied as a person's sole or main place of residence or by any persons exceeding a period of 28 days in any calendar year. An up to date register shall be kept at the holiday accommodation hereby approved and be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the



names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

- 8 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, amending and re-enacting that Order), no development of the types described in Schedule 2, Part 1, Classes A, B, C, D, E, G and H other than that hereby approved, shall be carried out without the written permission of 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.
- 3-4 In the interests of biodiversity.
- 5 To maintain a historic record of the building in the interests of cultural heritage and to accord with policy GP1 of the Carmarthenshire Local Development Plan 2014.
- 6-7 To clarify the nature of the development and avoid the creation of unencumbered dwelling in the open countryside that would be contrary to National and Local planning policies and guidance.
- 8 To exert control over the future development of the site to ensure that the character and appearance is maintained and to accord with policy GP1 of the Carmarthenshire Local Development Plan 2014.

## Notes

- 1 **Warning: An European protected species (EPS) Licence is required for this development.** This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>.
- 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](http://www.carmarthenshire.gov.uk)).

<b>Application No</b>	<b>W/40201</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	DEMOLITION OF EXISTING KITCHEN,BATHROOM AND OUTBUILDING. CONSTRUCTION OF SINGLE STORE FLAT ROOF EXTENSION TO DWELLING TO INCLUDE KITCHEN AND BATHROOM AT 53 HILLCROFT, HEOL BLAENHIRWAUN, DREFACH, LLANELLI, SA14 7AJ

<b>Applicant(s)</b>	MR STEPHEN & MRS KATHRYN THOMAS, GODRIG, 15 HEOL BLAENHIRWAUN, DREFACH, LLANELLI, SA14 7AJ
<b>Agent</b>	
<b>Case Officer</b>	Eilian Jones
<b>Ward</b>	Gorslas
<b>Date of validation</b>	11/02/2020

## Reason for Committee

This application is being reported to the Planning Committee as the applicant is an employee of the Development Management Service

## Site

The application property is a two-storey semi-detached dwelling, located within a small group of approximately 10 residential properties outside any defined development limits on Blaenhirwaun Road, between the settlements of Drefach and Cefneithin. The property has a small area of hard landscaped garden to the front, parking to the side and a relatively long rear garden with outbuildings.

## Proposal

The application seeks consent to demolish a number of existing single-storey rear extensions, outbuildings and garage and construct a replacement single-storey rear extension.

The proposed extension would measure 5.1m x 5.7m. It would be finished with a flat roof reaching a maximum height of 2.9m. The extension would have an internal height of 2.3m, however there is a slight slope in the ground and an overall maximum height of 2.9m in necessary to provide a level internal finished floor level.

## **Planning Site History**

None.

## **Planning Policy**

Carmarthenshire Local Development Plan (Adopted December 2014) ('the LDP')  
SP1 Sustainable Places and Spaces  
GP1 Sustainability and High Quality Design  
GP6 Extensions  
TR3 Highways in Developments – Design Considerations

Carmarthenshire Supplementary Planning Guidance

National Planning Policy and Guidance

Planning Policy Wales (PPW) Edition 10, December 2018 is considered relevant to the determination of this application.

The following Technical Advice Notes (TANs) published by Welsh Government are considered relevant to the determination of this application:

TAN 12 Design (2016) seeks to promote sustainability principles through good design and identifies how Local Planning Authorities can facilitate this process through the planning system.

## **Summary of Consultation Responses**

Gorslas Community Council - No observations received to date.

Local Members - Councillor Darren Price has not commented to date.  
Councillor Aled Vaughan Owen has not commented to date.

Dwr Cymru/Welsh Water – No objections subject to a condition relating to drainage.

All representations can be viewed in full on our website.

## **Summary of Public Representations**

The application was the subject of notification by way of neighbouring letters. No representations have been received.

## **Appraisal**

The application seeks consent to demolish a number of existing single-storey rear extensions, outbuildings and garage and construct a replacement single-storey rear extension. The existing structures have no significant design merit and cumulatively cover a larger footprint than the proposed extension. The principle of the proposal is acceptable by virtue of Policy GP6 of the adopted Carmarthenshire Local Development Plan (CLDP) which refers to extensions to existing dwellings.

