

Document Pack



Mark James LLM, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

MONDAY 13TH MARCH 2017

TO: ALL MEMBERS OF THE PLANNING COMMITTEE

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **PLANNING COMMITTEE** WHICH WILL BE HELD IN THE **CHAMBER, COUNTY HALL, CARMARTHEN AT 2:00PM ON TUESDAY 21ST MARCH 2017**, FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Matthew Hughes
Telephone (Direct Line):	01267 224029
E-Mail:	mahughes@carmarthenshire.gov.uk
Ref:	AD016-001

PLANNING COMMITTEE

19 MEMBERS

PLAID CYMRU GROUP – 7 MEMBERS

- | | |
|-----------------------------|--|
| 1. Councillor J.M. Charles | Member of Llanegwad Community Council |
| 2. Councillor W.T. Evans | Member of Llangyndeyrn Community Council |
| 3. Councillor J.K. Howell | |
| 4. Councillor W.J. Lemon | Member of Llanelli Town Council |
| 5. Councillor A. Lenny | Member of Carmarthen Town Council |
| 6. Councillor M.J.A. Lewis | |
| 7. Councillor J.S. Williams | Member of Pontyberem Community Council |

LABOUR GROUP – 6 MEMBERS

- | | |
|---------------------------|---------------------------------------|
| 1. Councillor A.P. Cooper | Member of Llandybie Community Council |
| 2. Councillor T. Davies | Member of Gorslas Community Council |
| 3. Councillor D.C. Evans | Member of Ammanford Town Council |
| 4. Councillor A.W. Jones | |
| 5. Councillor K. Madge | Member of Cwmaman Town Council |
| 6. Councillor M.K. Thomas | Member of Llannon Community Council |

INDEPENDENT GROUP – 6 MEMBERS

- | | |
|----------------------------|---|
| 1. Councillor S.M. Allen | Member of Whitland Town Council |
| 2. Councillor D.B. Davies | Member of Llansteffan Community Council |
| 3. Councillor I.W. Davies | |
| 4. Councillor J.A. Davies | |
| 5. Councillor I.J. Jackson | Member of Llandovery Town Council |
| 6. Councillor H.I. Jones | Member of Bronwydd Community Council |

NOMINATED SUBSTITUTES

Plaid Cymru Group (4)

1. Councillor D.J.R. Llewellyn
2. Councillor D.O. Tomos
3. Councillor G.B. Thomas
4. Councillor J.E. Williams

Labour Group (4)

- | | |
|-------------------------------|---|
| 1. Councillor D.J.R. Bartlett | |
| 2. Councillor P.M. Edwards | |
| 3. Councillor J.D. James | Member of Pembrey & Burry Port Town Council |
| 4. Councillor P.E.M. Jones | Member of Pembrey & Burry Port Town Council |

Independent Group (4)

- | | |
|-------------------------------|--|
| 1. Councillor W.J.W. Evans | Member of Llanddarog Community Council |
| 2. Councillor P.M. Hughes | |
| 3. Councillor D.W.H. Richards | |
| 4. VACANCY | |

AGENDA

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF PERSONAL INTERESTS
3. TO CONSIDER THE HEAD OF PLANNING'S REPORTS ON THE FOLLOWING PLANNING APPLICATIONS (WHICH WILL BE THE SUBJECT OF EARLIER SITE VISITS BY THE COMMITTEE) AND TO DETERMINE THE APPLICATIONS
 - 3.1 E/33595 – CONVERSION OF A WATER STORAGE TANK AND THE PLANT SHED TO A HOLIDAY LET AT LAND AT BRYNGOIALLT, FELINGWM, CARMARTHEN, SA32 7PX 5 - 12
 - 3.2 E/34720 – 8 NO SEMI DETACHED HOUSES WITHIN AN EXISTING SITE AT LAND AT MAESPIODE, LLANDYBIE, AMMANFORD, SA18 3YS 13 - 22
 - 3.3 S/34900 – REMOVE EXISTING FLAT ROOF AND REPLACE WITH PITCHED ROOF; ALTERATION AND RENOVATION OF GROUND FLOOR FROM 3 BEDROOM TO 2 BEDROOM. NEW FIRST FLOOR TO INCLUDE, 2 BEDROOMS, EN-SUITE, BATHROOM AND STUDY AT NEW LODGE, Y LLAN, FELINFOEL, LLANELLI, SA14 8DY 23 - 28
4. TO DETERMINE THE PLANNING APPLICATIONS DETAILED WITHIN THE FOLLOWING REPORTS OF THE HEAD OF PLANNING:
 - 4.1 AREA SOUTH 29 - 48
 - 4.2 AREA WEST 49 - 108

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Application No	E/33595
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Application Type	Full Planning
Proposal & Location	CONVERSION OF A WATER STORAGE TANK AND THE PLANT SHED TO A HOLIDAY LET AT LAND AT BRYNGOIALLT, FELINGWM, CARMARTHEN, SA32 7PX

Applicant(s)	MR DEIAN OWEN, 10 CLOS GER Y BRYN, TIRCOED, SWANSEA, SA4 9IL
Agent	NICOLE JONES ARCHITECTS - NICOLE JONES, 6 MYRDDIN CRESCENT, CARMARTHEN, SA31 1DX
Case Officer	Ceri Davies
Ward	Llanegwad
Date of validation	05/04/2016

CONSULTATIONS

Planning Ecologist – Has advised on the existence of bats and nesting birds and the requirements of the Habitats Regulations 1994 and the Wildlife and Countryside Act 1981.

Llanegwad Community Council – Has objected to this application citing a number of concerns addressed in the Officer’s appraisal.

Local Member – County Councillor Mansel Charles is a member of the Planning Committee and has made no prior comment.

Natural Resources Wales – Has not commented on this application to date

Dwr Cymru Welsh Water – Has advised on disposal of foul water.

Neighbours/Public – One neighbour was notified on receipt of this application; two letters of representation have been submitted to date; the concerns raised are addressed in the Officer’s appraisal.

RELEVANT PLANNING HISTORY

There is no relevant planning history

APPRAISAL

THE SITE

The application site consists of a redundant water treatment site near a residential property, Bryngoiallt, an isolated site, approximately 2km north-west of the village of Felingwm Uchaf and 1.8km south-east of Horeb. The site occupies an elevated position which affords extensive views over the Cothi Valley and further afield; the land immediately south and east of the application site is predominantly woodland, whilst the land to the north and west is predominantly pastureland associated with various farmsteads.

Access to the site is derived off an unmade access track which serves both the water treatment plant and Bryngoiallt; the said access comes off an unclassified road (U5570) which links a number of farmsteads between Felingwm Uchaf and Horeb.

The site includes an underground water tank and a single storey shed above ground, constructed of concrete panels with a shallow roof pitch; the shed sits within an extensive grassed area which is bounded by mature hedgerows and trees. Immediately north east of the application site is the residential curtilage associated with the adjacent property, Bryngoiallt; the said curtilage appears to have been extended over the years and wraps around the southern perimeter of the application site.

THE PROPOSAL

The application seeks full consent for the conversion of the water storage tank and the plant shed to a holiday let. As part of the overall proposal the above ground shed is to be totally re-built with a link attached connecting the above and underground elements. The proposal involves extensive ground clearance works whereby the actual underground water tank which at present is totally obscured will be exposed along its southern, eastern and western elevations, the roof will be grassed over. New fenestration and door openings will be inserted into the water tank as part of the conversion works. Provision will also be made for vehicular access and parking along with a patio area.

POLICY CONTEXT

The relevant planning policies in this instance are Policies TSM4 and H5 of the Carmarthenshire Local Development Plan which state:-

Policy TSM4 Visitor Accommodation

Proposals for new build serviced or self catering holiday accommodation will be permitted within the development limits of defined settlements (Policy SP3) where it accords with the relevant criterion under Policy SP15. Outside the development limits of defined settlements (Policy SP3) proposals for permanent serviced or self catering visitor accommodation will be permitted where it consists of the re-use and adaptation (including conversion) of existing buildings and complies with criteria d) and e) set out in Policy H5.

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

Proposals for the conversion and re-use of buildings in rural areas outside the Development Limits of a defined settlement (Policy SP3) for residential purposes will only be permitted where:

- a) The authority is satisfied that every reasonable endeavour has been made to secure an alternative business use and the application is supported by a statement of evidence to the Council's satisfaction of appropriate efforts that have been undertaken to achieve this;
- b) Any residential use would be a subordinate element associated with a wider scheme for business re-use; or,
- c) The residential use contributes to the provision of affordable housing to meet a genuine identified local need (as defined within the Glossary of Terms) and provided that:
 - i) The benefits of the initial affordability will be retained for all subsequent occupants;
 - ii) It is of a scale compatible with an affordable dwelling and would be available to low or moderate income groups.

Proposals will also be required to demonstrate that the following criteria can be met:

- d) The building is structurally sound, substantially intact and is of sufficient size to accommodate the proposed use without extensive alteration, extension or re-construction;
- e) The building demonstrates and retains sufficient quality of architectural features and traditional materials with no significant

THIRD PARTY REPRESENTATIONS

Llanegwad Community Council has objected to the application on the following grounds:

- Conversion to holiday let is financially unviable
- It will potentially become a permanent residential dwelling
- Access issues with the adjacent neighbour could lead to friction/dispute
- The loss of the water storage tank will have an impact on the village of Felingwm
- Ground works will impact the water course

Two letters of objection have been submitted to date, one from a farmer, whose farm is in Horeb, but he farms land adjacent to the application site; the other objectors are the occupiers of the adjacent dwelling, Bryngoyallt. A site meeting has also been held with the occupiers of Bryngoyallt.

Concerns raised are summarised as follows:

- Unsuitable site within a rural/farming community
- Inappropriate tourism use in the open countryside
- Detrimental Impact on the privacy/amenity of the occupiers of Bryngoyallt.
- General disturbance for the occupiers of Bryngoyallt
- Noise pollution for the occupiers of Bryngoyallt
- Traffic increase/unsuitable access road
- Inadequate parking
- Installation of a septic tank
- Impact on security for the occupiers of Bryngoyallt

- Impact on health for the occupiers of Bryngoyallt

Of the aforementioned list of concerns/objections, Members are reminded that the Authority will only consider matters which are deemed planning related material considerations for the purposes of this application.

APPRAISAL

With regard to the above objections, it should be noted that both Policy TSM4 and H5 allow for the re-use and adaption of redundant buildings in the open countryside; the said policies are aimed at allowing the re-adaption of buildings where appropriate, which in turn reduces the need/demand for new development in the open countryside.

It is acknowledged in this instance that this proposal is somewhat unique in that it involves the adaption of an underground water tank rather than a conversion of a redundant agricultural outbuilding which tends to be the norm for proposals considered against Policies TSM4 and H5 of the Local Plan, however it is important to note that there is no stipulation within either policy that restricts conversion proposals to certain types of structures. The text of the policy actually states that the adaption/re-use of buildings within the plan area will be allowed subject to various stipulations. Whilst this above-ground building is not of any great architectural merit, as it was merely designed as a functional building, it is acknowledged that the said building is an ancillary building in that the main structure in this instance is the underground water tank. It is further acknowledged that this proposal by its very nature is unlikely to adhere strictly to the full criteria of Policy H5 on the basis that it involves an underground tank.

In terms of the concerns raised by the community council, Members are advised that matters raised in relation to financial viability of the holiday use, potential permanent residential use and potential friction with the adjacent neighbour are not material planning considerations for the purposes of this application. In terms of the concerns over loss of the water storage tank and potential impact on the water course, Members are advised that further to DCWW's consultation response and further to a site inspection, it was evident that there continues to be operating apparatus throughout the site. Clarification has therefore been sought from DCWW as to whether or not there are any easements in place and/or any restrictions in terms of building within certain distances to the operating apparatus.

In response, DCWW has provided the authority with a revised water map extract showing the removal of a supply pipe through the centre of the site as it is no longer there. DCWW has confirmed that this is the most up-to-date record they have of their apparatus on site. The plan indicates active pipes linking active apparatus along the northern end of the application site and inactive pipes linking inactive apparatus around the underground water tank and associated ancillary building. The authority is therefore satisfied that based on DCWW's advice it is physically possible for the applicant to develop this site in lieu of the pipes/apparatus at this location. Furthermore, as the tank is no longer in use, there are no issues regarding water supply for the wider area.

In terms of the concerns raised in relation to the appropriateness of such tourism/holiday use in the open countryside, Local Plan policies clearly support and encourage such uses, particularly where they involve adaption of existing buildings/structures.

With regard to the objection received from the occupiers of the adjacent property, the authority has scrutinised the concerns raised by the said occupiers very closely and have also met with the occupiers at Bryngoyallt to fully evaluate the potential impact of the proposal on their property. It is noted that the dwelling is 24 metres north-east of the application site and 33 metres away from the actual water tank itself; however it was also noted at the time of the site inspection that the water tank/shed is not visible from the dwelling by virtue of the presence of mature trees between the application site and Bryngoyallt. As such, it is considered the conversion/adaption of the water tank will not impact on the dwelling itself.

It is accepted that by developing this site, the peace and tranquillity, referred to by the occupiers of Bryngoyallt will be disturbed, what the authority has to determine whether or not the extent of that disturbance warrants refusal.

The introduction of the holiday use will lead to additional traffic movements, however the proposal makes adequate provision within the application site for parking and turning areas which will allow vehicles to enter and leave in a forward gear, hence it is considered the additional movements will not have an unacceptable impact on the adjacent occupiers. The entrance to Bryngoyallt is approximately 20 metres north-east of the entrance to the application site, hence no actual traffic will go beyond the application site. Furthermore, the level of traffic envisaged will not be to a level that cannot be accommodated within the surrounding road network hence highway safety will not be detrimentally affected by this development.

In terms of concerns over loss of privacy/overlooking, it is noted that the immediate garden/private amenity space associated with Bryngoyallt is the piece of land to the south and east of the dwelling. The authority's photographic records show the residential curtilage has been extended in a south western direction and has absorbed the land to the south of the application site. The land in question though now forming part of the extended residential curtilage of Bryngoyallt, is not deemed to be the immediate garden area, hence the authority considers the objections over loss of privacy and overlooking cannot be sustained in this instance. Members are advised that planning permission. The presence of trees/mature hedgerows will ensure that there is no direct over-looking or loss of privacy whatsoever in regard to the immediate garden area associated with Bryngoyallt.

Other issues raised such as impact on security and health are not deemed material planning considerations; the installation of the septic tank will be controlled via Building Control Regulations and any excessive noise issues will be enforced against under more appropriate legislation contained in the Environmental Protection Act.

It is not envisaged that allowing this permission will result in a precedent for similar developments as such proposals are quite rare in the county area. The authority acknowledges that certain criterion stipulated by Policy H5 cannot be achieved owing to the nature of the structure, however, the water tank itself is definitely structurally sound and substantially intact, furthermore, it is deemed of sufficient size to accommodate the holiday use without extensive re-construction. The ground works to expose the water tank are not deemed excessive; the justification for the installation of windows/door openings is accepted due to the lack of any natural lighting at present.

Whilst it is acknowledged that the above ground building is to be totally demolished and rebuilt, this is deemed to be the ancillary structure as the main element of this proposal is the water tank itself. Notwithstanding the aforementioned, the replacement structure be it

with a minimal increase in size/mass and an increase in the roof pitch, will replicate the existing building in terms of shape and form; furthermore will occupy the same footprint. The Bat/Owl survey has concluded that there are no bats present at this site.

Criterion a) of Policy H5 is satisfied in that the proposal to utilise the building for holiday rental demonstrates that the business re-use of the building is viable and appropriate at this location. In view of the above, it is considered the proposal complies with the general criteria as set out in the aforementioned LDP policies, the application is therefore put forward with a favourable recommendation.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of two years from the date of this permission.
- 2 The approved development relates to the following plans and documents and works should be carried out strictly in accordance with them unless amended by any other condition:
 - Location Plan – 1:1250 scale
 - Block Plan 1:500 scale
 - Existing Sections & Plans – 1:100 scale
Received on 20th March 2016
 - Proposed Floor Plans – 1:100 scale
 - Proposed Elevations – 1:100 scale
Received on 26th July 2016
- 3 The premises shall be used for holiday accommodation and for no other purpose (including any purpose in Class C1 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).
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that order with or without modification), no development within Schedule 2, Part 1, Classes A, B, C, D, E, G, shall be carried out within the curtilage of the dwelling hereby approved (other than those expressly authorised by this permission) without the prior written permission of the Local Planning Authority.
- 5 Where any species listed under Schedules 2 or 4 of the Conservation (Natural Habitats, etc) Regulations 1994 is present on the site in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the Local Planning Authority.

- 6 The parking spaces and layout shown on the plans herewith approved shall be provided to the written approval of the Local Planning Authority prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of visual amenity. (Policy H5 of the LDP)
- 3 For the avoidance of doubt as to the extent of this consent and in the interest of ensuring that the proposal does not allow for conversion to residential use without consideration within a further planning application.
(Policy TSM4 of the LDP)
- 4 To prevent over-development of the site (Policy H5 of the LDP)
- 5 In the interests of protecting wildlife and to ensure that the development does not adversely affect a European Protected Species. (Policy SP14 of the LDP)
- 6 In the interest of highway safety (Policy SP9 of the LDP)

REASONS FOR GRANTING PLANNING PERMISSION

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

The development accords with Policy H5 of the LDP in that the building is suitable for conversion without substantial alterations. The alterations / modifications have been carefully designed to integrate with the buildings architectural integrity and do not detract from the character of the building. It is considered the building is substantially intact and capable of conversion; the building is of a traditional rural character and its future can best be secured through appropriate conversion.