Whilst the proposed extension would be finished with a flat roof, which is not entirely compatible with the pitched roof of the host dwelling, it is considered that such a design would be subordinate to the host dwelling and would not unduly harm visual amenity. In this regard, the proposed extension would be located at the rear of the property and the nearest public position is the road of Heol Blaenhirwaun. Due to the presence of other properties on both sides of the property, public views of the rear of the property is very limited and only glimpses of the proposed extension would be possible. In addition to this, the rear garden slopes upwards and away from the property with the highest point being at the far-end of its curtilage. Due to this arrangement and the inclusion of a flat roof, the proposed extension would appear in a rather sunken position which assists in reducing its public visibility. It is also recognised that the existing extensions have ad-hoc designs and some having a flat roof. The proposed extension would have a uniformed design and the plans state that the external finishes would match those used in the existing property, namely render and white coloured window frames and rainwater goods. Finally, it is possible that a similar flat roof extension but with a shorter projection of 4m could be constructed under permitted development. Having regard to the above factors, it is considered that the proposed development would not have any significant adverse effect on visual amenity and satisfies Policies SP1, GP1 and GP6 of the CLDP.

There are two immediate residential properties adjacent to the application site. The adjoining property, Glenydd (No. 55), has a single set of patio doors on its ground floor rear elevation, leading out to its rear garden. The patio doors however face north and, as such does not benefit from high levels of natural light from the sun.

The proposed extensions at the application property would be at a right angle and north-west of the patio doors. The existing extensions are already built on the boundary with Glenydd and whilst the proposed extension would be in a similar position and marginally taller than the existing structure, it would have a shorter projection. As a result, it is considered that the proposal would not have any significant adverse effect on the amenities of the neighbouring property, with particular regards to light, dominance and outlook. The proposed extension would not have any windows on its side elevation facing this neighbouring property and, as such, there would be no loss of privacy. However, given that the proposed extension would be built up to the boundary with the neighbouring property and no other boundary treatments are proposed, it is considered necessary to impose a condition restricting the ability to insert any windows on this elevation under permitted development rights.

The other rear-facing windows at first floor of Glenydd are positioned higher than the proposed extension and would not be adversely affected. Due to the single-storey scale of the proposed extension, it is considered that the rear outdoor amenity space of Glenydd would not be unreasonably affected by the proposal.

The other neighbouring property is Bronnant (No. 51). The proposed extension would be set-in from the boundary with this property and would be predominantly screened by the blank gable wall of the integral garage of the neighbouring property. Due to this arrangement, it is considered that the proposed single-storey extension would not have any significant adverse effect on the amenities of the neighbouring property, with particular regards to light, dominance and outlook.

The side elevation of the proposed extension would have two windows facing Bronnant. One of the rooms is non-habitable (shower room) and would be adequately screened by

the blank gable wall of the integral garage of the neighbouring property. The other window would serve a habitable room (dining room). This windows would face the rear garden of Bronnant following the demolition of the garage at the application site. As such, it is considered necessary to impose a condition for the agreement of boundary treatment adjacent to this neighbouring property, in the interests of safeguarding privacy and residential amenity.

Having regard to the above, it is considered that the proposal would not have any unreasonable adverse effect on the residential amenities of any neighbouring properties, thereby satisfying Policies SP1, GP1 and GP6 of the CLDP.

The existing garage to be demolished is considered too small to accommodate a vehicle and the proposed extension would not generate any additional demand for additional parking. The property benefits from adequate outdoor amenity space. Welsh Water has no objections subject to a condition relating to drainage.

## **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 the proposed development is acceptable and would not have any significant adverse effect on visual amenity, residential amenity, general amenity, drainage infrastructure, parking and highway/pedestrian safety, thereby satisfying Policies SP1, GP1, GP6 and TR3 of the adopted Carmarthenshire Local Development Plan, Planning Policy Wales (Edition 10) and Technical Advice Note 12: Design.

## **Recommendation – Granted with Conditions**

### **Conditions**

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans:

Proposed Elevations and Section A-A (Scales 1:50, 1:100, received 6 February 2020)

Proposed Ground Floor Plan (Scale 1:50, received 6 February 2020)

Proposed Side Elevation (Scale 1:100, received 13 March 2020)

- 3 No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.
- 4 No windows or openings shall be created on the north-eastern elevation of the extension hereby approved without the prior written approval of the Local Planning Authority.
- 5 No development shall commence until there has been submitted and approved in writing by the Local Planning Authority details of boundary treatments to be erected between the extension hereby approved and the neighbouring property, Bronnant (No. 51 Heol Blaenhirwaun). The boundary treatment shall be erected in accordance with the approved details and completed prior to the beneficial use of the extension hereby approved. The boundary treatments shall then be retained as approved in perpetuity.

## Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interests of visual amenity and for the avoidance of doubt or confusion as to the extent of the permission hereby granted.
- 3 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
- 4-5 In the interests of privacy and residential amenities.

## 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 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)).



**APPLICATIONS RECOMMENDED FOR REFUSAL**

<b>Application No</b>	<b>W/39913</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CONVERSION OF A PRINCIPAL OUTBUILDING, THE DISMANTLE AND RECONSTRUCTION OF AN ATTACHED EXISTING OUTBUILDING TOGETHER WITH A CONNECTING EXTENSION TO FORM TWO HOLIDAY ACCOMMODATION UNITS AT BWLCH, CAPEL IWAN, NEWCASTLE EMLYN, SA38 9NW

<b>Applicant(s)</b>	MR & MRS L EVANS, BWLCH, PANT Y BWLCH, CAPEL IWAN, NEWCASTLE EMLYN, CARMARTHENSHIRE, SA38 9NW
<b>Agent</b>	JOHN DAVIS ARCHITECTURAL SERVICES, COED CELYN, SARON, LLANDYSUL, CARMARTHENSHIRE, SA44 5DY
<b>Case Officer</b>	Helen Rice
<b>Ward</b>	Llangeler
<b>Date of validation</b>	04/12/2019

## Reason for Committee

This application is being reported to the Planning Committee following a call-in request by Councillor Ken Howell on grounds that the application is to be considered under policy H5 of the LDP and has suggested that a site visit may be required.

## Site

The application site comprises a stone outbuilding within a farmyard courtyard setting in a countryside location 4km south of Newcastle Emllyn. The site lies directly adjacent to a highway which leads from the main B4333 towards the hamlet of Cwmorgan. The building the subject of the application is a substantial attractive stone outbuilding that is perpendicular with the highway along with a smaller dilapidated former pig sty structure that situated at a right angle to the principal barn further within the farm yard area. The surrounding topography generally slopes up from the adjacent highway to the south and therefore the resultant land around the barn rises upwards with the former pig sty on a higher ground level than the southern end of the principal barn. The associated farmhouse lies directly opposite the barn with further more modern agricultural barns located to the north and west. The nearest property to the site lies approximately 80m to the south west.

## Proposal

The proposal seeks conversion of the principal barn building and the demolition of the former pig sty and its replacement with a two storey building in order to create 2 units of holiday accommodation comprising 1no. 3 bed unit and 1no. 1 bed unit. Works to the principal barn building are fairly limited with the proposed conversion largely utilising existing openings with the exception of the insertion of velux windows in the roof plane of the single storey lean-to element directly adjacent to the highway and alterations to existing openings to provide wider door openings and fixed windows. The existing random stonework walls would all be retained along with the natural slate roof with the intention to use uPVC or powder coated aluminium windows and doors.

The existing former pig sty single storey element is to be demolished in its entirety and a new building erected up to two storey height adjoining the northern elevation of the principal barn. The new building would be finished with part random stonework and part render under a natural slate roof with uPVC or powder coated aluminium windows and doors. The north eastern (proposed front) elevation of the new building would have a floor-to-ceiling and part roof window opening that would create an internal mezzanine landing area that would subsequently lead into a 1 bedroom bed-sit unit within the upper storey of the main principal barn building. This 1 bed bed-sit style unit forms part of the main 3 bed unit that would be created as a result partly of the conversion of the main building area into a sitting area and kitchen dining area with the two bedrooms, bathroom and main entrance area provided in the ground floor area of the newly built element. The further 1 bed unit would be located within the southern end of the main principal barn building and the adjoining single storey lean-to.

It is proposed to create a stepped external ground level along the proposed front elevation of the barn area to create a level threshold into the two separate units along with patio areas. The two patio areas would be separated by an external stone wall.

Access to the barn is to be provided by an existing opening onto the highway which is separate from the access to the associated existing dwelling, and would lead into a parking and turning area.

## Planning Site History

An identical application (W/39459) for 'conversion of a principal outbuilding, the dismantle and reconstruction of an attached existing outbuilding together with a connecting extension to form two holiday accommodation units' was refused planning permission in November 2019, on the following grounds:

- 1 The proposal, by reason of the proposed re-construction of the existing dilapidated pig sty and its replacement with a larger building including a two storey extension with rendered elevations and large glazing to enable the creation of a large 3 bedroom holiday unit, would have an unacceptable impact upon the traditional character and appearance of the existing traditional stone barn. The proposal amounts to an extensive alteration, extension and re-construction to facilitate the creation of two holiday units and as such is considered contrary to Policies TSM4 and H5 of the Carmarthenshire County Local Development Plan 2014 and paragraph 3.4.1 of Technical Advice Note 23: Economic Development February 2014.