NOTE

- 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

Application No	E/34720
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Application Type	Full Planning
Proposal & Location	8 NO SEMI DETACHED HOUSES WITHIN AN EXISTING SITE AT LAND AT MAESPIODE, LLANDYBIE, AMMANFORD, SA18 3YS

Applicant(s)	HEAD OF PUBLIC PROTECTION & HOUSING -ROBIN STAINES, 3 SPILMAN STREET, CARMARTHEN, SA31 1HQ
Agent	CCC - MR HYWEL HARRIES, BLOCK 3, PARC MYRDDIN, CARMARTHEN, SA31 1HQ
Case Officer	Andrew Francis
Ward	Llandybie
Date of validation	17/11/2016

CONSULTATIONS

Head of Transport – Has no objections, recommends the imposition of planning conditions.

Natural Resources Wales – No observations have been received to date.

Dwr Cymru Welsh Water – Originally raised concerns with the proposal stating they were unhappy with more surface water being drained into the public sewer and require that this is treated via a SUDS system or alternative that does not impact upon the existing public sewer. An amended surface water drainage scheme has been submitted and further comments are awaited.

Llandybie Community Council – has no objections to the proposal though request that there should be adequate parking of vehicles provided for the new dwellings as there is a current lack of parking on the Maespiode.

Local Members – County Councillor A W Jones is a member of the Planning Committee and has therefore made no prior comment, County Councillor W R A Davies has not commented to date.

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

The points of objection are summarised as follows:

- Why is the green being used to build on? There are bigger and better suited areas to build on and the green is integral to the quiet nature of the estate and is a well-used play area.
- The green space has all the drainage pipes and soakaway for the estate. Where is all the water generated from the new houses going to go to now?
- There are council owned properties that are empty and not maintained. Why build more?
- More houses will increase the parking problems on the site. There is already a problem with refuse lorries.
- The proposal will reduce privacy for the occupiers of the existing dwellings.
- The development will result in a tree that was planted by former Councillor Brenda Penlan being removed.

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

- The proposal will devalue existing properties.
- The development will obstruct the view for some properties.

RELEVANT PLANNING HISTORY

No relevant planning history.

APPRAISAL

This is an application in which Carmarthenshire County Council has an interest either as applicant/agent, or in terms of land or property ownership.

THE SITE

The application site consists of a rectangular area of currently grassed land situated on the existing Maespiode residential estate, Llandybie. The site is entered via junction off the western flank of Blaenau Road via fairly narrow site roads which also lead to the now closed Glanmarlais care facility.

Of the thirty six residential units addressed as Maespiode, twenty eight are situated in a 'U' shape around the green area forms the application site. The application site has historically been used as a recreation area for these dwellings and also accommodates the existing dwellings soakaways. The application site and existing residential units are elevated slightly from the road area.

The application site measures 65 metres in length by 34.5 metres in depth

THE PROPOSAL

The application seeks full planning permission for the development of a 4 pairs of two bedroom semi-detached dwellings built by the Local Authority to be offered as affordable social housing.

Each of the dwellings are situated fronting onto the Maespiode site road, with two parking spaces provided to the front of each dwelling on what currently is the slope leading up to the flat grassed area.

Two specific house types are proposed, though each are identical in size and internal layout, the differences being with the external finishes. Each dwelling provides two bedrooms and a bathroom on the first floor with a living room, kitchen/dining area, WC/wetroom and hallway on the ground floor. Each pair of dwellings measure 12.29 metres in width by 8.8 metres in depth.

In terms of external finish House Type A is to have fully face brick elevations with concrete roof tiles, photovoltaic solar panels on the south facing roof slopes and uPVC windows, doors and other external finishes. House Type B provides visual relief by providing a face brick ground floor level elevations with rendered first floor level elevations. 4 of each house type are proposed.

Due to the uniform nature of the site each dwelling provides a rear garden of approximately 14.5 metres.

Originally the scheme described that the surface water as being directed into the existing combined sewer. However, Dwr Cymru Welsh Water raised concerns regarding this and as such an alternative method of surface water drainage has been submitted utilizing an attenuated soakaway which is currently being considered by Dwr Cymru Welsh Water.

PLANNING POLICY

The application site lies within the settlement development limits for Llandybie, as defined in the Carmarthenshire Local Development Plan. As such, policies GP1, GP4, H2, TR2 and TR3 apply.

Policy GP1 states that in this instance the development should conform with and enhance the character and appearance of the area, utilise appropriate materials and should not have a significant impact on the amenity of adjacent land uses, properties, residents or the community. The proposed development should be appropriate to the scale of the site and helps to create attractive and safe public places, which has an appropriate access which does not give rise to any parking or highway safety concerns and has regard for the for the satisfactory generation, treatment and disposal of both surface and foul water.

Typically, policy GP3 states that where necessary, developers will be required to enter into planning obligations to secure contributions to fund improvements needed arising from the new development. In implementing this policy, schemes will be assessed on a case by case basis. However, as this is a Council application the Authority cannot enter into an agreement with itself.

Policy GP4 requires that new development will be permitted where the infrastructure is adequate to meet the needs of the development. Where new or improved infrastructure is required, development will be permitted where it can be demonstrated that this infrastructure will be provided or where the required work is funded or contributed to by the developer.

Policy H2 states that proposals for housing developments on unallocated sites within development limits will be permitted provided they are in accordance with the principles of the Plan's strategy and its policies and proposals.

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

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

THIRD PARTY REPRESENTATIONS

Following the consultation process, which included the erection of a Site Notice, seven letters of objection from six separate addresses has been received. The points of objection received are summarised and discussed below:

- Why is the green being used to build on? There are bigger and better suited areas to build on and the green is integral to the quiet nature of the estate and is a well used play area.

With regards to this initial point, the application site, Maespiode is a majority council owned estate. The green area is a vacant area which can be used to provide extra social housing which is needed within the Llandybie area. However, the loss of the green area will undoubtedly result in a loss of an important amenity area that currently serves all the residential units, particularly for the children. In this instance, the balance has to be struck with retaining a small but important piece of land to be used for amenity against the provision of land for 8 new social houses.

The land is understood to have been provided as an open space within a local authority housing estate, under housing legislation. The land is situated within the development limits for Llandybie and has not been allocated for any kind of recreational purposes within the Local Development Plan (LDP) which was adopted in December 2014. As such, this particular issue has essentially been examined within the LDP process. Within the LDP process it wasn't allocated as a recreational area but remained within the limits as white land.

There have been public calls to try and record the application site as a village green. It is understood that an application may be submitted in order to try and secure this. If this is the case, the village green application would have no particular bearing on the planning application in that planning permission could still be granted if Members were satisfied with the planning application. However, no works could start until any potential village green application had been determined. If village green status was granted, then the valid planning permission could not be commenced.

- The green space has all the drainage pipes and soakaway for the estate. Where is all the water generated from the new houses going to go to now?

The application initially showed the surface water from the development being directed to the existing combined sewer that serves the site. However, Dwr Cymru Welsh Water (DCWW) raised concerns with this solution stating that the application had not demonstrated that all alternative means of surface water disposal have been explored and was unviable in this instance. As such, an alternative means of surface water drainage was requested and has been submitted for comment by DCWW. This includes a formal soakaway system; at the time of writing the Authority is still awaiting further comments from DCWW in relation to the revised scheme.

- There are council owned properties that are empty and not maintained. Why build more?

This is an argument that is often raised when new houses are proposed but one which doesn't stand up to scrutiny. The Authority has an Affordable Homes Commitment which offers £60 million to provide up to 1000 new affordable units in the next 5 years. This will come through a mixture of new units and the purchase and renovation of existing housing stock. This is part of a bigger national initiative in which the Welsh Government have calculated that an additional 284,000 homes are needed in Wales between 2006 and 2026, with 101,000 of those being in the social housing sector. There is a long standing shortage of developing new homes and that demand is still outstripping supply.

Carmarthenshire, through the LDP and in particular it's Affordable Housing policies is seeking to do what it can to help to provide enough social housing on the sites it can support.

- More houses will increase the parking problems on the site. There is already a problem with refuse lorries.

With regard to this point, the Authority's Head of Transport has been consulted on this application who has considered the proposal carefully. In his response, no objections have been raised, instead recommending a series of conditions to be imposed on the development should it be approved. As such, it is considered that the existing site roads are considered to be adequate to accommodate the new development which also provides adequate parking to serve the new dwellings.

- The proposal will reduce privacy for the occupiers of the existing dwellings.

The provision of new dwellings on the site will inevitably lead to changes in the outlook and privacy levels currently enjoyed by the existing occupiers, the task is to ensure that the development does not demonstrably harm the privacy and amenity of the occupiers of the existing dwellings. Established planning standards utilise distances between facing windows to ensure that minimum privacy standards are maintained and that a distance of 21 metres should be achieved. In this instance, there is a minimum distance of 25 metres between the rear windows of the proposed dwellings and the front windows of the existing buildings, which extends to as much as 30 metres. With regards to side elevations, the standards aren't as established and there isn't the overlooking of windows to occur. In this instance there is a distance of approximately 12.5 metres between the side elevation of the proposed dwelling and the front of the existing dwelling on the western side of the site and approximately 11 metres between the dwellings on the eastern side of the site.

Taking the above into account, it is considered that the layout of the proposed development maintains acceptable levels of privacy for the occupiers of the existing units by virtue of the adequate separation distances achieved between the existing and proposed buildings.

- The development will result in a tree that was planted by former Councillor Brenda Penlan being removed.

In terms of amenity the tree referred to above is not considered to make a huge contribution however the Authority acknowledges its significance and for that purpose has suggested to the Head of Housing & Public Protection that measures be undertaken to translocate the tree to a more suitable location within the vicinity. An advisory note has been attached accordingly.

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

- The proposal will devalue existing properties.
- The development will obstruct the view for some properties.

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

CONCLUSION

Further to and alluded to the above discussion, a balance needs to be struck in terms of providing new social homes and making efficient use of land, whilst respecting the amenities and character of the area and the privacy of the occupants of nearby buildings.

In its favour, the application does make very efficient use of the land and does so in a way that is ultimately not detrimental to highway safety whilst the siting, scale and design of the proposal is considered to be acceptable in terms of its impact on the character and appearance of the area.

In terms of the impact of the new dwellings on the amenity of the neighbours, the relationship of the proposed new dwellings to the existing neighbouring dwellings and the occupiers of these buildings, it is considered that this development would not have a detrimental impact upon their privacy or amenity by virtue of the separation distances and the location of the fenestration proposed on the new units. This proposal provides eight affordable residential units in what is considered to be a sustainable and suitable location.

Therefore, on balance, it is considered that the proposal now complies with policies GP1, GP4, H2, TR2 and TR3 and as such, the proposal is recommended for approval.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.

- 2 The above approved development relates to the following plans and documents and works should be carried out strictly in accordance with them unless amended by any of the following conditions:
- The 1:1250 and 1:500 scale Existing Location and Site Plans and Aerial View (8845-149-CCC-A-DR-01) received on the 11 November 2016,
 - The 1:500 and 1:200 scale Proposed Site Plan and Sections (8845-149-CCC-A-DR-02) received on the 11 November 2016,
 - The 1:200 scale amended Proposed Drainage Layout (P01) received on the 13 February 2017,
 - The 1:100 and 1:50 scale Proposed House Type A Plan, Elevations and Section (8845-149-CCC-A-DR-03),
 - The 1:100 and 1:50 scale Proposed House Type B Plan, Elevations and Section (8845-149-CCC-A-DR-04),
- 3 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development and any trees or plants which within a period of 5 years from the commencement of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variations and thereafter shall be retained in perpetuity.
- 4 There shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent carriageway crown, over the site's whole estate road frontage within 2.0 metres of the near edge of carriageway.
- 5 The parking spaces and layout shown on the plans herewith approved shall be provided to the written approval of the Local Planning Authority prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 6 The proposed car park area to the north east of the proposed development shall be provided prior to commencement of any other part of the development.
- 7 The parking spaces fronting the proposed dwellings shall be hard-surfaced for a minimum distance of 5.0 metres behind the edge of highway, in materials which shall be subject to prior written approval of the Local Planning Authority. The hard surfacing shall be fully carried out prior to any part of the development approved herewith being brought into use.
- 8 No development or site clearance shall take place until an appropriate and comprehensive Ecological Design Scheme, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall deliver detailed design proposals which effectively integrate appropriate site specific landscape, ecological and biodiversity objectives and functions. The scheme shall be in compliance with the principles of the landscape and ecological information submitted with the following approved application documents Section 6.2 of the submitted ecological assessment by Habitat Matters dated September 2016 and relevant guidance as provided by the Local Planning Authority.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2-3 In the interest of visual amenity.
- 4-7 In the interest of highway safety.
- 8 To preserve the ecological interests of the site.

REASONS FOR GRANTING PLANNING APPROVAL

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

- The proposed development accords with policy GP1 of the LDP in that the proposed development represents an acceptable form of development which is appropriate to the character and appearance of the surrounding area, is of an acceptable design and will not have an unacceptable impact upon the residential amenity of nearby properties and provides an acceptable access and parking facilities.
- The proposed development accords with policy H2 of the LDP in that the land is situated within the settlement limits for Llandybie and the proposal does not conflict with other policies within the plan.
- The proposed development accords with policies TR2 and TR3 of the LDP in that the proposed development is accessible from non-car modes of transport, located in a manner consistent with the plan's objectives, would not generate unacceptable levels of traffic on the surrounding road network, or harm highway safety whilst providing acceptable parking and service space to highway standards.

NOTES

- 1 The above approved development relates to the following plans and documents and works should be carried out strictly in accordance with them unless amended by any of the following conditions:
- 2 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.

- 3 In relation to concerns raised by local residents, measures should be undertaken to ensure the tree, planted by former Councillor Brenda Penlan, is translocated to a more suitable location within the vicinity, prior to commencement of development
- 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)

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Application No	S/34900
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Application Type	Full Planning
Proposal & Location	REMOVE EXISTING FLAT ROOF AND REPLACE WITH PITCHED ROOF; ALTERATION AND RENOVATION OF GROUND FLOOR FROM 3 BEDROOM TO 2 BEDROOM. NEW FIRST FLOOR TO INCLUDE, 2 BEDROOMS, ENSUITE, BATHROOM AND STUDY AT NEW LODGE, Y LLAN, FELINFOEL, LLANELLI, SA14 8DY

Applicant(s)	MR JOHN PHILLIPS, 1 DAN-Y-BRYN, FURNACE ROAD, BURRY PORT, SA16 0YN
Case Officer	Paul Roberts
Ward	Swiss Valley
Date of validation	29/12/2016

CONSULTATIONS

Llanelli Rural Council - Have raised no objection to the application provided:-

- The drainage generated from the additional development does not increase the hydraulic load on the public sewer.
- The general scale and massing of the proposed pitched roof and new first floor does not result in a disproportionate increase in the size of the original dwelling.
- The development being compatible with the original dwelling in terms of scale and design and does not represent an incongruous form of development that will be unacceptably harmful to the character and appearance of the dwelling and surrounding residential area.
- There is no detrimental impact on the amenity and privacy of neighbouring dwellings.

Local Member – County Councillor G Morgan has objected to the application on the following grounds:-

- The development will have a detrimental impact on the amenity and privacy of neighbouring dwellings.
- The scale and design of the extension will be intimidating to the neighbouring property of 25 Llys Westfa while also overlooking the property.

Neighbours/Public – Seven neighbouring properties have been notified of the application and four letters of representation have been received from adjacent occupiers who object to the proposal on the following grounds:-

- Loss of privacy to neighbouring properties and their gardens.
- The increase in height of the dwelling will be disproportionate to the existing bungalow and be overbearing and dominate neighbouring properties.

RELEVANT PLANNING HISTORY

There is no relevant planning history on the application site.

APPRAISAL

THE SITE

The application site consists of the curtilage of a detached three bedroom bungalow located in Y Llan in Swiss Valley, Llanelli. The bungalow is of a flat roof design and is currently vacant and in a state of disrepair. It is set within a generous triangular shaped curtilage with garden areas to both sides and the rear of the bungalow. The bungalow has an integral garage as well as a front and side parking area. The site is bounded to the south and west by the side and rear gardens of the neighbouring properties of Llys Westfa which are set a lower level than the bungalow.

The area wherein the site is located is characterised by a narrow single lane road known as Y Llan which serves a small number of properties which consist of a mix of bungalows and two storey houses.

THE PROPOSAL

The application seeks full planning permission for the renovation of the existing bungalow which will include the replacement of the flat roof of the main bungalow with a new pitched roof. The existing flat roof above the easternmost end of the bungalow which includes the integral garage is to remain as part of the proposal.

The new roof extension is to have a maximum ridge height of approximately 6.5 metres and will include a gable projection on the rear elevation. The roof extension will incorporate new first floor accommodation which will include two bedrooms and a study while the ground floor is incorporate two further bedrooms. The first floor rooms are to be served by a number of velux style windows to the front and rear of the new roof as well as further side windows. The new first floor study will be served by high level windows in the rear gable projection the bottom of which are set a height of 1.8 metres so as to ensure no overlooking of the properties to the rear. In terms of external finishes, the elevations of the extended bungalow are to consist of a white render finish while the roof is to be clad in dark grey concrete tiles.