It is relevant to note that Officers had advised the agent at the time that the proposal was unlikely to be favourably considered due to the amount of re-construction proposed but suggested that a reduction to a single storey extension could be favourably considered. However, the applicant chose not to amend the scheme.

The application now before the Planning Committee is the resubmission of the above application with no alterations or changes proposed to that which was refused.

## Planning Policy

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

SP1 Sustainable Places and Spaces

SP14 Protection and Enhancement of the Natural Environment

SP15 Tourism and the Visitor Economy

GP1 Sustainability and High Quality Design

H5 Adaptation and Re-use of Rural Buildings for Residential Use

TR3 Highways in Developments- Design Considerations

EQ4 Biodiversity

TSM4 Visitor Accommodation

[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 Transport** – did not offer any objections on the previous scheme which is identical to the current scheme, subject to the imposition of a condition to secure the proposed car parking and turning area.

**Llangeler Town / Community Council** – No objections

**Local Member(s)** - Councillor Ken Howell is a member of the Planning Committee and has requested that the application is considered by the Planning Committee including a possible site visit as mentioned above.

**Natural Resources Wales** – no objection subject to imposition of condition to ensure that the proposal complies with the submitted bat survey. Advice also given to the developer in relation to the proposed package treatment plant.

**Dyfed Archaeological Trust** – no objection subject to the imposition of a condition requiring the submission of a photographic survey of the existing buildings prior to any works commencing as the buildings are recorded on the 1889 1<sup>st</sup> edition Ordnance Survey map as part of the wider farmstead and is considered to be of historical interest. The survey would ensure that a record of the building is maintained in the interests of cultural heritage.

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

## Summary of Public Representations

The application was the subject of notification by way of site notice. No letters were received as a result.

## Appraisal

The main issues of this application are considered to be whether the principle of development is acceptable, whether the development would have an unacceptable impact upon the character and appearance of the area, whether the development would give rise to unacceptable impacts upon the highway and any impact upon biodiversity interests.

### *Principle of development*

This development seeks to convert an existing traditional stone former agricultural barn into a holiday let which is generally supported by the Council under policy TSM4 of the LDP subject to adherence with the criteria set out in Policy H5. Policy H5 specifically requires buildings proposed for conversion to be structurally sound, substantially intact and of sufficient size to accommodate the proposed use without extensive alteration, extension or reconstruction.

It is considered that the proposed works to the main principal barn complies within this policy in that the submitted structural survey confirms that the main building is capable of conversion with only limited alterations and changes in the proposed openings. The proposed works to the main barn would also retain architectural features and traditional materials in terms of the walls and roof with no significant loss of the character and integrity of the original structure. Therefore no concerns in terms of the principle of development are raised in relation to the main barn.

However, the second element of the proposal includes the demolition and removal of the former pig sty building and the erection of a new two storey extension building to provide the main entrance way, bedrooms and a bathroom along with a mezzanine level providing access to a bed sit style area. This element is considered to directly conflict with Policy H5 in that it amounts to substantial reconstruction in order to create areas for principal rooms to create an additional accommodation unit. It is also suggested that the first floor bed-sit style unit could be capable of being its own independent unit and therefore the proposal could be utilised as 3 separate units. This part of the proposal is therefore tantamount to the erection of a new independent unit of accommodation in the countryside which directly conflicts with policy TSM4 and H5 of the LDP.

The principal aim of the policies is to enable the retention of existing rural buildings of architectural merit that are no longer suitable for their original use by allowing their conversion to a more suitable use as well as supplementing the rural economy. However, when this subsequently necessitates the erection of new buildings, it conflicts with this policy objective which is underpinned by national planning policy as set out in PPW and TAN23.

Whilst officers acknowledge a degree of flexibility can be applied (as indeed is the case here in that it has previously been advised that a single storey new build section which would reflect the scale and character of the former pig sty building could be considered acceptable), the proposals as submitted are considered to go beyond the level of flexibility that could be applied. The application before Members is the resubmission of an

application that was refused planning permission in November 2019 and no attempt has been made by the applicant to address the reasons for refusal.