It is of note that the original scheme submitted with the application included a large first floor glazed opening in the rear gable projection which was to serve the new study. However, following discussions with officer's regarding the privacy impact of the same upon the properties of Llys Westfa to the rear, the scheme was amended to that described above whereby the large glazed opening has been removed and replaced with high level windows in the gable and further velux and side windows.

PLANNING POLICY

The following policies of the adopted Local Development Plan are of relevance to the proposal.

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

Policy GP6 of the Plan relates to extensions to dwellings whether buildings or structures and seeks to ensure that their scale is subordinate and compatible to the size, type and character of the existing development and does not result in the overdevelopment of the site or lead to inadequate amenity or garden space. Furthermore, it requires that the external appearance of the extension in terms of its design shall complement that of the existing development and proposals should not adversely affect the local environment and amenities of neighbouring properties.

THIRD PARTY REPRESENTATIONS

Four letters of objection have been received from the residents of three neighbouring properties within the Llys Westfa Estate which is located to the rear and side of the application property. Moreover, Llanelli Rural have raised no objection to the application subject to certain criteria being met. The issues raised are appraised below.

A common ground of concern amongst respondents is the likely impact of the proposed new first floor accommodation on their properties by way of overlooking and loss of privacy. Reference is made to the overlooking of rear windows in their properties as well as private garden areas.

Three of the objection letters received were submitted in respect of the original scheme submitted with the application which, as referred to above, included a large first floor glazed opening in the rear gable projection of the bungalow. The position and size of the window opening would have meant that the occupiers of the application property would have a direct outlook towards the rear of the respondents' properties and on this basis, and following discussions with officers, it has been removed from the scheme. This window has been replaced with a high level window in the rear gable projection as well as further velux windows and new first floor windows in the side elevation of the bungalow which minimise the level of overlooking to the respondents' properties.

Officers have undertaken a re-consultation exercise in respect of the above changes to the scheme and whilst no further objections have been received from two of the three respondents, a further letter of objection has been received from the third respondent who reiterates previous privacy concerns while also raising concerns regarding the proposed height of the bungalow and its potential impact in terms of overbearance.

The first floor rear elevation facing the respondent's property will include a bathroom window, a velux window to one of the bedrooms as well as the high level window that will serve the study, as referred to above. The bathroom window will be conditioned to be of obscure glazing thereby ensuring there will be no overlooking of the properties to the rear

while, similarly, the 1.8 metre height of the study window will mean occupiers will not have any outlook towards the respondent's property from this room. Although the occupiers of the application property will have some outlook towards the respondent's property from the velux window of the new bedroom, the differing orientations of the properties combined with the separating distances involved will ensure it will not be of such a level so as to adversely affect the respondent's current living conditions. In this regard, it of note that the elevated position of the application property relative to the respondent's property means that many of the rear ground floor windows of the property currently have a direct outlook towards the rear elevation of the respondent's property.

Turning to the concerns regarding the scale of the extension and impact in terms of overbearance. The modest height of the roof extension at some 6.5 metres is considered to be acceptable within the context of the appearance of the property and surrounding area. Indeed, the addition of the pitched roof and general renovation of the property as part of the proposal will significantly improve its general appearance. Furthermore, the separating distance of some 20 metres to the respondent's property will safeguard against any unacceptable impacts by way of overbearance.

Finally, Llanelli Rural Council's comment regarding the impact of the proposal upon the hydraulic loading of the public sewer are not considered to be of relevance to the proposal in that the application merely proposes the renovation and extension of an existing property.

CONCLUSION

On balance therefore, and after careful examination of the site and its surrounding environs, together with the representations received to date, the proposal is considered to be acceptable and in accord with the Authority's Development Plan policies. The proposal will significantly improve the property's current unkempt appearance within the surrounding area while at the same time brining an empty property back into residential use.

Furthermore, the scale and design of the changes to the property will be in keeping with the character and appearance of the surrounding area and cause no unacceptable material harm to the amenity of adjacent residents.

Accordingly, the application is recommended for approval.

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 works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans received with the application:-
 - 1:1250 scale location plan (04_10_Rev1) received on 10 January 2017;
 - 1:200 scale proposed site plan (04_04 Rev1) received on 9 February 2017;
 - 1:50 scale proposed first floor plan (04_06 Rev1) received on 9 February 2017;
 - 1:50 scale proposed roof plan (04_07 Rev 1) received on 9 February 2017;

- 1:100 scale proposed elevations (04_08 Rev 1) received on 9 February 2017;
- 1:50 scale proposed sections A-A and B-B (04_09_ Rev 1) received on 9 February 2017;
- 1:50 scale proposed ground floor plans (04_05) received on 28 December 2016.

- 3 The first floor en-suite bathroom window proposed in the rear elevation of the extension hereby approved, as shown on the 1:100 scale proposed elevations (04_08 Rev 1) received on 9 February 2017 shall be glazed in obscure glass and shall be so maintained thereafter in perpetuity.
- 4 Notwithstanding the provisions of the Town and Country Planning, Wales (General Permitted Development) (Amendment) (Wales) Order 2013 (or any order revoking and re-enacting that order with or without modification), no development within Schedule 2, Part 1, Classes A, B and C shall be carried out within the curtilage of the dwelling hereby approved (other than those expressly authorised by this permission) without the prior written consent of the Local Planning Authority.
- 5 The flat roof area of the existing bungalow to be retained as part of the proposal, as shown on the 1:50 scale proposed roof plan (04_07 Rev 1) received on 9 February 2017, shall not be used as a balcony, roof garden or similar amenity area.
- 6 No new or altered rear first floor window openings shall be created in the gable projection in the rear elevation of the development hereby approved other than those shown on the 1:100 scale proposed elevations (04_08 Rev 1) drawing received on 9 February 2017.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that only the approved works are carried out.
- 3-6 To ensure the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.

REASONS FOR GRANTING PLANNING PERMISSION

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

- It is considered that the proposal complies with Policy GP1 and GP16 of the Carmarthenshire Local Development Plan in that it is appropriate in terms of scale and design and will not cause unacceptable loss of amenity to neighbouring uses.

NOTES

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

- 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.

*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 21 MAWRTH 2017
ON 21 MARCH 2017**

**I'W BENDERFYNU/
FOR DECISION**



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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	21 MARCH 2017
REPORT OF:	HEAD OF PLANNING

INDEX - AREA SOUTH

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
S/35049	Retrospective planning application for ground floor extension to the rear of the property at The Fold, Capel Seion Road, Pontyberem, Llanelli, SA15 5AT
S/35086	Alternative scheme for one dwelling (resubmission of S/34809 – refused 06/01/2017) at plot adjacent 15 Heol Ddu, Pen Y Mynydd, Trimsaran, SA15 4RN

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	S/35049
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Application Type	Full Planning
Proposal & Location	RETROSPECTIVE PLANNING APPLICATION FOR GROUND FLOOR EXTENSION TO THE REAR OF THE PROPERTY AT THE FOLD, CAPEL SEION ROAD, PONTYBEREM, LLANELLI, SA15 5AT

Applicant(s)	MR DAVID DAVIES, THE FOLD, CAPEL SEION ROAD, PONTYBEREM, LLANELLI, SA15 5AT
Case Officer	Gary Glenister
Ward	Pontyberem
Date of validation	02/02/2017

CONSULTATION

Pontyberem Community Council – Objects to the proposal as it is retrospective and has not gone through due process.

Local Member – County Councillor J Sewell Williams is a member of the Planning Committee and has not made prior comment.

Neighbours/Public – The application has been advertised by the posting of two site notices. Two representations have been received to date raising the following matters:-

- Inconsistency - Extensions are not generally allowed on barn conversions;
- There are two extensions shown existing that were not approved;
- The applicants have obstructed a public footpath.

RELEVANT PLANNING HISTORY

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

S/07270	Change of use of garage Full planning permission	29 July 2004
D5/16789	Renovation and restoration of existing barn for residential use Full planning permission	23 February 1995

D5/7290 Conversion of cowshed, construction of 6 holiday chalets
Refused

27 October 1983

APPRAISAL

THE SITE

The application site is to the rear of a converted barn in a rural location to the North West of Capel Seion and South East of Mynyddcerrig. The barn had planning permission for the conversion in 1995 and work was carried out thereafter. A further application was approved in 2004 which allowed the extension of the residential into an attached garage. The main barn retains its stonework on the front elevation so has a traditional character externally.

It is noted from aerial photographs that the conversion included two small projections to the rear that were not part of the original approval. This is an historic breach which would be regularised by incorporation into the scheme as built. No complaints were received regarding the historic breach.

The site has a public footpath running alongside that links the villages of Capel Seion and Mynyddcerrig and is therefore visible despite being in an isolated location. The original farmhouse and outbuildings are to the South in separate ownership.

THE PROPOSAL

The application seeks full retrospective planning permission for a rear extension to link the two previously built extensions. The additional floorspace measures approximately 3m by 4m to form a relocated kitchen area which allows the original kitchen area to be used as a study. The applicant has formed a new cat-slide roof to encompass the previous and recently built extensions so they look like a coherent new addition to the barn.

The extension is rendered under a slate roof which forms an acceptable contrast to the stone barn.

PLANNING POLICY

In the context of the current development control policy framework the site is outside the settlement development limits of Capel Seion as defined in the Carmarthenshire Local Development Plan (LDP) Adopted 10 December 2014.

Policy GP1 Sustainability and High Quality Design states:-

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 9 and TAN12: Design (2016)).

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

Proposals for the conversion and re-use of buildings in rural areas outside the Development Limits of a defined settlement (Policy SP3) for residential purposes will only be permitted where:

- a) The authority is satisfied that every reasonable endeavour has been made to secure an alternative business use and the application is supported by a statement of evidence to the Council's satisfaction of appropriate efforts that have been undertaken to achieve this;

- b) Any residential use would be a subordinate element associated with a wider scheme for business re-use; or,
- c) The residential use contributes to the provision of affordable housing to meet a genuine identified local need (as defined within the Glossary of Terms) and provided that:
 - i) The benefits of the initial affordability will be retained for all subsequent occupants;
 - ii) It is of a scale compatible with an affordable dwelling and would be available to low or moderate income groups.

Proposals will also be required to demonstrate that the following criteria can be met:

- d) The building is structurally sound, substantially intact and is of sufficient size to accommodate the proposed use without extensive alteration, extension or re-construction;
- e) The building demonstrates and retains sufficient quality of architectural features and traditional materials with no significant loss of the character and integrity of the original structure.

Good design is encouraged at all levels and national policy contained in Planning Policy Wales Edition 9 – November 2016 provides the following guidance.

Paragraph 4.11.1 states: “Design is taken to mean the relationship between all elements of the natural and built environment. To create sustainable development, design must go beyond aesthetics and include the social, environmental and economic aspects of the development, including its construction, operation and management, and its relationship to its surroundings.”

Paragraph 4.11.2 states “Good design can protect and enhance environmental quality, consider the impact of climate change on generations to come, help to attract business and investment, promote social inclusion and improve the quality of life. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales, from the construction or alteration of individual buildings to larger development proposals. These objectives can be categorised into five key aspects of good design:”

Paragraph 4.11.3 states “The design principles and concepts that have been applied to these aspects should be reflected in the content of any design and access statement required to accompany certain applications for planning permission and listed building consent which are material considerations.”

Paragraph 4.11.4 states “Good design is also inclusive design. The principles of inclusive design are that it places people at the heart of the design process, acknowledges diversity and difference, offers choice where a single design solution cannot accommodate all users, provides for flexibility in use, and provides buildings and environments that are convenient and enjoyable to use for everyone (see Section 3.4).”

Paragraph 4.11.8 states “Good design is essential to ensure that areas, particularly those where higher density development takes place, offer high environmental quality, including open and green spaces. Landscape considerations are an integral part of the design process and can make a positive contribution to environmental protection and improvement, for example to biodiversity, climate protection, air quality and the protection of water resources.”

Paragraph 4.11.9 states “The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions.”

Paragraph 2.2 of Technical Advice Note 12 Design (March 2016) states:

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

Paragraph 2.6 & 2.7 of Technical Advice Note 12 Design (March 2016) states:

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

2.7 A holistic approach to design requires a shift in emphasis away from total reliance on prescriptive standards, which can have the effect of stifling innovation and creativity. Instead, everyone involved in the design process should focus from the outset on meeting a series of objectives of good design (Figure 1). The design response will need to ensure that these are achieved, whilst responding to local context, through the lifetime of the development (from procurement to construction through to completion and eventual use). This analysis and the vision for a scheme can be presented in a design and access statement where one is required.

THIRD PARTY REPRESENTATIONS

There is concern over inconsistency as extensions are not generally allowed on barn conversions. The policy on conversions is such that barns have to be structurally sound and capable of conversion without “extensive alteration, extension or re- construction”. This does not preclude all extensions as suggested by the objector but each case needs to be carefully considered on its merits. It should be noted that there are two existing extensions (see below) so the addition of a linking section measuring approximately 4m by 3m is not considered to be an extensive alteration. It is also noted that the design of the linking section is traditional and forms a cohesive cat-slide roof at the rear of the barn and replaces the mix of lean-to and gable designs as previously built. On balance, the proposal is not considered likely to have an adverse impact on the character and appearance of the barn or the open countryside in general.

The barn had two small extensions which were built by the original owner as part of the conversion but not shown on the original plans. These were unauthorised additions to the scheme. However it is noted that given the time that has elapsed since they were constructed, there is no expediency in pursuing as they would now be considered lawful. The current proposal is considered to be a design improvement compared with the original as it is a coherent design which has a traditional character.

Any obstruction to a public footpath would be subject to action under other legislation.

CONCLUSION

After careful consideration of the site and its surrounding environs in the context of the representations received to date, the proposal is considered to be a sympathetic addition to the barn given the traditional cat-slide design which amalgamates the unauthorised but now lawful additions that the previous owner had erected. The central section is considered to be modest and were a restrictive condition not imposed on the original permission, it would be permitted development. On balance, whilst retrospective, the extension is considered to be appropriate in scale and design and not likely to have an adverse impact on third parties, therefore is recommended for approval.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 2nd February 2017.
- 2 The development hereby permitted shall be retained strictly in accordance with the following schedule of plans received on 31st January 2017:-
 - 1:1250 and 1:500 scale Site Location and Block Plan;
 - 1:100 scale As Built Floor Plan;
 - 1:100 scale As Built Elevations.

REASONS

- 1 To comply with Section 73A of the Town and Country Planning Act (as amended).
- 2 In the interests of visual amenity.

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposed development complies with Policy GP1 and H5 of the LDP in that it is appropriate in scale and design to the form of the barn and is not likely to cause unacceptable harm to neighbouring properties.

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).

Application No	S/35086
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Application Type	Full Planning
Proposal & Location	ALTERNATIVE SCHEME FOR ONE DWELLING (RESUBMISSION OF S/34809 - REFUSED 06/01/2017) AT PLOT ADJACENT, 15 HEOL DDU, PEN Y MYNYDD, TRIMSARAN, SA15 4RN

Applicant(s)	RACHEL JONES, 25 BWLCHYGWYNT, LLANELLI, SA15 2AJ
Case Officer	Gary Glenister
Ward	Trimsaran
Date of validation	10/02/2017

CONSULTATIONS

Trimsaran Community Council – Has not commented to date.

Local Member – County Councillor M Gravell has not commented to date.

Neighbours/Public – Two neighbour consultation letters have been sent out, with two replies having been received as a result raising the following matters:-

- The garden extension encroaches beyond the LDP settlement limits.
- The height is overbearing despite removal of the balcony screens previously refused.
- Lack of privacy from roof terrace - patio doors still proposed.
- Spatial character – proportion of house to plot.
- Loss of sunlight/daylight through over-shadowing.
- Loss of third party hedge to provide parking.

RELEVANT PLANNING HISTORY

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

S/34809	Single detached dwelling – amended scheme to S/31132 approved 26-11-2014 Full planning refused	06 January 2017
S/31132	Proposed detached dwelling Full planning permission	26 November 2014

APPRAISAL

THE SITE

The site was formerly part of the garden area for 15 Heol Ddu, Penymynydd and formed a lawed area and garage serving the property. Planning permission was approved in 2012 for a single dwelling and reserved matters subsequently approved in 2014. The site is modest in dimension, however the applicant has acquired the Paddock to the rear, part of which was in settlement limits in the UDP but has been excluded in the LDP.

The applicant has two children with disabilities, the nature of which is sensitive information, and the design requirements have changed since the original approval, hence, the applicant seeks an alternative scheme as described below.

An application for an alternative scheme was refused in January 2017 due to the presence of a balcony above the rear projection being an over bearing element, and the fact that the application proposed a large extension of the garden area into the paddock to the rear which was considered to be an unacceptable incursion into the open countryside and would adversely impact the neighbouring properties.

THE PROPOSAL

The application seeks retrospective approval for an alternative scheme to that originally approved in 2014.

Amendments have been made primarily to the rear of the property with the addition of a single storey rear projection. The general form of the main dwelling is not proposed to be changed however it is noted that one of the attic rooms is proposed to be amended from a store room to a bedroom to form a six bed unit.

The rear projection is shown as 4.3m from the rear projection and extends across the rear elevation which measures 9.75m. The extra floor space is proposed as a day room/living room which is open to the kitchen/dining room to provide a supervised living space due to the specific needs of the children. A large glazed rear opening is proposed opening onto the garden area. It is also noted that Juliette balconies are proposed at first floor to prevent access from the patio doors onto the flat roof (which was previously proposed as a balcony).

The site slopes towards the paddock at the rear so the rear of the house is elevated compared with the ground levels. It is noted that ground levels have been lowered around the house and it is shown on the plans that these will be restored so that a terraced rear garden is provided. The levels are such that the extension is high compared with the neighbouring properties despite the fact that it is single storey.

The proposal includes a 6m extension of the garden outside the settlement limits of the village. This would bring the garden in line with the adjacent property.

PLANNING POLICY

In the context of the current development control policy framework, the site lies within the Pen y Mynydd settlement development limits as defined in the Carmarthenshire Local Development Plan (LDP) adopted 10 December 2014.

Policy GP1 Sustainability and High Quality Design states:

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 9 November 2016 and TAN12: Design (2016)).

Policy AH1 Affordable Housing states:

A contribution to affordable housing will be required on all housing allocations and windfall sites. The Council will seek a level of affordable housing contribution of 30% in the higher viable areas, 20% in the middle viable areas, and 10% within the Ammanford/Cross Hands sub-market areas.

Where viability at the target levels cannot be achieved, variation may be agreed on a case-by-case basis.

On Site Contributions

The affordable housing will be required to be provided on proposals of 5 or more dwellings in all settlements. Where adjacent and related residential proposals result in combined numbers meeting or exceeding the above threshold, the Council will seek an element of affordable housing based on the affordable housing target percentages set out above.

Proposals will be required to ensure that the dwelling remains affordable for all subsequent occupants in perpetuity.

Commuted Sums

Where an open market residential site falls below the above thresholds, a contribution through a commuted sum towards the provision of affordable housing will be sought. The level of contribution sought through a commuted sum will vary based upon its location within the high, medium and low viability sub-market areas as set out above. Commuted sum charges will be based on floor space (cost per sq.m).

Good design is encouraged at all levels and national policy contained in Planning Policy Wales Edition 9 – November 2016 provides the following guidance:

Paragraph 4.11.1 states: “Design is taken to mean the relationship between all elements of the natural and built environment. To create sustainable development, design must go beyond aesthetics and include the social, environmental and economic aspects of the development, including its construction, operation and management, and its relationship to its surroundings.”

Paragraph 4.11.2 states “Good design can protect and enhance environmental quality, consider the impact of climate change on generations to come, help to attract business and investment, promote social inclusion and improve the quality of life. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales, from the construction or alteration of individual buildings to larger development proposals. These objectives can be categorised into five key aspects of good design:”

Paragraph 4.11.3 states “The design principles and concepts that have been applied to these aspects should be reflected in the content of any design and access statement required to accompany certain applications for planning permission and listed building consent which are material considerations.”

Paragraph 4.11.4 states “Good design is also inclusive design. The principles of inclusive design are that it places people at the heart of the design process, acknowledges diversity and difference, offers choice where a single design solution cannot accommodate all users, provides for flexibility in use, and provides buildings and environments that are convenient and enjoyable to use for everyone (see Section 3.4).”

Paragraph 4.11.8 states “Good design is essential to ensure that areas, particularly those where higher density development takes place, offer high environmental quality, including open and green spaces. Landscape considerations are an integral part of the design process and can make a positive contribution to environmental protection and improvement, for example to biodiversity, climate protection, air quality and the protection of water resources.”

Paragraph 4.11.9 states “The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions.”

Paragraph 2.2 of Technical Advice Note 12 Design (March 2016) states:

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

Paragraph 2.6 & 2.7 of Technical Advice Note 12 Design (March 2016) states:

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

2.7 A holistic approach to design requires a shift in emphasis away from total reliance on prescriptive standards, which can have the effect of stifling innovation and creativity. Instead, everyone involved in the design process should focus from the outset on meeting a series of objectives of good design (Figure 1). The design response will need to ensure that these are achieved, whilst responding to local context, through the lifetime of the development (from procurement to construction through to completion and eventual use). This analysis and the vision for a scheme can be presented in a design and access statement where one is required.

THIRD PARTY REPRESENTATIONS

The garden extension encroaches beyond the LDP settlement limits by approximately 6m. This is a significant reduction in the area previously sought under S/34809, and is in line with the adjacent property. It is acknowledged that this is an encroachment into open

countryside which would allow a small garden to the rear of the dwelling. On balance however, it is considered to be a modest area and unlikely to have a significant and unacceptable impact on the open countryside as does not protrude beyond that of the adjacent property to the South West. This land was formerly within settlement development limits, however it was excluded in the Local Development Plan as attempts to develop it had failed on highway safety grounds. It is evident that the properties along Heol Ddu have encroached into this area over the years without planning permission, so the modest addition to form a garden area is not unreasonable. In order to control development within the extended area, a standard condition is recommended below removing permitted development rights.

There is concern that the height is overbearing despite removal of the balcony screens previously refused. The retrospective nature of the application allows this to be assessed. Whilst the height is greater that you would expect from a single storey extension due to the ground levels, it is subordinate to the main body of the house and is not considered to be overly dominant. The applicant has removed the 1.8m screens originally sought under S/34809, which is considered to have overcome the reason for the refusal.

The original alternative scheme that was refused under S/34809 included a balcony/roof terrace with 1.8m screens either side. The balcony/roof terrace has however been removed from this submission and any use of the roof as a roof terrace would be unauthorised. The formation of a balcony would require planning permission so the merits can be considered if at any time the applicant wishes to apply. The scheme before Committee has Juliette balcony type balustrades in front of the patio doors which would allow them to open the doors and enjoy the view but without being able to walk out onto the roof. Privacy is not therefore considered to be affected because the view from inside the bedrooms would be no greater than if the applicant stood in the window of the approved scheme.

Notwithstanding any encroachment that has taken place into the land to the rear from other properties, the spatial character of Heol Ddu is for houses with modest rear gardens. The proportion of house to plot as proposed is not therefore likely to adversely impact the spatial character of the area. It should be noted that the applicant also owns the paddock to the rear with the intention of grazing a horse, so the amenity space available is more than the formal garden area. There are however safeguards to ensure that nothing is built on the Paddock as it is below the 5ha threshold that would allow agricultural permitted development.

There is a concern that the proposal would cause loss of sunlight / daylight through overshadowing. It is noted that the site is to the north west of No.17 so would have no impact, however it is to the South West of No. 15 so would have an impact in the evening. It should however be noted that in the greatest part, the additional floor space would be to the south of the main part of the building, so would have limited impact on the neighbouring dwelling which is not considered likely to be unacceptable.

The scheme shows parking alongside the house, with a parking / turning area to the front. There is however concern that the formation of the parking spaces to the side of the house would result in the damage or loss of a hedge along the boundary with the neighbouring property which is said to be in third party ownership. The grant of planning permission would not over-ride the ownership of the hedge, and if any damage is made to the adjacent property, separate legislation in the form of the Party Wall Act would apply.

CONCLUSION

After careful consideration of the site and surrounding environs, it is considered that the house as amended fits into the street scene and is unlikely to have an unacceptable adverse impact on neighbouring properties. Whilst the additional rear section is in line with neighbouring garden areas, the roof terrace/balcony with 1.8m screens has been removed so it is not now considered likely to be overbearing and intrusive.

It is noted that if the applicant had built the original scheme, they could have built a 4m single storey rear extension with 4m ridge and 3m eaves without planning permission subject to the provisions of the General Development Order as amended in 2013. The additional 300mm length and additional 1m eave height (max height is in accordance with permitted development rights) as built are not considered to have an unacceptable adverse impact on neighbouring properties compared with what could have been built.

On balance, the proposal is considered to be in accordance with the above policies and therefore an acceptable form of development.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 10 February 2017.
- 2 The development hereby permitted is defined on the following schedule of plans received on 9 February 2017:-
 - 1:500 scale block plan;
 - 1:50, 1:100 & 1:200 scale existing and proposed elevations, site plan and proposed floor plans;
 - 1:100 scale proposed side elevation.
- 3 The parking spaces and layout shown on the plans herewith approved shall be provided to the written approval of the Local Planning Authority prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only.

REASONS

- 1 To comply with Section 73A of the Town and Country Planning Act (as amended).
- 2 In the interests of visual amenities.
- 3 In the interests of highway safety.

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposed development complies with Policy SP1, GP1, GP2 and H1 in that it is sensitive infilling on an allocated site within the settlement development limits which is appropriate in scale and design to the urban form and is not likely to cause unacceptable harm to neighbouring properties.
- The proposed development complies with Policies TR2 and TR3 in that the proposal is not likely to be detrimental to highway safety.
- The proposed development is exempt from affordable contributions as it is an alternative scheme to one approved prior to the adoption of the LDP. This alternative scheme is not therefore a net increase in dwellings that would trigger an affordable housing contribution under Policy AH1.

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).

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*Ardal
Gorllewin/
Area West*

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

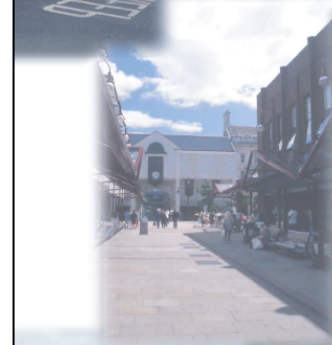
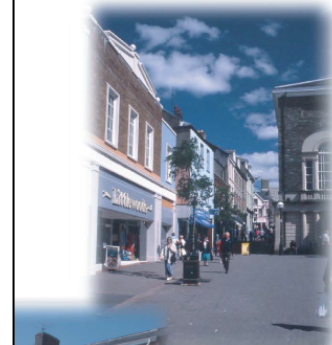
**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

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

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

**AR 21 MAWRTH 2017
ON 21 MARCH 2017**

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



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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	21 MARCH 2017
REPORT OF:	HEAD OF PLANNING

INDEX - AREA WEST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
W/34226	1. Change of Use and alterations to redundant buildings attached to Bishop's Palace 2. External repairs to the lodge 3. Restoration of the walled garden 4. Reconstruction of garden folly 5. Erection of woodland shelter 6. Walled garden and pleasure garden restoration 7. Car park improvements 8. Creation of footpath around Bishops Meadow at Carmarthen Museum, High Street, Abergwili, Carmarthen, SA31 2JG
W/34227	1. Change of Use and alterations to redundant buildings attached to Bishop's Palace 2. External repairs to the lodge 3. Restoration of the walled garden 4. Reconstruction of garden folly 5. Erection of woodland shelter 6. Walled garden and pleasure garden restoration 7. Car park improvements 8. Creation of footpath around Bishops Meadow at Carmarthen Museum, High Street, Abergwili, Carmarthen, SA31 2JG
W/34854	New four bedroom dwelling at plot at Trevaughan Lodge, Whitland, SA34 0QP
W/35177	Variation of Condition 2 of planning permission W/32611 (granted 10/11/2015) to allow a darker blue colour for external cladding materials at 3 Wayside, Ferry Point, Ferry Point Road, Llansteffan, Carmarthen, SA33 5EX

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL
W/35171	<p>Erection of a log cabin adjacent to existing buildings. Further accommodation is required for the existing holiday business to cater for additional capacity. The accommodation will be accessible for wheelchair users and the less able, this is to support our business model to provide high quality accessible accommodation, which is deficient in this area at Creigiau Bach, Llangain, Carmarthen, Carmarthenshire, SA33 5AY</p>

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/34226
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Application Type	Full Planning
Proposal & Location	1. CHANGE OF USE AND ALTERATIONS TO REDUNDANT BUILDINGS ATTACHED TO BISHOP'S PALACE 2. EXTERNAL REPAIRS TO THE LODGE 3. RESTORATION OF THE WALLED GARDEN 4. RECONSTRUCTION OF GARDEN FOLLY 5. ERECTION OF WOODLAND SHELTER 6. WALLED GARDEN AND PLEASURE GARDEN RESTORATION 7. CAR PARK IMPROVEMENTS 8. CREATION OF FOOTPATH AROUND BISHOPS MEADOW AT CARMARTHEN MUSEUM, HIGH STREET, ABERGWILI, CARMARTHEN, SA31 2JG

Applicant(s)	TYWI GATEWAY TRUST, C/O BRYNBEDW, CWMANN, LAMPETER, SA48 8HQ
Agent	ACANTHUS HOLDEN ARCHITECTS - MR PETER HOLDEN, WATERMAN'S LANE, THE GREEN, PEMBROKE, PEMBROKESHIRE, SA71 4NU
Case Officer	Stuart Willis
Ward	Abergwili
Date of validation	29/07/2016

CONSULTATIONS

Head of Transport – Following the removal of the proposed alterations to the parking area at the front of the site which were initially proposed they now have no observations to make on the proposal.

Abergwili Community Council – Has stated they have no objections to the proposal.

Local Member – County Councillor P Palmer has not commented to date.

Cadw – Has raised no objection to the proposal.

They have commented that all of the proposed works would take place within the registered historic park and garden known as Bishop's Palace, Abergwili PGW (Dy) 59 (Cam).

They acknowledge the aim of proposed development is to restore the historic park and garden whilst providing appropriate visitor facilities. They comment that considerable

historical research has been carried out and the proposed development follows the historic layout of the park and garden. They comment that the only non-historic alterations (apart from the disabled car parking bays) are the addition of a woodland shelter at the eastern end of the park and the creation of a footpath around the Bishop's Meadow. They feel the woodland shelter will be a small wooden structure and will be in keeping with the proposed setting in the historic garden.

No footpaths are shown on historic maps in the area of the Bishop's Meadow; however in two locations the site of historic steps leading down into the area have been identified. Historically therefore the Bishop's Meadow has been an area for informal walks in their opinion. The proposed footpath will be formed by reinforcing the existing grass thus maintaining it as an "informal" walk. There will be a necessity to construct three bridges over existing water courses and ramps down from the garden. These will be constructed in a relatively simple form and formalise the footpath route, but Cadw consider that their overall impact on the historic park will be very slight.

They conclude that the proposed development will restore a registered historic park and garden in a sympathetic manner following where possible the historic layout. The addition of the footpath through the Bishop's Meadow will add new structures into the historic park which will, in their opinion, have a very slight impact, but Cadw consider that this is outweighed by the benefit of the restoration of the historic park and garden

Dyfed Archaeological Trust – Has raised no objection to the proposal. They have recommended a condition regarding the implementation of a programme of archaeological work in accordance with a written scheme of investigation.

Public Protection Division – Has responded stating it is not considered that the proposed development will have a significant adverse impact on air quality. A condition is recommended in relation to a scheme to manage dust during construction works.

Natural Resources Wales – Initially had concerns regarding the scheme.

Survey work submitted with the application identified bats at the site. NRW have commented that the presence of six Greater horseshoe bats is of particular importance.

The report submitted outlined some of the mitigation measures that could be employed but they felt it fell short of presenting a detailed bat mitigation plan specific to this site. They requested that a detailed bat mitigation plan, including architectural drawings showing the mitigation be provided, prior to determination.

Subsequently amended/further details were submitted and we are awaiting NRW's response.

In relation to flooding they have stated that the site lies totally within zone C2. NRW classify the development as less vulnerable development due to the fact there will be no residential use. NRW accept that the building exists and that the proposals will not add to the existing flood risk or increase the risk to life. They therefore have no objection to the development but comment that the applicant needs to be made aware of the flood risk. They recommend the proposed construction materials take into account flooding and incorporate flood resilience measures for the extensions. They also comment that a flood management plan should be produced including an evacuation plan.

Provided the implementation of recommendations as listed in section 5 of the Water Vole and Otter Survey (by Habitat Matters Ltd, dated April 2016) and in section 2.4.2 and 3.2 of the Habitat Management Plan (by Habitat Matters Ltd, dated June 2016), NRW are satisfied that the proposal will not have a significant impact on the Afon Tywi SAC & SSSI features, nor the Bishops Pond SSSI features. These recommendations include no public access to the island, locating access route away from otter activity areas, keeping dogs on leads within the meadow and otter sensitive areas, and also discouraging visitors from feeding the ducks and other wildlife on the pond to prevent nutrient build up.

In relation to landscape impacts they comment the site lies within the Twyi Valley Landscape of Outstanding Historic Interest, which is included in the Register of Landscapes of Historic Interest in Wales. The site includes the Bishop's Palace Registered Park and includes three listed buildings/structures: The Bishop's Palace (Museum), Lodge and Garden Walls of the walled garden. Much of the pleasure gardens lie within an area of Ancient Woodland.

They welcome proposals to repair and restore historic buildings and garden features and to restore the pleasure gardens associated with the Bishop's Palace. They feel the proposals would help to conserve these features and their association with the neighbouring park and historic landscape. NRW feel the proposals should be beneficial to the understanding and appreciation of the gardens, park and historic landscape and are supported. They recommend careful consideration should be given to the detailing of hard materials and suggested seeking advice regarding the landscape scheme.

Trunk Roads Agency – Has stated they feel the proposal would have no significant impacts on the A40 trunk road roundabout junction and have no objection.

Dwr Cymru/Welsh Water – Has stated there are no public sewers mapped within the museum grounds and that they are served by private drainage which is connected to the public system from a terminal pumping station. They also understand that the proposal makes no material change to the flows presently discharged indirectly to the public sewerage system in terms of its volume or type.