It is therefore considered that despite no concerns regarding the proposed conversion of the main barn building, the demolition and subsequent reconstruction of a two storey extension amounts to a substantial re-construction to accommodate principal rooms to enable the creation of 2, potentially 3, separate units of holiday accommodation. These works are deemed to amount to new development that, by reason of its scale, design and use of materials would detract from the character of the original barn which, as evidenced by the response from Dyfed Archaeology is of historical interest. The proposal is therefore contrary to policies TSM4 and H5 of the LDP along with guidance set out in paragraph 3.2.1-3.2.3 of Welsh Government's Technical Advice Note 23: Economic Development February 2014.

### ***Impact upon character and appearance of the area***

The proposal, with the exception of the proposed two storey extension, would not have a significant impact upon the character and appearance of the area in that the main principal building would largely remain as is. Changes to the appearance of the external areas will inevitably occur as a result of the proposal through formalisation of the existing hardstanding to create the parking and turning area and changes in levels but these are not considered to have an unacceptable impact upon the character and appearance of the wider area. Whilst the two storey element would not necessarily have a detrimental impact upon the character and appearance of the area, it is maintained that its introduction in the form proposed would detract from the overall strong traditional stone and slate finished barn. It is therefore considered that whilst the proposal generally would not have an unacceptable impact, the introduction of the two storey building would result in a building that would detract from the character and appearance of the principal building. It can therefore not be concluded that the proposal complies with policy GP1(a) of the LDP.

### ***Highway Impacts***

The proposal includes an area of existing hardstanding accessed from the adjacent highway to provide car parking and turning area of sufficient size to accommodate the proposal. No concerns are raised by the highway officer and as such the application complies with Policy GP1 (h) and TR3 of the LDP.

### ***Biodiversity Impacts***

The application is supported by a bat survey that confirms that bats utilise the existing barn. NRW has confirmed that on the basis of the bat survey report the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. Nevertheless, an European Protected Species Licence from NRW would be required in any event before works are undertaken. The Authority's Planning Ecologist has also confirmed the need for an EPS Licence and raises no objection to the scheme subject to the imposition of conditions requiring the recommendations in the bat survey to be adhered to and details of proposed nesting birds mitigation measures. On this basis the application is considered to comply with policies SP14 and EQ4 of the LDP.

## **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 the proposed re-construction of the existing dilapidated pig sty and its replacement with a larger building including a two storey extension with rendered elevations and large glazing to enable the creation of a large 3 bedroom holiday unit (potentially additional 1 bed unit), would have an unacceptable impact upon the traditional character and appearance of the existing traditional stone barn. The proposal amounts to an extensive alteration, extension and re-construction to facilitate the creation of two holiday units and as such is considered contrary to Policies TSM4 and H5 of the Carmarthenshire County Local Development Plan 2014 and paragraph 3.4.1 of Technical Advice Note 23: Economic Development February 2014. Whilst no objections are raised in relation to highways or biodiversity impacts, it is not considered that this would amount to a material planning consideration to justify approval against LDP policies. The application is therefore recommended for refusal on the following grounds:

### **Recommendation - Refusal**

#### **Reason for Refusal**

- 1 The proposal, by reason of the proposed re-construction of the existing dilapidated pig sty and its replacement with a larger building including a two storey extension with rendered elevations and large glazing to enable the creation of a large 2 bedroom holiday unit, would have an unacceptable impact upon the traditional character and appearance of the existing traditional stone barn.

The proposal amounts to an extensive alteration, extension and re-construction to facilitate the creation of two holiday units and as such is considered contrary to Policies TSM4 and H5 of the Carmarthenshire County Local Development Plan 2014 and paragraph 3.4.1 of Technical Advice Note 23 : Economic Development February 2014.





## PLANNING COMMITTEE

11 FEBRUARY 2020

**PRESENT:** Councillor A. Lenny (Chair)\*

**Councillors:**

S.M. Allen, J.M. Charles, I.W. Davies, J.A. Davies, P.M. Edwards, W.T. Evans, S.J.G. Gilasbey, J.K. Howell, J.D. James, H.I. Jones, M.J.A. Lewis, K. Madge and J.E. Williams

**Also in attendance:**

Councillor R. James in respect of Planning Application S/39984;  
Councillors S. L. Davies and D. Cundy in respect of Planning Application S/39538;  
Councillor. D.T. Williams in respect of Planning Application W/39625.