Land Drainage Section – Has raised no objection to the proposal.

They have commented that as the proposed works do not change the use of the land they have no adverse comments to make and agree with the FCA report. A flood defence consent will be required for the installation and construction of bridge / ramp 01. They also advise that the management of the site draw up a flood management plan to be enacted in the event of a flood to ensure public safety.

Neighbours/Public - The application has been publicised by the erection of site notices near the site and in the local press with no responses being received to date other than Carmarthen Civic Society. They have commented that CCC and the Welsh Historic Gardens Trust should be commended for the proposal and that the proposal would be beneficial in terms of the economy also.

RELEVANT PLANNING HISTORY

W/22689 Conversion and the change of use
of existing storage facilities/outbuildings into
learning centre, cafeteria and toilet facilities together

	with ancillary site and drainage works Full planning permission	22 July 2010
D4/11308	Temporary siting of a portakabin Full planning permission	1 March 1984
D4/5916	Renovation and restoration of outbuildings (phase 111)	
W/02601	Provision of lift ramped access and parking for the disabled Full planning permission 28 July 1999	
W/02599	Provision of lift ramped access and parking for the disabled Listed building consent	6 April 2001
D4/2488	- change of use into county museum	
D4/2420	C/u of former bishops palace to county museum and recreational area Full planning permission	31 March 1996
D4/1371	Alterations to existing building Full planning permission	17 April 1975

APPRAISAL

The application is presented to the Planning Committee as Carmarthenshire County Council have an interested in the site in terms of land ownership.

THE SITE

The application site comprises a property and other buildings and land associated with it known Old Palace (formerly the Bishop's Palace). The site houses the Carmarthen Museum and is located at the east end of the village of Abwergwili. The site is located to the south of the A40T. There are properties at the western end of the extensive grounds of the site. To the southern side of the site is open countryside. The site is accessed off a road leading east to the south of the trunk road. This then turns south in to the site where there is a parking area. The main building is located to the south of the car park with further smaller buildings around it, including near the northern boundary with High Street, Abergwili. There is a watercourse that runs through the site at the edge of the grounds currently in use with the museum and Bishops Pond to the east.

The site is located outside of the settlement limits of Abergwili as delineated by the Carmarthenshire LDP and within a Special Landscape Area. The site is also within a C2 flood zone. The site is located approximately 550m from the Afon Tywi Special Area of Conservation (SAC) and associated SSSI. The site is within the grade II registered historic park and garden at Bishops Palace, Abergwili. The site is within the Twyi Valley Landscape of Outstanding Historic Interest which is included in the Register of Landscapes of Historic Interest in Wales. The site includes three listed buildings/structures; The Bishop's Palace (Museum), Lodge and Garden Walls of the walled garden.

The Bishops Palace was founded by Bishop Barlow of St David's, appointed in 1536, who adapted a former college as his residence. Later, Bishop Laud (bishop 1621-6) built a chapel, consecrated in 1625, while a survey of 1713 indicates that buildings were ranged around a quadrangle in a cloister-type plan. The palace was substantially rebuilt in Elizabethan style by Bishop Jenkinson (1825-40) but was mostly destroyed by a fire in 1902. It was rebuilt in 1903-7 by W D Caroe, architect, closely following the former plan and detail. The chapel was consecrated in 1925. It remained an Episcopal residence until 1972, since when it has been converted to a museum.

It has been listed for its special historic interest and for its architectural interest as a largely unaltered Edwardian Bishop's Palace, with fine chapel interior.

A service yard on the NW side of the palace has buildings arranged around it with pebble-dashed walls. It is entered through replaced doors on the N side, in an L-shaped wall attached to the entrance range. The buildings include, on the E side, a dairy and larder with louvered openings.

The palace and grounds were acquired by Carmarthenshire County Council in the 1970's and converted into the County Museum and a public park. The Palace is set in grounds, which lie adjacent to the Great Meadow and Bishop's Pond, part of the floodplain of the river Tywi. The grounds, or park, measure 3.75ha, and the total area is 10ha. The whole site area is owned by Carmarthenshire County Council, with the exception of the walled garden and the Great Meadow Glebe, which are retained by The Representative Body of the Church in Wales. The southern half of the Bishop's Pond and island fall outside County Council ownership, belonging to the Beynons of Glantowy Fawr Farm.

The Lodge is a picturesque single storey lodge of pebble dashed walls and slate roof with central pebble dashed stack with 2 octagonal shafts. The roof is hipped to the polygonal front. And carried on wooden posts, while the rear is half-hipped and has trefoiled barge boards. Windows have latticework glazing bars and simple hood moulds. The front has a central 3 light window, with blind windows to adjacent cants. Further to L is a 2 light window and then a door with diagonal boarding. On the R side is an added brick porch with boarded door. Towards the rear, where the wall is stepped out to the eaves line on both sides, is a 2 light window on the R side and single light window to the L.

The Garden Walls are high and constructed of rubble stone enclosing a garden approximately 60 X 50m. Facing the East side of the churchyard it has a plain coping and is approximately 2.5m high. At the N end it is stepped and incorporates an inserted doorway with freestone surround and round brick head. The door has vertical ribs and lead to a path to the former palace. The S return is battered at the base.

The buildings are independently Grade II listed buildings.

Within the curtilage is a ha-ha which constructed of stone. In addition, a walled garden which is constructed also of stone. These structures form part of the listing as consequence of the definition of a listed building under Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Garden and Park is registered as Grade II.

THE PROPOSAL

The application seeks full planning permission for a number of works and alterations to the buildings and within the grounds of the site. The works include the following:

- change of use and alterations to redundant buildings attached to bishop's palace
- external repairs to the lodge
- restoration of the walled garden
- reconstruction of garden folly
- erection of woodland shelter
- walled garden and pleasure garden restoration
- car park improvements
- creation of footpath around bishops meadow

A visitor centre is proposed in one of the redundant building attached to the main building. Internally it is proposed for the building to be converted to create facilities including meeting rooms, toilet provision, cafe area, kitchen, activity and bike facilities. One of the buildings on the west side of the courtyard will be converted into an activity room with the removal of the internal walls.

The proposal includes works to create an internal courtyard which is to be roofed to provide a sheltered eating and socializing/corralling area known "as a 'Winter Garden'. To the north of the group of buildings there is a modern (blockwork) garage, which is it proposed would be demolished to expose the original courtyard wall. Externally the modern sand cement renders would be replaced with lime mortar pointing, shelter coats and lime washes. Roofs would be repaired with existing aluminium rainwater goods repaired or replaced to match.

There is an existing lodge building located at the northern end of the site adjacent to High Street and used to mark the entrance to the site. Currently used for museum storage purposes, it is proposed to externally repair it. Potentially the lodge would be linked to the new Tywi Cycle route. Initially it is proposed that the canopy columns are renewed along with the windows and render. The work would be carried out using traditional materials and techniques.

The Bishop's Walled Garden is to be restored and become a public accessible area devoted to education and instruction. The wall heads are to be consolidated using lime mortar and the grounds will be hand cleared and replanted. In the long term the application indicates it is hoped that one of the glasshouses could be rebuilt, following an extensive archaeological excavation of the area however this is not included in this application.

A "Ha-Ha" is proposed to the south edge of the Pleasure Garden. It is proposed to repair/rebuild this. The works will include the removal of imbedded trees, the consolidation of the wall heads, and the rebuilding of collapsed sections using salvaged stone bedded in lime mortar.

A small gardener's cottage (The Bothy) to the immediate north of the walled garden is partially ruined but retains enough evidence of its construction and use to warrant a 'forensic' restoration similar to what might be expected at St Fagan's Museum. The first phase is said to be limited to the renewal of the roof, windows and doors and the repointing of the external walls all carried out using similar materials and traditional

construction techniques. The compound area adjoining is to be re-roofed in slate with a new door and window, for use as a garden equipment store.

Improvements and extension of the footpath around Bishops Meadow is proposed. A circuit route is proposed around the circumference of the meadow. The link to the meadow from the Pleasure Garden requires a wheelchair accessible ramp in steel and timber. The circuit path will in reinforced grass with board walks across drainage gullies. This would involve works across the watercourse in areas currently not publicly accessible.

2 new structures are proposed in the Pleasure Garden with Facilitating access and encouraging learning are fundamental to the purpose of the development. At the eastern most end of the site and overlooking the Bishops Pond it is proposed to construct a timber (in the round) shelter to provide interpretation facilities. In the middle of the garden it is proposed to rebuild a timber 'folly' to provide interpretation of the historic garden. The design is based on the photographic images that exist of a similar Victorian shelter.

The proposal also includes various alterations to the internal parking arrangements within the site. A transport assessment was submitted with the application. Landscaping of the site is also detailed as part of the opening up of the gardens. A tree survey was submitted as part of the application. As the site lies within a C2 flood zone the application was accompanied by a Flood Consequence Assessment. Due to the nature of the works and designations near, at the site a Habitat Management Plan has also been provided. During the course of the application amended details were submitted in relation to bat mitigation measures.

PLANNING POLICY

In the context of the current development control policy framework the site is located outside the defined development limits as contained in the adopted Carmarthenshire Local Development Plan Adopted December 2014.

Policy GP1 of the Local Development Plan (LDP) sets out the general requirements of the Local Planning Authority to ensure sustainability and high quality design through new development. In particular, that "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", "it would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community", "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", and "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".

Policy TR3 Highways in Developments - Design Considerations outlines a number of matters to be considered included suitable access and parking and to ensure highway safety is not adversely affected for users of the roads/streets.

SP1 Sustainable Places and Spaces outlines a number of criteria including requiring proposals to respect, reflect and, wherever possible, enhance local character and distinctiveness and create safe, attractive and accessible environments.

SP9 relates to Transportation and relates to a number of factors and considerations concerning travel, location of developments and provision of appropriate on site facilities.

SP14 Protection and Enhancement of the Natural Environment states development should reflect the need to protect, and wherever possible enhance the County's natural environment.

SP15 relates to Tourism and the Visitor Economy. This states that proposals for tourism related developments and for appropriate extensions to existing facilities will be supported where they are in accordance with the locational hierarchy set out in i, ii & iii below and are acceptable in terms of scale, type of development, siting and general impact:

- i. Within the development limits of Growth Areas and Service Centres - major tourism proposals, including high level traffic generators;
- ii. Within the development limits of Local Service Centres and Sustainable Communities – smaller scale proposals which reflect the character of the area which are appropriate in terms of size, scale and impact;
- iii. Open Countryside – small scale location specific developments that must satisfy policy TSM3, except where they are subject to the provisions of TSM2 and/or TSM5.

Extensions to existing facilities should be subordinate in scale and function to the existing facility and proposals that constitute substantive extensions should be construed as new development.

SP16 Community Facilities, states the LDP will support the provision of new facilities, along with the protection and enhancement of existing facilities, in accordance with the settlement framework and based upon evidence of need.

Policy EQ4 Biodiversity states proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation.

Policy EQ5 Corridors, Networks and Features of Distinctiveness requires proposals for development which would not adversely affect those features which contribute local distinctiveness/qualities of the County, and to the management and/or development of ecological networks (wildlife corridor networks), accessible green corridors and their continuity and integrity will be permitted.

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

Policy EP1 is Water Quality and Resources. This states that proposals for development will be permitted where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters. Proposals will, where appropriate, be expected to contribute towards improvements to water quality. Watercourses will be safeguarded through biodiversity/ecological buffer zones/corridors to protect aspects such as riparian habitats and species; water quality and provide for flood plain capacity. Proposals will be permitted where they do not have an adverse impact on the nature conservation, fisheries, public access or water related recreation use of the rivers in the County.

TSM5 Major Tourism proposals in the Open Countryside states that proposals for large scale attractions/facilities in the open countryside; including appropriate extensions to

existing facilities, will be approved where they meet certain criteria. This includes being compatible in terms of location, siting, design and scale; having satisfactory access to the primary and core highway network, and not resulting in traffic generation to the detriment (capacity) of the local transport network and are serviceable by public transport, walking and cycling ;and being economically viable propositions that contribute towards enhancing the diversity, quality and economic sustainability of the County's tourism offer thus leading to demonstrable economic benefit; and, where appropriate, the development will increase the vitality, sustainability and environmental quality of the site; will not materially and adversely impact upon the social, cultural, economic and environmental qualities and characteristics of the site and/or County; and it has been demonstrated that there is no suitable site available within the development limits of a defined settlement (policy SP3) and that the countryside location is essential with the proposal highly dependent upon the attributes of the site.

SP13 of the Local Development Plan of the Built and Historic Environment states proposals should preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets and where appropriate, their setting. Proposals relating to the following will be considered in accordance with national guidance and legislation.

- Sites and features of recognised Historical and Cultural Importance;
- Listed Buildings and their setting;
- Scheduled Ancient Monuments and other sites of recognised archaeological importance

Proposals will be expected to promote high quality design and that reinforces local character and respects and enhances the local setting and the cultural and historic qualities of the plan area.

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

Section 16 (2) & 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 6.1.1 of the Welsh Government's policy document 'Planning Policy Wales' (January 2016) sets out the Government's objective of ensuring that the character of the historic building is safeguarded from alterations, extensions or demolition that would compromise a building's special architectural and historic interest.

Paragraph 12 of Welsh Office Circular 61/96 states that new uses may be the key to the preservation of a building.

Paragraph 66 of Welsh Office Circular 61/96 states once a building has been listed under Section 1 of the Act, Section 7 provides that consent is normally required for its demolition, in whole part, and for any works of alteration or extension which would affect its character

as a building of special architectural or historic interest. It is a criminal offence to carry out such works without consent.

Paragraph 68 of Welsh Office Circular 61/96 states that whilst the listing of a building should not be seen as a bar to all future change, the starting point for the exercise for the exercise of listed building control is the statutory regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses.

Paragraph 69 of Welsh Office Circular 61/96 states that applicants will need to show why works which affect the character of a listed building are desirable or necessary. They must provide the local planning authority with full information, to enable them to assess the likely impact of their proposals on the special architectural or historic interest of the building and on its setting.

Paragraph 71 of Welsh Office Circular 61/96 states the grading of a building in the statutory lists is clearly a material consideration for the exercise of listed building control. But it must be emphasised that the statutory controls apply equally to all listed buildings irrespective of what grade; and since Grade II includes some 90% of all listed buildings, representing a major element in the historic quality of towns, villages, and country side, failure to give careful scrutiny to proposals for alteration or demolition could lead widespread damage to the historic environment.

Paragraph 80 of the Circular states that owners of listed buildings should be encouraged to seek expert advice on the best way to carry out works to their listed buildings.

Paragraph 94 of the Circular states that many listed buildings are already in well-established uses, and any changes need be considered only in this context. But where new uses are proposed, it is important to balance the effect of any changes on the special interest of the listed building against the viability of any proposed use and of alternative, and possibly less damaging, uses. In judging the effect of any alteration or extension it is essential to have assessed the elements that make up its special interest. They may comprise obvious visual features and the technological interest of the surviving structure and surfaces.

Paragraph 95 of the Welsh Office Circular 61/96 states that many listed buildings can sustain a degree of sensitive alteration, but that it needs to be borne in mind that minor works of indifferent quality, which may seem individually of little importance, can cumulatively be very destructive of a building's special interest.

Paragraph 96 of Welsh Office Circular 61/96 states that listing grade is a material consideration. Many Grade II listed buildings are humble, once common building types which have been listed precisely because they are relatively unaltered example of their sort. They can have their special interest ruined by unsuitable alteration or extension.

Paragraph 97 of Welsh Office Circular 61/96 states that achieving a proper balance between the special interest of a listed building and proposals for alterations or extensions is demanding and should always be based on specialist expertise.

Paragraph 1 of Annex D to Welsh Office Circular 61/96 states that for advice on repairs the attention of local planning authorities is drawn to *The Repair of Historic Buildings: Advice on Principles and Methods*.

Paragraph 2 of Annex D to Welsh Office Circular 61/96 states that the foremost principle which should guide works to historic buildings is conserve as found. Successful conservation lies in the maintenance and like-for-like repair of the existing fabric including the replacement of features and details.

Paragraph 3 of Annex D to Welsh Office Circular 61/96 states each type of historic building has its own characteristics, which are usually related to its former function and these should be respected when proposals for alteration or change of use are put forward. Marks of special interest appropriate to a particular building type are not restricted to external elements, but may include anything from orientation, plan, or arrangement of window openings to small internal fittings. Local Planning Authorities should attempt to retain characteristics of distinct building types of buildings.

Paragraph 6 of Annex D to Welsh Office Circular 61/96 states that alterations should be based on a proper understanding of the structure, and that old work should not be sacrificed merely to accommodate the new.

THIRD PARTY REPRESENTATIONS

There have been no adverse representations received to date. The application is only before the Planning Committee due to the Authority's interest in the land. The representation from Carmarthen Civic Society has been positive.

There have also been no objections from statutory consultees. NRW had initially raised concerns over the level of information concerning bat mitigation however there has subsequently been dialogue with them resulting in updated/amended details having been provided. They are yet to respond formally on the amended details. The Planning Ecologist has raised no objection and will be carrying out a Test of Likely Significant Effect (TLSE) regarding possible impacts of the proposed development. The recommendation is subject to the results of the TLSE and the formal response from NRW regarding bat mitigation. The Conservation Officer has confirmed that he is satisfied with the amended bat mitigation works in terms of their impact on the Listed Building Consent submission.

The site is within a flood zone however as NRW state is a low vulnerability use. The site is also already in use as a museum. While the proposal does provide additional facilities and extend the grounds with public access this is an existing site, no concerns have been raised by the Land Drainage Section or Public Protection Division.

The site is within the grade II registered historic park and garden at Bishops Palace, Abergwili. The site is within the Twyi Valley Landscape of Outstanding Historic Interest which is included in the Register of Landscapes of Historic Interest in Wales. The site includes three listed buildings/structures; The Bishop's Palace (Museum), Lodge and Garden Walls of the walled garden. Therefore the location is sensitive in terms of the historic environment. No objections have been received from Cadw or Dyfed Archaeological Trust on the proposals and it is seen that the scheme would provide improvements to the area as a whole. There is a listed building consent submission with the Authority which has been recommended for approval. The proposal aims to restore building/structures on site and those that are new are considered appropriate in terms of their design, scale and character.

No objections or concerns have been raised over highways considerations from either the Head of Transport or the Trunk Roads Agency. There are no significant alterations to the parking and the access is not to be affected. Comments have been made regarding works near to trees and conditions are suggested in relation to this.

In terms of impacts on amenity the proposals are generally located away from adjacent buildings. It is felt that based on the existing use of the site and the scale of the works proposed that there would not be any significant impacts in terms of amenity.

There are works to various landscape features and the site is within a Special Landscape Area. The Landscape Officer has commented that the proposal delivers landscape enhancement and therefore is considered appropriate. Conditions are recommended in relation to a landscape scheme and the protection of trees where works are proposed in close proximity to them.

The site is not located within the development limits of Abergwili however it is long established facility. The site is in close proximity to the development limits and located near to transport links. The proposal aims to increase/upgrade facilities at the site increase public access to the grounds and extend those.

CONCLUSION

After careful consideration of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that on balance the proposal is acceptable.

As such the application is put forward with a recommendation of approval subject to the following conditions and to the receipt of responses from NRW and the Planning Ecologist.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out strictly in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
 - 1:100 scale Ground Floor Plan (P100G)
 - 1:100 scale East Elevation (P200D)
 - 1:100 and 1:10 scale Bat Mitigation Details (P502B)
 - 1:100 and 1:10 scale Bat Mitigation Details (P503B)
 - Conservation and Bat Report

received 20th February 2017

- 1:500 scale Pleasure Garden Masterplan (P002 Rev E)
- 1:500 scale Planting Masterplan (P004 Rev B)

received on 30th August 2016

- 1:500 scale Roof Plan (S011)
- 1:100 scale Phase 1 Lodge External Repairs (P110)
- 1:500 scale Meadow Masterplan (P003)
- 1:100 scale Ground Floor Plan (P100)
- 1:100 scale Roof Plan (P101)
- 1:100 scale East Elevation (P200)
- 1:100 scale North Elevation (P201)
- 1:100 scale West Elevation (P203)
- 1:100 scale Phase 1 Bothy External Repairs (P120)
- 1:5, 1:2 and 1:1 scale Proposed Sash Window Details (P500) and Main Entrance Joinery Details (P501)
- 1:500 scale Planting Masterplan (P004)
- 1:100 scale Mower Storage (P170)
- 1:100 scale Phase 1 Woodland Vista External Repairs (P140)
- 1:100 scale South Elevation (P202)
- 1:100 scale Phase 1 Garden Folly External Repairs (P130)
- 1:10,000 Location Plan (S001)
- 1:100 scale Section A-A (P300)
- 1:500 scale Topographical (S010)
- Survey for Water Vole and Otter
- Habitat Management Plan

received 2nd August 2016

- 3 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
- 4 No development shall commence until a scheme for the control of noise and dust shall be submitted to and approved by the Local Planning Authority. The scheme shall comply with the guidance found in the BS5228: Noise Vibration and Control on Construction and Open Sites. Upon commencement of the development, work shall be carried out in accordance with the approved scheme.
- 5 The approved Detailed Landscape Design Scheme, as defined in the 1:500 scale Planting Masterplan (P004 Rev B) received on 30th August 2016 and the Landscape Appendix within the Landscape Consideration received on 2nd August 2016 shall be fully implemented in the first available planting and seeding seasons following the commencement of development. Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved Detailed Landscape Design Scheme which, within the lifetime of the approved development are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.
- 6 Prior to the commencement of any works associated with the development [including site vegetation clearance, demolition of existing structures, excavation, heavy machinery entering site or the on-site storage of materials] the following shall be submitted and agreed in writing by the Local Planning Authority: -

- i] Arboricultural Impact Assessment [AIA] relating to all trees, groups of trees, and hedges within or on the site boundary; and all trees outside the site boundary within a distance of up to 12 times their stem diameter, shall be undertaken, to BS5837.
- ii] Tree Protection Plan [TPP] to BS5837 and fully informed by the AIA.
- iii] Arboricultural Method Statement [AMS] to BS5837 and fully informed by the AIA. The AMS shall include a programme for the monitoring and reporting of all works to the Local Planning Authority by a competent arboriculturist appointed by the developer

The approved TPP shall be fully implemented, prior to the commencement of any works associated with the development and thereafter be maintained in its entirety, throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site.

All measures identified within the AMS shall be undertaken as approved.

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 To protect historic environment interests whilst enabling development.
- 4 To prevent disturbance and impacts on amenity from construction works.
- 5 To ensure that the development effectively delivers the policy objectives of the approved Landscape Design Scheme.
- 6 To ensure appropriate protection/retention for landscape features.

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposed development complies with Policy GP1, TR3, SP14, SP15, SP16, EQ4, EQ5, EP1, TSM5, EQ1, SP13 of the Carmarthenshire Local Development Plan, 2014 (LDP) in that it is not considered that the proposal would have a significant impact on the amenity of adjacent land uses, properties, residents or the community. Appropriate access can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality. An appropriate access and parking provision can be achieved at the site. The proposal is an extension of an existing tourism/community facility. The site is located close to settlement limits and due to the scale and nature of the development, as well as the existing facilities could not be easily provided within a settlement. The site has good transport links and is accessible by non-car modes of transport. The works are not considered to create significant harm to the listed building or character and

appearance of the Registered Historic Park and Gardens. The proposal is within a Special Landscape Area and proposes enhancements to the area. The proposal would provide additional community, recreation and tourist facilities.

- Subject to conditions the development would not have an adverse impact on species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation. Appropriate mitigation, management and enhancement can also be achieved. Subject to conditions appropriate retention, protection and/or compensation for loss of features can also be achieved. The proposal would not lead to a deterioration of either the water environment and/or the quality of controlled waters.
- It is also considered the proposal meets the 3 tests in relation to protected species in that there is 'no satisfactory alternative', and that 'the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'. It is also considered that it is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- It is considered that the proposed development complies with S.66 of the Listed Buildings and Conservation Areas Act which requires special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. In that it is not considered the development has any significant detrimental impacts on the setting of the listed building.

NOTES

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

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

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

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

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

Application No	W/34227
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Application Type	Listed Building
Proposal & Location	1. CHANGE OF USE AND ALTERATIONS TO REDUNDANT BUILDINGS ATTACHED TO BISHOP'S PALACE 2. EXTERNAL REPAIRS TO THE LODGE 3. RESTORATION OF THE WALLED GARDEN 4. RECONSTRUCTION OF GARDEN FOLLY 5. ERECTION OF WOODLAND SHELTER 6. WALLED GARDEN AND PLEASURE GARDEN RESTORATION 7. CAR PARK IMPROVEMENTS 8. CREATION OF FOOTPATH AROUND BISHOPS MEADOW AT CARMARTHEN MUSEUM, HIGH STREET, ABERGWILI, CARMARTHEN, SA31 2JG

Applicant(s)	TYWI GATEWAY TRUST, C/O BRYNBEDW, CWMANN, LAMPETER, SA48 8HQ
Agent	ACANTHUS HOLDEN ARCHITECTS - MR PETER HOLDEN, WATERMAN'S LANE, THE GREEN, PEMBROKE, PEMBROKESHIRE, SA71 4NU
Case Officer	Stuart Willis
Ward	Abergwili
Date of validation	29/07/2016

CONSULTATIONS

Abergwili Community Council – Has stated they have no objections to the proposal.

Local Member – County Councillor P Palmer has not commented to date.

Neighbours/Public - The application has been publicised by the erection of sites notice near the site and in the local press with no responses being received to date other than Carmarthen Civic Society. They have commented that CCC and the Welsh Historic Gardens Trust should be commended for the proposal and that the proposal would be beneficial in terms of the economy also.

W/22689 Conversion and the change of use of existing storage facilities/outbuildings into learning centre, cafeteria and toilet facilities together with ancillary site and drainage works
Full planning permission

22 July 2010

D4/11308	Temporary siting of a portakabin Full planning permission Full planning permission 1 March 1984	
D4/5916	Renovation and restoration of outbuildings (phase 111)	
W/02601	Provision of lift ramped access and parking for the disabled Full planning permission	28 July 1999
W/02599	Provision of lift ramped access and parking for the disabled Listed building consent	6 April 2001
D4/2488	Change of Use into county museum	
D4/2420	c/u of former bishops palace to county museum and recreational area Full planning permission	31 March 1996
D4/1371	Alterations to existing building Full planning permission	17 April 1975

APPRAISAL

The application is presented to the Planning Committee as Carmarthenshire County Council have an interested in the site in terms of land ownership.

THE SITE

The application site comprises a property and other buildings and land associated with it known Old Palace (formerly the Bishop's Palace). The site houses the Carmarthen Museum and is located at the east end of the village of Abwergwili. The site is located to the south of the A40T. There are properties at the western end of the extensive grounds of the site. To the southern side of the site is open countryside. The site is accessed off a road leading east to the south of the trunk road. This then turns south in to the site where there is a parking area. The main building is located to the south of the car park with further smaller buildings around it, including near the northern boundary with High Street, Abergwili. There is a watercourse that runs through the site at the edge of the grounds currently in use with the museum and Bishops Pond to the east.

The site is located outside of the settlement limits of Abergwili as delineated by the Carmarthenshire LDP and within a Special Landscape Area. The site is also within a C2 flood zone. The site is located approximately 550m from the Afon Tywi Special Area of Conservation (SAC) and associated SSSI. The site is within the grade II registered historic park and garden at Bishops Palace, Abergwili. The site is within the Twyi Valley Landscape of Outstanding Historic Interest which is included in the Register of Landscapes of Historic Interest in Wales. The site includes three listed buildings/structures; The Bishop's Palace (Museum), Lodge and Garden Walls of the walled garden.

The Bishops Palace was founded by Bishop Barlow of St David's, appointed in 1536, who adapted a former college as his residence. Later, Bishop Laud (bishop 1621-6) built a chapel, consecrated in 1625, while a survey of 1713 indicates that buildings were ranged around a quadrangle in a cloister-type plan. The palace was substantially rebuilt in Elizabethan style by Bishop Jenkinson (1825-40) but was mostly destroyed by a fire in 1902. It was rebuilt in 1903-7 by W D Caroe, architect, closely following the former plan and detail. The chapel was consecrated in 1925. It remained an Episcopal residence until 1972, since when it has been converted to a museum.

It has been listed for its special historic interest and for its architectural interest as a largely unaltered Edwardian Bishop's Palace, with fine chapel interior.

A service yard on the NW side of the palace has buildings arranged around it with pebble-dashed walls. It is entered through replaced doors on the N side, in an L-shaped wall attached to the entrance range. The buildings include, on the E side, a dairy and larder with louvered openings.

The palace and grounds were acquired by Carmarthenshire County Council in the 1970's and converted into the County Museum and a public park. The Palace is set in grounds, which lie adjacent to the Great Meadow and Bishop's Pond, part of the floodplain of the river Tywi. The grounds, or park, measure 3.75ha, and the total area is 10ha. The whole site area is owned by Carmarthenshire County Council, with the exception of the walled garden and the Great Meadow Glebe, which are retained by The Representative Body of the Church in Wales. The southern half of the Bishop's Pond and island fall outside County Council ownership, belonging to the Beynons of Glantowy Fawr Farm.

The Lodge is a picturesque single storey lodge of pebble dashed walls and slate roof with central pebble dashed stack with 2 octagonal shafts. The roof is hipped to the polygonal front. And carried on wooden posts, while the rear is half-hipped and has trefoiled barge boards. Windows have latticework glazing bars and simple hood moulds. The front has a central 3 light window, with blind windows to adjacent cants. Further to L is a 2 light window and then a door with diagonal boarding. On the R side is an added brick porch with boarded door. Towards the rear, where the wall is stepped out to the eaves line on both sides, is a 2 light window on the R side and single light window to the L.

The Garden Walls are high and constructed of rubble stone enclosing a garden approximately 60 X 50m. Facing the East side of the churchyard it has a plain coping and is approximately 2.5m high. At the N end it is stepped and incorporates an inserted doorway with freestone surround and round brick head. The door has vertical ribs and lead to a path to the former palace. The S return is battered at the base.

The buildings are independently Grade II listed buildings.

Within the curtilage is a ha-ha which constructed of stone. In addition, a walled garden which is constructed also of stone. These structures form part of the listing as consequence of the definition of a listed building under Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Garden and Park is registered as Grade II.

THE PROPOSAL

The applicant proposes to improve Carmarthen Museum facilities and Garden for staff and visitors. The application proposes a number of works which include construction of new structures in the Garden, alterations, reinstatement, repairs and demolition. The former Bishops Palace would not be affected by the proposed works.

Further details of the works have been provided in the report for the full planning application W/34227 also before Planning Committee.

STATUTORY DUTIES, GOVERNMENT POLICIES & ADVICE, COUNTY COUNCIL POLICIES

Section 16 (2) & 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

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

Paragraph 6.1.1 of the Welsh Government's policy document 'Planning Policy Wales' (January 2016) sets out the Government's objective of ensuring that the character of the historic building is safeguarded from alterations, extensions or demolition that would compromise a building's special architectural and historic interest.

Paragraph 12 of Welsh Office Circular 61/96 states that new uses may be the key to the preservation of a building.

Paragraph 69 of Welsh Office Circular 61/96 states that applicants will need to show why works which affect the character are desirable or necessary. They must provide the local planning authority with full information, to enable them to assess the likely impact of their proposals on the special architectural or historic interest of the building and on its setting.

Paragraph 94 of Welsh Office Circular states that many listed buildings are in well established uses, and any changes need to be considered in this context. But where new uses are proposed, it is important to balance the effect of any changes on the special interest of a listed building against the viability of any proposed use and of alternative, and possibly less damaging uses. In judging the effect of any alteration it is essential to have assessed the elements that make up the special interest of the building.

Paragraph 95 of Welsh Office Circular 61/96 states that many listed buildings can sustain a degree of sensitive alteration or extension to accommodate continuing or new uses.

Paragraph 124 Office Circular 61/96 states in exercising their responsibility for the safety of buildings under building regulations and fire legislation, local authorities should deal sympathetically with propose for repair and conversion.

Paragraph 2 of Annex D to Welsh Office Circular 61/96 states that the foremost principle which should guide works to historic buildings is conserve as found, and that successful conservation lies in the maintenance and like for like repair of the fabric.

Paragraph 3 of Annex D to Welsh Office Circular 61/96 states that each historic building has its own characteristics, which are usually related to its original function and these, should be respected when proposals for alteration or change of use are put forward.

Paragraph 6 of Annex D to Welsh Office Circular 61/96 states that alterations should be based on a proper understanding of the structure.

Appendix to Annex D of Welsh Office Circular 61/96 (f) 1 states that listed building consent must be obtained for all internal alterations to listed building of whatever grade which affect the character of the building as a listed structure. Internal planning of interest should be respected and left unaltered as far as possible.

Appendix to Annex D of Welsh Office Circular 61/96 (f) 2 states that new partitions should be kept to a minimum.

SP13 of the Local Development Plan of the Built and Historic Environment states proposals should preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets and where appropriate, their setting. Proposals relating to the following will be considered in accordance with national guidance and legislation.

- Sites and features of recognised Historical and Cultural Importance;
- Listed Buildings and their setting;
- Scheduled Ancient Monuments and other sites of recognised archaeological importance

Proposals will be expected to promote high quality design and that reinforces local character and respects and enhances the local setting and the cultural and historic qualities of the plan area.

THIRD PARTY REPRESENTATIONS

There have been no adverse representations received to date. The application is only before the Planning Committee due to the Authority's interest in the land. The representation from Carmarthen Civic Society has been positive.

There have also been no objections from statutory consultees.

The Conservation Officer has provided a response recommending approval of the Listed Building Consent and has made the following comments:

“The applicant proposes to improve Carmarthen Museum facilities and Garden for staff and visitors. The application proposes a number of works which include construction of new structures in the Garden, alterations, reinstatement, repairs and demolition.

The proposed works are focussed on a number of buildings which are independently listed or form part of the listing of the former Bishops Palace as being attached or pre-1st July 1948 structures (Section 1 (5) of the Planning (Listed Buildings and Conservation Areas) Act 1990). These include:

- Buildings attached to the former Bishop's Palace

- The Lodge
- The Bothy
- Walled Garden
- Ha-ha

The proposed works are predominately for repairs and consists of re-pointing, attention to roofs and windows which are to be undertaken using traditional methods and materials.