**The following Officers were in attendance:**

L. Quelch, Head of Planning;  
J. Thomas, Senior Development Management Officer [South];  
G. Noakes, Senior Development Management Officer [East];  
Z.A. Evans, Senior Technician (Planning Liaison);  
S. Murphy, Senior Solicitor;  
J. Owen, Democratic Services Officer.

**Chamber, County Hall, Carmarthen, SA31 1JP: 1.30pm - 3.55pm**

**[Note:** \*Cllr. H. I. Jones Chaired the meeting for planning applications S/39358 and E/39463 in place of Cllr. A. Lenny (Chair) as he was not present at the earlier site visits and therefore did not participate in the determination or vote on the decision of the applications.]

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors C. Jones, D. Jones, B.D.J. Phillips and G.B. Thomas.

**2. DECLARATIONS OF PERSONAL INTERESTS**

There were no declarations of personal interest.

**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/39358 - CHANGE OF USE OF THE PROPERTY FROM A CLASS C3 RESIDENTIAL DWELLING TO A CLASS C2 CHILDRENS RESIDENTIAL HOME AT 2 ERW LAS, LLWYNHENDY, LLANELLI, SA14 9SF**

[Councillor A. Lenny was not present at the site visit and therefore did not participate in the determination or vote on the decision of this application.]

The Senior Development Management Officer (South) referred to the private site visit undertaken by the Committee earlier that day (minute 5.1 of the Planning Committee held on the 14<sup>th</sup> January, 2020 refers), the purpose of which was to enable the Committee to view the site in light of concerns raised locally regarding the impact on the amenities. He referred, with the aid of PowerPoint slides, to the written report of the Head of Planning which provided an appraisal of the site together with a description of the proposed development, a summary of consultation responses received and information relating to the local and national policies relevant to the assessment of the application.

The Committee was advised that the Head of Planning was recommending approval of the application for the reasons detailed within the written report.

Representations were received from the Local Member, Town Council and residents objecting to the application re-iterating the objections detailed within the Head of Planning's report. The main areas of concern being that the location was inappropriate/unsuitable, increased noise, highway safety, potential to flooding and lack of information/assurance regarding the regulation of the property.

The Senior Development Management Officer (South), Senior Technician (Planning Liaison) and the applicant's agent responded to the issues raised by the objectors.

**RESOLVED that:**

**3.1.1 Planning Application S/39358 be refused, contrary to the recommendation of the Head of Planning of concerns relating to Policies H6, TAN5, EP3 and GP1;**

**3.1.2 Officers to report back to the Planning Committee outlining the reasons for refusal.**

**3.2. E/39463 - PROPOSED DEMOLITION, AND ERECTION OF TWO STOREY REAR EXTENSION. REPLACEMENT OF GARAGE ROOF TO A TRADITIONAL SADDLE ROOF WITH TIMBER KINGPOST AT 29 CWMFFERWS ROAD, TYCROES, AMMANFORD, SA18 3TU**

[Councillor A. Lenny was not present at the site visit and therefore did not participate in the determination or vote on the decision of this application.]

The Senior Development Management Officer referred to the private site visit undertaken by the Committee earlier that day (minute 3.2 of the Planning Committee held on the 30<sup>th</sup> January, 2020 refers), the purpose of which was to enable the Committee to view the site in light of objections received. He referred, with the aid of PowerPoint slides, to the written report of the Head of Planning which provided an appraisal of the site together with a description of the proposed development, a summary of consultation responses received and information relating to the local and national policies relevant to the assessment of the application.

The Committee was advised that the Head of Planning was recommending refusal of the application for the reasons detailed within the written report.

A statement was read out on behalf of Local Member Cllr. K. Davies in support of the application.

**RESOLVED that Planning Application E/39463 be refused for the reasons as detailed within the report of the Head of Planning.**

**3.3. W/39625 - PROPOSED RESIDENTIAL DEVELOPMENT OF 6 NO. AFFORDABLE HOUSING UNITS. THE APPLICATION IS ALSO TO INCLUDE, INFRASTRUCTURE, PARTIAL HEDGEROW REMOVAL, LANDSCAPING IMPROVEMENTS, BIODIVERSITY MITIGATION & ENHANCEMENTS; AND ANY ANCILLARY WORKS AT LAND OFF, HIGH STREET, ABERGWILI, CARMARTHEN, SA31 2JA**

The Senior Development Management Officer referred to the private site visit undertaken by the Committee earlier that day (minute 5.2 of the Planning Committee held on the 30<sup>th</sup> January, 2020 refers), the purpose of which was to enable the Committee to view the site in light of objections received. He referred, with the aid of PowerPoint slides, to the written report of the Head of Planning which provided an appraisal of the site together with a description of the proposed development, a summary of consultation responses received and information relating to the local and national policies relevant to the assessment of the application.