Alterations are proposed and in relation to the buildings attached to the former Bishops Palace these include a glazed roof to the courtyard, internal refurbishment, new windows and doors and a lime-wash finish. The purpose of the proposals are to create a café and activity centre. Despite the works affecting the existing character of the buildings given that these have been subject to alteration there would be no undesirable affect.

Other alterations would consists of a ramp to the ha-ha and the proposals would slightly compromise the character and setting of the structure. However, the purpose of the ramp is accepted and to limit the harm it is to be located at the far end of the structure and is easily reversible without detriment to the structure.

Reinstatement would include doors, windows, roof to The Bothy and gates in various locations in the gardens.

The proposed developments in the Gardens which are subject to Planning Permission include a mower shed and a Garden View which would not preserve the character and setting of the areas which they are located. However, would not in the opinion of the Officer have an undesirable affect.

The proposed demolition of the garage is welcomed as it will beneficial in improving the character and appearance of the listed building.

In light of the Statutory and Non-Statutory frameworks for the historic built environment the proposals are welcomed by the Officer as the works should ensure that the condition and appearance of the buildings are significantly improved. New uses will be provided to redundant buildings which are in-keeping with the uses of the buildings. Other proposals would improve the Garden. Therefore, overall benefiting the Museum by having suitable facilities for a public attraction and will help assure a sound future.

The proposals have been submitted as a consequence of improving the facilities at the Museum Facilities including the Park and Garden. The proposed works encompass a number of buildings. Predominately these are for repairs and these are to be undertaken in a sympathetic manner. Alterations are to areas where there would be no undesirable affect or are reversible. Reinstatement of missing elements include roofs, windows and doors.

Other proposals subject to planning permission would in the opinion of the Officer have no undesirable affect.

In light of the Statutory and Non-Statutory frameworks the proposals should ensure that the condition and appearance of the buildings are significantly improved. New uses will be provided to redundant buildings which are in-keeping with the uses of the buildings. Other proposals would improve the Garden. Therefore, overall benefiting the Museum by having suitable facilities for a public attraction and will help assure a sound future.”

Following the submission of amended plans concerning bat mitigation the Conservation Officer has confirmed these details are acceptable in this instance and do not alter this recommendation.

CONCLUSION

After careful consideration of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that on balance the proposal is acceptable.

As such the application is put forward with a recommendation of approval subject to the following conditions.

RECOMMENDATION – APPROVAL

CONDITIONS

1. The works hereby granted consent shall be commenced before the expiration of five years from the date of this permission.
2. The development shall be carried out strictly in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
 - 1:100 scale Ground Floor Plan (P100G)
 - 1:100 scale East Elevation (P200D)
 - 1:100 and 1:10 scale Bat Mitigation Details (P502B)
 - 1:100 and 1:10 scale Bat Mitigation Details (P503B)
 - Conservation and Bat Report

received 20th February 2017

- 1:500 scale Pleasure Garden Masterplan (P002 Rev E)
- 1:500 scale Planting Masterplan (P004 Rev B)

received on 30th August 2016

- 1:500 scale Roof Plan (S011)
- 1:100 scale Phase 1 Lodge External Repairs (P110)
- 1:500 scale Meadow Masterplan (P003)
- 1:100 scale Ground Floor Plan (P100)
- 1:100 scale Roof Plan (P101)
- 1:100 scale East Elevation (P200)
- 1:100 scale North Elevation (P201)
- 1:100 scale West Elevation (P203)
- 1:100 scale Phase 1 Bothy External Repairs (P120)
- 1:5, 1:2 and 1:1 scale Proposed Sash Window Details (P500) and Main Entrance Joinery Details (P501)
- 1:500 scale Planting Masterplan (P004)
- 1:100 scale Mower Storage (P170)
- 1:100 scale Phase 1 Woodland Vista External Repairs (P140)

- 1:100 scale South Elevation (P202)
- 1:100 scale Phase 1 Garden Folly External Repairs (P130)
- 1:10,000 Location Plan (S001)
- 1:100 scale Section A-A (P300)
- 1:500 scale Topographical (S010)
- Survey for Water Vole and Otter
- Habitat Management Plan

received 2nd August 2016

- 3 Repairs shall be undertaken on a strictly like-for-like basis using traditional methods and materials. If works other than repairs are proposed; for example replacement, stripping of roof or hacking off of finishes then a full detailed condition report with photographs shall be submitted to the Local Planning Authority for an assessment. The report shall highlight the associated problems, extent of those problems, what consideration has been given to repair, why it is not possible to repair before works other than repair is proposed. No works shall commence on works other than repair (unless approved in the Drawings) until written confirmation has been given that the works are acceptable.
- 4 Where structural alterations are proposed a report undertaken by a qualified structural engineer shall be submitted to the Local Planning Authority for an assessment. The report shall highlight that the proposals are feasible, there would be no undesirable effect on the structure and that no stringent methods of strengthening are required. No works shall commence on the structural alterations until written confirmation has been given by the Local Planning Authority that the works are acceptable.
- 5 Where new doors are proposed (Bothy) elevation & section drawings Scale 1:10 shall be submitted to the Local Planning Authority for an assessment. The drawing shall highlight construction, materials and finishes. No works shall commence on the manufacture of the door until written confirmation by the Local Planning Authority has been given that the doors are acceptable.
- 6 Where new windows are proposed (Bothy) elevation & section drawing Scale 1:10 shall be submitted to the Local Planning Authority for an assessment. The drawing shall highlight construction, materials and finishes. No works shall commence on the manufacture of the windows until written confirmation has been given by the Local Planning Authority that the windows are acceptable.
- 7 Where the ramped is proposed elevation and section drawing Scale 1:20 or equivalent shall be submitted to the Local Planning Authority for an assessment. The drawing shall highlight the construction, materials and finishes. No works shall commence on it manufacture until written confirmation has been given by the Local Planning Authority that the works are acceptable.
- 8 Where new gates are proposed elevation & section drawings Scale 1:10 shall be submitted to the Local Planning Authority for an assessment. The drawings shall highlight construction, materials and finish. No works shall commence on the manufacture of the gates until written confirmation has been given by the Local Planning Authority that the works are acceptable.

- 9 Where it is proposed to apply lime-wash finish to the Lodge this shall be revised to match the existing render finish but lime-based.
- 10 Where it is proposed to reinstate steps to the ha-ha the stone proposed shall be based on examples of other steps to the ha-ha.

REASONS

1. To comply with Section 18 of The Planning (Listed Buildings and Conservation Areas) Act 1990.
2. To ensure that only the approved works are carried out.
- 3-10 To have special regard to the desirability of preserving the building in respect of Section 16 (2) of The Planning (Listed Buildings and Conservation Areas) Act 1990.

REASONS FOR GRANTING PLANNING PERMISSION

In having special regard to the desirability of preserving the listed building or any features of special architectural or historic interest which it possesses, as required by the statutory duty under section 16 (2) & 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Authority finds that the works should ensure that the condition and appearance of the buildings are significantly improved. New uses will be provided to redundant buildings which are in-keeping with the uses of the buildings. Other proposals would improve the Garden. Therefore, overall benefiting the Museum by having suitable facilities for a public attraction and will help assure a sound future.

NOTES

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

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

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

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

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

Application No	W/34854
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Application Type	Full Planning
Proposal & Location	NEW FOUR BEDROOM DWELLING AT PLOT AT TREVAUGHAN LODGE, WHITLAND, SA34 0QP

Applicant(s)	CELTIC HOMES AND BUILDERS LIMITED - MR N JOLLEY, 3 RHYDFELIN, MILL LANE, NARBERTH, SA67 8QW
Agent	STEVE HOLE ARCHITECTS LLP - MR STEVE HOLE, 33 HIGH STREET, NARBERTH, SA67 7AS
Case Officer	Helen Rice
Ward	Whitland
Date of validation	14/12/2016

CONSULTATIONS

Whitland Town Council – Object to the development on grounds that they believe the development will impact further on future flooding events in the town and particularly along Velfrey Road.

Local Member – Cllr S Allen has informed the Case Officer that she wishes to address the committee.

Head of Transport – Whilst objections to the scheme were initially raised on grounds of creating two separate accesses on the road, over-provision of car parking and insufficient visibility from the accesses, following the receipt of amended details for the proposals these objections were overcome, subject to the imposition of conditions relating to the provision of an appropriate access, parking, turning areas and adequate visibility.

Land Drainage – Has confirmed that they are satisfied with the surface water drainage proposals.

Natural Resources Wales – Following review of the submitted information and clarification of certain aspects, NRW offer No objections to the proposal on the basis of the submitted Flood Consequences Assessment (FCA) which confirms following further assessments and modelling that, despite being identified within the C2 flood zone of the adjacent Afon Cwm-Waun-Gron, the site would be located outside the flood zones and therefore the development would comply with A1.14 of TAN15. NRW advise that the access road into the site and the wider Trevaughan Lodge Road development is liable to flood with depths reaching 0.45m with velocities exceeding 0.45m/s. Furthermore, as the

development lies adjacent to the Afon Cwm-Waun-Gron, which is classified as a Main River, a Flood Risk Activity Permit would be separately required from NRW. They also confirm that they are satisfied from a biodiversity perspective that adequate buffer zones of 3m and 7m from the watercourse are illustrated as part of the development.

Dwr Cymru/Welsh Water – No objections to the development.

Third Parties – The application was the subject of notification by way of a site notice. 2no. representations were received as a result, both objecting to the development as follows:

- The area is prone to flooding from the stream that runs behind the land and development of the land will increase the flooding threat to adjacent properties and properties along Velfrey Road and Glendale Terrace;
- The area is prone to flash flooding affecting the field on the opposite bank of the river, properties along Glendale Terrace and the garden areas of 31 – 36 Trevaughan Lodge Road;
- The proposed dwelling would be liable to flood being extremely close to the stream;
- Any new dwelling on the land would be difficult to insure;
- The sewers have not been adopted in Trevaughan Lodge Road;
- NRW require access to the site to undertake works to the watercourse to prevent movement and further flooding;
- Developments on the Riverlea site would lead to further flooding;
- Off-road car parking is required.

RELEVANT PLANNING HISTORY

W/02418	Siting of residential development – Outline planning refused	17 June 1999
D4/18548	Construction of ten houses Reserved matters granted	31 March 1996
D4/14125	Siting of housing estate for thirty three houses Outline planning permission	28 May 1987
D4/8110	Siting of residential development Refusal	16 April 1981
D4/3949	Residential development Refusal	9 January 1978

APPRAISAL

SUBJECT TO SECTION 106 AGREEMENT

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties and the recommendation is one of approval subject to a section 106 agreement and conditions.

THE SITE

The application site lies within an established residential area within the settlement of Trevaughan to the south of Whitland. Trevaughan Lodge Road comprises a cul-de-sac development of 36 units comprising a mix of detached and semi-detached primarily two storey residential properties that were originally granted planning permission in the late 1980s. The application site itself is a vacant parcel of land located on the western side of the outside bend of the access road into the wider estate in between Nos. 35 and 36 Trevaughan Lodge Road. The site is bordered to the west by the Afon Cwm-Waun-Gron, to the east by the pavement alongside the estate access road and by the boundaries of the adjacent properties to the north and south. The site comprises unmanaged grassland with trees along the watercourse edge. The site is currently fenced off with a locked metal gate and thus there is no public access.

THE PROPOSAL

The proposal seeks planning permission for the erection of a detached two storey four bedrooled property and detached garage orientated with its side elevation onto the road and thus its principal elevation facing south. Access to the site would be provided to the south of the proposed principal elevation along with a hardstanding courtyard area between the dwelling and the garage creating a parking and turning area. The property is proposed to be finished in facing brickwork, uPVC windows and doors and slate/fibre cement slates. Due to the proximity of the dwelling to the watercourse a 3m buffer zone from the back of the river is included that will be delineated by a 600mm fence. No development is to be allowed in this area including its use as a garden area and is rather to be left as natural corridor habitat. A 7m buffer zone is also included to delineate land within the proposed garden space that is to remain development free, other than for small areas of the proposed dwelling and garage as proposed. No further structures or buildings would be allowed in this area but it will form part of the garden area for the property. The majority of existing trees are to be retained with the exception of two willows which are proposed to be felled.

The application is supported by a Flood Consequences Assessment (FCA) that concludes whilst a thin band of the site along the watercourse edge would be affected both in a 1 in 100 year event and 1 in 1000 year event, the remaining development site where the dwelling is to be located would remain flood free and therefore is located within Zone A of the Development Advice Maps for Welsh Government's Technical Advice Note 15 (TAN15): Development and Flood Risk (2004). The 1 in 100 year flood level is approximately 19.0mAOD whereas the average ground level of the site is 19.16mAOD. The FCA recommends that finished floor levels should be set no less than 300mm above average site level i.e. at 19.46mAOD. The FCA does acknowledge that the existing estate road is liable to flood up to a depth of 0.45m and at a velocity of 0.45l/s. Furthermore, the FCA concludes that surface water run off can be discharged to the Afon Cwm-Gwaun-Gron without exacerbating flooding elsewhere.

The submitted Ecological Assessment for the site does not highlight any particular concerns and generally supports the provision of the buffer zones provided that they are protected during the construction phase and subsequently physically delineated on the land as indicated on the proposed plans. Recommendations for biodiversity enhancements are suggested such as bat and bird boxes along with appropriate timings of works to avoid disturbance to birds and enhancement areas for potential reptiles/amphibians.

PLANNING POLICY

This application has been considered against relevant policies of the Carmarthenshire Local Development Plan (Adopted December 2014) ('the LDP') and other relevant Welsh Government Guidance. The application site lies within the settlement of Whitland as defined by the LDP and the following policies are of key relevance to the proposal:

Policy SP1 Sustainable Places and Spaces stipulates that proposals for development will be supported where they reflect sustainable development and design principles by concentrating developments within defined settlements, making efficient use of previously developed land, ensuring developments positively integrate with the community and reflect local character and distinctiveness whilst creating safe, attractive and accessible environments that promote active transport infrastructure

Policy SP3 Sustainable Distribution Settlement Framework seeks to concentrate development in sustainable locations within existing defined settlements such as identified growth areas, service centres, local service centres and other defined sustainable communities.

Policy H2 Housing within Development Limits stipulates that housing developments within existing settlements will be permitted provided that they are in accordance with the principles of the Plan's strategy, its policies and proposals.

Policy AH1 Affordable Housing states that a contribution towards affordable housing will be required for the net creation of one dwelling and for developments falling below the threshold of 5 dwellings a financial contribution is sought. This is equivalent to £77.58 per sqm of the internal floorspace of the proposed dwelling in this particular area. Such a contribution would be secured by way of a Legal Agreement that must be completed by all interested parties prior to the issuing of a decision in the event that a positive recommendation is put forward.

Policy GP1 Sustainability and High Quality Design is an overarching policy that seeks to achieve sustainable and high quality developments throughout the County that respect the existing character and appearance of the area in terms of siting, appearance, scale, height, massing, detailing, landscaping, materials and the amenity of local residents and other users and wider community.

Policy TR3 Highways in Developments – Design Considerations relates to the highway design and layout considerations of developments and states that proposals which do not generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted.

Policy EQ1 Water Quality and Resources states that watercourses will be safeguarded through biodiversity/ecological buffer zones /corridors to protect aspects such as riparian habitats and species, water quality and provide for floodplain capacity.

Policy EQ4 Biodiversity states that proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation (i.e. NERC & Local BAP, and other sites protected under European or UK legislation), will not be permitted unless satisfactory mitigation is proposed, and where exceptional circumstances where the reasons for

development outweigh the need to safeguard biodiversity and where alternative habitat provision can be made. Furthermore, **Policy EQ5 Corridors, Networks and Features of Distinctiveness** seeks to ensure that existing ecological networks, including wildlife corridor networks are retained and appropriately managed.

Other Welsh Government Guidance of particular relevance include:

Technical Advice Note 15 (TAN15): Development and Flood Risk (2004)

THIRD PARTY REPRESENTATIONS

The key issue raised by third parties generally refers to flood risk, which by reason of the site's proximity to the adjacent watercourse is fully understood alongside evidence of historic flood events in the area. This matter has been addressed by the applicant through the submission of an FCA which has concluded that the majority of the application site lies outside the floodzone and that the proposed development itself would not exacerbate flooding elsewhere. These conclusions have been accepted by NRW who do not raise any objections to the development itself.

However, it is acknowledged that the existing estate access road, due to local ground level changes is at risk from flooding. TAN15 is the fundamental policy background against which developments which may be affected by flooding are assessed against. Section A.1.15 of the document provides indicative guidance on what is considered tolerable conditions in terms of flood depths and velocity for different types of developments. Whilst it is recognised that the depth of flood on the estate road is within the guidelines, the velocity of the flood exceeds the guideline.

However, given that NRW, along with colleagues within the Council's Land Drainage department, are satisfied that the proposed development itself would not exacerbate the existing flooding situation, it is not considered that the velocity of flood flows within the existing estate road which serves the remaining dwellings on the estate is not a reason for refusing this application. However, it is considered necessary to impose a condition requiring the submission of a Flood Management Plan prior to the commencement of development to ensure that both during the construction and operational phase, adequate measures are in place to ensure that occupiers of the site are aware of the potential for flooding and that adequate measures can be put in place in the interests of safety.