The Committee was advised that the Head of Planning was recommending approval of the application for the reasons detailed within the written report.

The Committee raised issues regarding the overpopulation of Abergwili and the potential light and privacy impact on neighbouring properties.

The Senior Development Management Officer (East) responded to the issues raised by the objectors.

**RESOLVED that Planning Application W/39625 be granted subject to the conditions detailed within the report of the Head of Planning.**

**4. AREA SOUTH - DETERMINATION OF PLANNING APPLICATIONS**

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

<b>S/39984</b>	<p><b>RETROSPECTIVE APPLICATION FOR THE RETENTION OF DWELLINGS ON PLOTS 4 AND 5 PREVIOUSLY APPROVED UNDER REFERENCE S/33081 AT PLOT 4 &amp; 5, CERDDI GLASFRYN GARDENS, LLANELLI, SA15 3LL</b></p> <p>A representation was received from the Local Member objecting to the application based on loss of privacy on neighbouring properties.</p> <p><b>REASON:</b> To enable the Committee to view the scale and size of the windows and the privacy impact on neighbouring properties.</p> <p>In line with the Planning Committee Protocol, the objectors who had requested to speak on this item chose to make their representations at the meeting following the site visit.</p>
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**5. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 14<sup>TH</sup> JANUARY 2020**

**UNANIMOUSLY RESOLVED that the minutes of the meeting of the Committee held on the 14<sup>th</sup> January, 2020 be signed as a correct record.**

\_\_\_\_\_  
**CHAIR**

\_\_\_\_\_  
**DATE**

## PLANNING COMMITTEE

27 February 2020

**PRESENT:** Councillor A. Lenny (Chair)

**Councillors:**

S.M. Allen, J.M. Charles, I.W. Davies, J.A. Davies, P.M. Edwards, 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. Madge, B.D.J. Phillips, G.B. Thomas and J.E. Williams.

**Also in attendance:**

Councillor H.A.L. Evans in respect of Planning Application W/39148.

**The following Officers were in attendance:**

J. Edwards, Development & Built Heritage Manager;  
E. Jones, Development Management Officer;  
G. Noakes, Senior Development Management Officer [East];  
Z.A. Evans, Senior Technician (Planning Liaison);  
S. Murphy, Senior Solicitor;  
J. Owen, Democratic Services Officer.

**Chamber, County Hall, Carmarthen, SA31 1JP: 11:30am - 12:55pm**

**1. APOLOGIES FOR ABSENCE**

There were no apologies.

The Chair referred to Mr Kevin James, who had recently passed away following a short illness, only a few months into his retirement. Mr James was the former Assistant Engineer Planning Liaison who had attended many meetings of the Planning Committee.

**2. DECLARATIONS OF PERSONAL INTERESTS**

There were no declarations of personal interests.

**3. TO CONSIDER THE HEAD OF PLANNING'S REPORT ON THE FOLLOWING PLANNING APPLICATION [WHICH HAD BEEN THE SUBJECT OF EARLIER SITE VISITS BY THE COMMITTEE] AND TO DETERMINE THE APPLICATIONS**

**3.1. W/39590 - PROPOSED CHANGE OF USE OF EXISTING PASTURE LAND TO A CAMPSITE - TO INCLUDE 1 SHEPHERD'S HUT AND 5 TENTS AT PENRHIWSYCH, GLANTREN LANE, LLANYBYDDER, SA40 9SA**

[Note:

- Councillors C. Jones and G.B. Thomas were not present at the Planning Committee held on the 14<sup>th</sup> January 2020 and whilst remained present in the Chamber during the deliberations, did not participate in the determination or vote on the decision of the application.
- Councillors W.T. Evans and D. Jones were not present at the earlier site visit and therefore did not participate in the determination or vote on the decision of this application.]

The Development Management Officer (East) referred to the private site visit undertaken by the Committee earlier that day (minute 6.1 of the Planning Committee held on the 14<sup>th</sup> January, 2020 refers), the purpose of which had been to enable the Committee to view the proposed development to assess the impact on the highway.

He referred, with the aid of PowerPoint slides, to the written report of the Head of Planning which provided an appraisal of the site together with a description of the proposed development, a summary of consultation responses received and information relating to the local and national policies relevant to the assessment of the application. He advised that the Head of Planning was recommending approval of the application for the reasons detailed within the written report.

A representation was received from the local Member to the proposed development which whilst acknowledging some of the objections detailed within the head of Planning's written report, he expressed that he was in support of the development as it would encourage visitors to the area adding to the local economy.

**RESOLVED that Planning Application W/39590 be granted subject to the conditions detailed within the report.**

#### 4. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS

4.1 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/39148	Construction of a Showroom with Offices, and formation of parking area at land at Pentop Farm, Newcastle Emlyn, SA38 9NW
W/39068	Proposed residential dwellings with integral garages at plots 7 and 8, land opposite Golwg y Dyffryn, Capel Dewi, Carmarthen, SA32 8AD

4.2 UNANIMOUSLY RESOLVED that Planning Application W/39684 be granted, contrary to the recommendation of the Head of Planning to refuse, on the following basis:

4.1.1 the Committee believed that the application complied with Policies H5, GP1, TSM4 and EMP4;

4.1.2 the Head of Planning be authorised to impose appropriate conditions to include:

- a) the permission is valid for a 2 year period;
- b) stop up the existing access;
- c) secure compliance with the plans and description;
- d) the approval of a schedule of materials.

#### 5. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 30<sup>TH</sup> JANUARY, 2020

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Committee held on the 30<sup>th</sup> January, 2020 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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## PLANNING COMMITTEE

Wednesday, 4 March 2020

**PRESENT:** Councillor A. Lenny (Chair)

**Councillors:**

S.M. Allen, J.M. Charles, I.W. Davies, J.A. Davies, P.M. Edwards, 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. Madge, B.D.J. Phillips, G.B. Thomas and J.E. Williams

**Also in attendance:**

Councillor R. James in respect of planning application S/39984  
Councillor C.A. Davies in respect of planning application W/40091

**The following Officers were in attendance:**

J. Edwards, Development & Built Heritage Manager  
J. Thomas, Senior Development Management Officer [South]  
S. Murphy, Senior Solicitor  
E. Bryer, Democratic Services Officer

**Chamber, County Hall, Carmarthen, SA31 1JP - 11.30 am - 12.30 pm**

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATIONS OF PERSONAL INTERESTS**

There were no declarations of personal interest.

**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**

The Senior Development Management Officer (South) referred to the private site visit undertaken by the Committee earlier that day (minute 4 of the Planning Committee held on the 11th February, 2020 refers), the purpose of which was to enable the Committee to view the site in light of concerns raised locally regarding the impact on the amenities. He referred, with the aid of PowerPoint slides, to the written report of the Head of Planning which provided an appraisal of the site together with a description of the proposed development, a summary of consultation responses received and information relating to the local and national policies relevant to the assessment of the application.

The Committee was advised that the Head of Planning was recommending approval of the application for the reasons detailed within the written report.

Representations were received from the Local Member and a resident objecting to the application re-iterating the objections detailed within the Head of Planning's report. The main areas of concern being loss of privacy due to the attic windows and the addition of a velux rooflight.

The Senior Development Management Officer (South) and the applicant's agent responded to the issues raised by the objectors.

**RESOLVED that Planning Application S/39984 be granted subject to the conditions detailed within the report of the Head of Planning.**

#### **4. AREA EAST - DETERMINATION OF PLANNING APPLICATIONS**

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

**E/38576 - SINGLE STOREY DWELLING WITH HABITABLE ROOFSpace AND INTEGRAL GARAGE AT LAND ADJACENT TO 15 PLAS GWYN ROAD, PENYGROES, LLANELLI, SA14 7RY**

The Committee was advised that the Local Member was objecting to the application based on potential issues with getting mains services to the site, scale of building and poor access to the main road.

**REASON:** To enable the Committee to view the access to the main road.

#### **5. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS**

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

**W/40091 - RURAL ENTERPRISE DWELLING AT LAND AT LLWYNONNILL FAWR, LLANDDAROG ROAD, LLANDDAROG, SA32 8AL**

The application was being reported to the Planning Committee following the request of the Local Member.

Representation was received from the Local Member in support of the application based on TA6 assessment along with a request for a site visit.

**REASON:** To enable the Committee to view the existing outbuildings and layout of the site.

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**CHAIR**

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**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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