In terms of concerns raised regarding access to the watercourse, the site at present is locked and thus there is no public access. NRW's flood risk analysis team are aware of the application and raised no objections. Nevertheless, a separate flood risk permit will be required from NRW prior to development taking place.

The proposed development includes the provision of off-street parking and matters raised regarding drainage ownership are civil matters. Similarly concerns raised regarding house insurance is a matter for the applicant and is not a material planning consideration.

CONCLUSION

The proposed development is considered acceptable in principle given its location within an established residential area within the defined settlement of Whitland. Whilst the design and orientation of the dwelling would differ from other properties within the estate, the overall appearance and relationship with the street scene would reflect no. 36 Trevaughan

Lodge Road to the north east. The overall scale of the property reflects existing detached dwellings within the site and therefore, it is not considered that the proposed development would have a detrimental impact upon the character and appearance of the area. Sufficient distances between the property and neighbouring dwellings is maintained so as to avoid an unacceptable impact upon residential amenity.

Flood Risk and drainage implications of the site are acknowledged but, having regard to the submitted FCA and comments received from NRW, the Council's Land Drainage Team and Dwr Cymru, it is felt that these issues are satisfactorily addressed to the point that a positive recommendation can be put forward. The FCA has demonstrated that the majority of the site, and certainly the proposed dwelling itself, lies outside the current flood zone and that the proposed development itself would not, according to the technical assessments, exacerbate flooding elsewhere. Issues regarding the flooding of the estate road remain unchanged from the existing and is an issue shared by the existing residents of the estate. The assessments put forward and agreed by NRW indicate that the development would not exacerbate the current situation. Nevertheless, a condition is recommended to require the submission of a Flood Management Plan prior to the commencement of development to ensure that adequate mitigation measures are in place in the event of a flood affecting the estate road both during the construction and operational phases of the development.

Whilst initial concerns were raised regarding highway safety, following amendments to the layout, including the deletion of a proposed secondary access point and car parking area, these concerns have been satisfactorily addressed subject to the imposition of conditions.

The proposal includes an appropriate response to the site's location adjacent to the watercourse with the provision of a fenced off no development or use 3m buffer zone and a no development 7m buffer zone to enable the biodiversity corridor to be maintained in its natural state and to avoid the erection of any further built form within 7m of the watercourse that could potentially disturb biodiversity. Various enhancement and mitigation measures are also proposed.

The proposal does attract the requirement for a contribution towards affordable housing, which in this location is equivalent to £77.58 per sqm of the internal floorspace. The applicant has confirmed that they are willing to enter into such an agreement pending confirmation that the recommendation to approve the development is agreed.

The application is therefore recommended for approval subject to the completion of a Unilateral Undertaking to secure a financial contribution towards affordable housing and subject to the conditions indicated below.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby approved shall be commenced before the expiration of five 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:-
 - 1:1250 scale Location Plan received 9 November 2016

- 1:200 scale Proposed Site Layout Plan (1817/02A) received 2 February 2017
 - 1:100 and 1:50 scale Proposed Floor Plans and Elevations (1817/03A) received 9 March 2017
 - Flood Consequences Assessment by Flood Risk Consultancy Limited (Report no. 2014-150-A) dated 5 December 2016 (excluding Appendix B)
 - Ecological Assessment by One Planet Works (Report no. BS-044-061216) dated 8 December 2016 (excluding Appendix B)
 - Tree Survey by Tree Solutions received 9 November 2016
- 3 Prior to the commencement of any other works, the 3m buffer zone from the top of the river bank along the entire western boundary of the development site shall be permanently fenced off by a 600mm fence as illustrated on the Proposed Site Layout Plan hereby approved. The 3m buffer zone shall remain undisturbed and free from any development and disturbance, including amenity space, footpaths or storage, during both the construction and operational phases of the development.
 - 4 Prior to the commencement of development, a Flood Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall have regard to the findings of the Flood Consequences Assessment by Flood Risk Consultancy and include measures to ensure the safety of occupiers of the site during both the construction and operational phase of the development. The development shall be carried out in accordance with the approved details.
 - 5 The new vehicular access shall be laid out and constructed strictly in accordance with 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.
 - 6 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.
 - 7 Notwithstanding the details included on the submission documents, prior to their installation details and/or samples of the finishes and materials to be used on the external surfaces of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
 - 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, D, E, and F other than that hereby approved, shall be carried out without the written permission of the Local Planning Authority.
 - 9 The 7m buffer zone area located beyond the 3m buffer zone area as illustrated on the approved Proposed Site Layout Plan, shall remain free from any operational development other than that hereby approved.

- 10 The detached garage shall only be used for the purposes of parking in association with the dwelling hereby approved. The garage shall not at any time be converted into habitable accommodation.
- 11 The finished floor level of the dwelling hereby approved shall be set at 19.46mAOD.
- 12 Any access gates shall be set back a minimum distance of 5.0 metres from the highway boundary, and shall open inwards into the site only.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.
- 3 In the interests of biodiversity
- 4 To ensure that adequate measures are in place in the event of a flood for the safety of occupiers and to reduce burden on emergency services.
- 5-6 In the interest of highway safety.
- 7 In the interests of visual amenity.
- 8 In the interests of visual amenity, flood risk and biodiversity.
- 9 In the interests of biodiversity.
- 10 To clarify the nature and extent of the development hereby approved.
- 11 To ensure that sufficient freeboard is maintained over and above current flood levels in the interest of safety of future occupiers.
- 12 In the interests of highway safety.

REASONS FOR GRANTING PLANNING PERMISSION

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

- It is considered that the proposed development complies with Policies SP1, SP3, GP1, H2, AH1, EQ1, EQ4, EQ5 and TR3 of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') and Technical Advice Note 15 : Development and Flood Risk in that the site lies within the defined settlement of Whitland and thus residential development of the site is acceptable in principle. The proposed development is of a scale, design, appearance and siting that would not have a detrimental impact upon the character and appearance of the surrounding area. Sufficient distances, local topographical changes, building orientation, landscaping and privacy measures ensure that potential impacts upon neighbouring

amenity are minimised and adequate mitigation and enhancement measures are proposed to avoid potential impacts on biodiversity and existing trees. Sufficient assessments have been made to demonstrate that the property would not be at risk from flooding and would not exacerbate flooding elsewhere. The development would not have a detrimental impact on highway safety and a financial contribution towards affordable housing is secured by way of a Legal Agreement.

NOTES

- 1 This permission is granted subject to a Legal Agreement for a financial contribution towards affordable housing provision.
- 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)

Application No	W/35177
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Application Type	Variation of Planning Condition(s)
Proposal & Location	VARIATION OF CONDITION 2 OF PLANNING PERMISSION W/32611 (GRANTED 10/11/2015) TO ALLOW A DARKER BLUE COLOUR FOR EXTERNAL CLADDING MATERIALS AT 3 WAYSIDE, FERRY POINT, FERRY POINT ROAD, LLANSTEFFAN, CARMARTHEN, SA33 5EX

Applicant(s)	MRS IMOGEN CLOUT, 327 FULWOOD ROAD, SHEFFIELD, YORKSHIRE, S10 3BJ,
Agent	HAROLD METCALFE PARTNERSHIP - CERI EVANS, 32 SPILMAN ST, CARMARTHEN, SA31 1LQ
Case Officer	Stuart Willis
Ward	Llansteffan
Date of validation	23/02/2017

CONSULTATIONS

Llanstaffen and Llanybri Community Council – Has not responded to date.

Local Member - County Councillor D B Davies is the vice-chair of the Planning Committee and has not made any prior comment.

Neighbours/ Public - The application has been publicised by the posting of a site notice and 2 responses have been received to date raising the following:

- Colour completely out of character for the area
- Majority of the 20 Chalets on site are Green or Brown, which is more in keeping to this Historical site
- Original colour was much lighter blue and blended in with the other chalets
- As it sits right in the middle and in the front of a cluster of chalets, your eye is drawn to it

RELEVANT PLANNING HISTORY

The following planning application has previously been submitted on the application site:-

W/32611	Demolition of existing chalet and construction of new chalet on similar footprint Full planning permission	10 November 2015
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APPRAISAL

The application is as a result of investigations by the Planning Enforcement Team.

THE SITE

The application site is recently constructed chalet that is located within a series of units known as Ferry Point. Full planning permission for the construction of a replacement chalet was granted in 2015. The replacement showed one larger bedroom rather than the two previous small bedrooms, a living area and a bathroom within a slightly larger structure within the same sized curtilage. The area around the site has a number of holiday chalets / dwellings that have been built, replaced and refurbished over a number of years. The former chalet was a permanently constructed chalet of timber framed walls clad in corrugated metal sheeted cladding under a steel cladding roof. The site is located in an isolated position outside development limits near Llansteffan. The site is accessed off a narrow track leading from Ferry Point where there are a cluster of chalets. The chalets are well screened from most views outside of the immediate area.

THE PROPOSAL

The application seeks to vary the original planning permission granted under W/32611. The approved plans referred to in condition 2 of the planning permission were annotated indicating that the external finishes would be plastic coated metal sheets of "Wedgewood Blue" and similar roof material coloured "Goosewing grey". The proposal seeks to vary the external materials of the walls. These are to be amended to a Kingspan Plastic Coated Metal Sheets coloured Sargasso. The application is retrospective as the building and materials are already in place.

PLANNING POLICY

In the context of the current development control policy framework the site is located inside the defined development limits as contained in the adopted Carmarthenshire Local Development Plan Adopted December 2014.

Policy GP1 of the Local Development Plan (LDP) sets out the general requirements of the Local Planning Authority to ensure sustainability and high quality design through new development. In particular, that "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", "it would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community"

THIRD PARTY REPRESENTATIONS

There has been 2 adverse representations received to date. The only alteration from the original approval relates to the external colour of the building. The objections received have related to the change in colour. The objectors feel that the colour used is not appropriate and that it does not fit with, or compliment, the character of the area. The previous and proposed colours are both blue although different shades. The colour used is a darker blue.

The chalets in the cluster are not of consistent appearance or colour. The previous building was green coloured and the approval was for a blue coloured replacement. While the blue colours used may not be found elsewhere in the cluster it is not felt that it is harmful to the character of the area. It should also be noted that there were no restrictions preventing the painting of the property and therefore the external appearance could have been altered at a later time.

CONCLUSION

After careful consideration of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that on balance the proposal is acceptable.

As such the application is put forward with a recommendation of approval subject to the following conditions.

The consultation period expires on 22nd March and therefore a resolution for approval subject to no new material grounds being raised is sought.

RECOMMENDATION – APPROVAL

CONDITIONS

1. Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 10th May 2016.
2. The development hereby permitted shall be carried out in accordance with the following schedule of plans and documents, unless amended by any following conditions:-
 - 1:1250 & 1:500 scale Location and Block Plans, drawing number C/4486/1, received 6th August 2015;
 - 1:100 & 1:50 scale Existing Floor Plan and Elevations, drawing number C/4486/2, received 6th August 2015;
 - 1:100 scale Proposed Floor Plan, Elevations and Sections, drawing number C/4486/3, received 6th August 2015 except that the external walls shall be Kingspan Plastic Coated Metal Sheets coloured Sargasso
 - Design and Access Statement received 6th August 2015;
 - Justification Statement received 28th August 2015.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt and to ensure that the development is implemented in accordance with the approved plans.

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposal complies with Policy GP1 of the adopted LDP in that the proposals would be in keeping with the character of the area and would not adversely impact on the amenity of adjacent land uses, properties, residents or the community.

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.

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	W/35171
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Application Type	Full Planning
Proposal & Location	ERECTION OF A LOG CABIN ADJACENT TO EXISTING BUILDINGS. FURTHER ACCOMMODATION IS REQUIRED FOR THE EXISTING HOLIDAY BUSINESS TO CATER FOR ADDITIONAL CAPACITY. THE ACCOMMODATION WILL BE ACCESSIBLE FOR WHEELCHAIR USERS AND THE LESS ABLE, THIS IS TO SUPPORT OUR BUSINESS MODEL TO PROVIDE HIGH QUALITY ACCESSIBLE ACCOMMODATION, WHICH IS DEFICIENT IN THIS AREA AT CREIGIAU BACH, LLANGAIN, CARMARTHEN, CARMARTHENSHIRE, SA33 5AY

Applicant(s)	MR DAVID VICKRIDGE, CREIGIAU BACH, LLANGAIN, CARMARTHEN, SA335AY
Case Officer	Stuart Willis
Ward	Llansteffan
Date of validation	23/02/2017

CONSULTATIONS

Llangynog Community Council – Has not commented to date

Local Member - County Councillor D B Davies is the vice-Chair of the Planning Committee and has requested that the application be presented to the Planning Committee.

His reason for requesting the application to be placed before the Planning Committee is that the applicants' son, who has a disability, currently attends college studying travel and tourism. This proposal helps to protect and grow this opportunity for him with sustainable employment, and should be approved under the current tourism policy, as set out in the Local Development Plan.

Neighbours/Public - The application has been publicised by the posting of Site Notices with no responses having been received to date.

RELEVANT PLANNING HISTORY

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

W/34798	This proposal is for the erection of a log cabin adjacent to existing buildings at Creigiau Bach. Additional accommodation is required for the existing holiday business to cater for additional capacity. The accommodation will be accessible for wheelchair users and the less able, this is to support our business model to provide high quality accessible accommodation, which is deficient in this area Full planning refused	24 January 2017
W/28191	Replacement of existing storage shed with new timber framed storage shed Full planning permission	6 June 2013
W/27973	Proposed cluster of ponds for biodiversity and in connection with existing holiday let Full planning permission	20 May 2013
W/23842	Construction of extension to replace former barn/piggery to form self catering holiday accommodation Full planning permission	15 February 2011
W/23035	Construction of extension to replace former barn/piggery to form self-catering holiday accommodation Full planning refused Appeal withdrawn	7 July 2010 3 March 2011
W/16418	Extension of existing dwelling rearward and to the side. Also reconnect cowshed to rear of property and extend to form a holiday self catering unit Full planning permission	19 July 2007
D4/21033	Change of use of outbuilding to residential unit Full planning permission	11 June 1991
D4/20280	Siting of retirement bungalow Outline planning refused	12 December 1990

APPRAISAL

THE SITE

The application site consists of dwelling and other buildings set approximately 2km south west of the village of Llangain. The site is accessed by way of a small country lane off the

B4312 road between Carmarthen and Llansteffan. The country lane leaves the B4312 in the vicinity of Llangain heading for Llangynog, and Creigiau Bach being some 100 metres along the track.

The site is located outside the development limits. An application was approved in 2007 to extend the dwelling and outbuildings and convert the existing structures in to holiday accommodation and as part of the existing dwelling (W/16418). There was also a new build 2 storey extension to the rear and side of the existing dwelling. During the course of construction works associated with the development the buildings to be converted collapsed. Subsequently an application was approved by Planning Committee in 2011 for the rebuilt development. Further permission have been given at the site for the use of ponds in association with the holiday let and also for a replacement shed.

An application for a 2 storey log cabin was refused at Planning Committee earlier this year. The refusal reasons related to sustainability and also the design/scale of the proposed cabin.

THE PROPOSAL

The application seeks full planning permission for the erection of a log cabin. The cabin would be to the rear of timber shed recently constructed. There would be an extended track to access the new cabin.

The application is largely the same as the previous submission including the supporting details referred to below. The application has been amended to alter the design and scale of the proposal cabin itself.

The cabin is located 25m from the timber shed which is the nearest building and 47m from the existing holiday let. The structure would have timber walls with a largely glazed southern elevation. The roof would be covered with slate. It would be single storey and have 2 bedrooms. The building measures 9.7m by 10.7m at its maximum. The cabin would be 5.4m in height.

The application indicates that the new cabin would be additional accommodation in connection with the existing holiday business to cater for additional capacity. The accommodation is said to be accessible for wheelchair users and the less able, which the applicant states is the current business model with the one existing holiday let on site and ponds/recreation area.

The application indicates that the additional capacity will create further work for family members and help to augment an existing family enterprise. Reference is made to sustainable tourism, contributing to economic development, conservation and rural diversification.

The issues of sustainability was raised in the pre-application advice and were also part of the refusal reasons of the previous application due to the location of the site. Following the previous refusal the Development management Officer met the applicant to discuss possible options. A revised design was tabled which is the one that has been submitted. It was indicated that in principle the amended design was acceptable. The issue of sustainability however still remained.

The application makes reference to sustainability as before. It states that the applicant currently commutes to work elsewhere and the additional unit would enable them to work from home instead. The applicant feels this would outweigh any sustainability issues regarding travel/transport for those occupying the unit. The employment of a disabled family member is also referred to. Part of the business model is to accommodate people of different physical abilities. The applicant states that by the nature of their disability, travel to and from our accommodation is via private transport is inevitable. It is also stated that due to the size of the accommodation where private transport is used vehicles are generally fully occupied. The applicant also feels that facilities on site such as the gardens reduces the need for occupants to make day trips.

In relation to sustainability of the building they state that the building will be double glazed and fully insulated for conservation up to and beyond the required standard. Reference is also made to fallen wood for burning and the potential for PV electric panels to be placed on the roofs, although this is not shown on the plans of the cabin. Foul waste will be dealt with by the existing 'Bio-disc' mini sewage plant. Rain water is to be discharge in to the existing soakaway on the perimeter of the field.

The submission makes reference to what the applicant feels is a "comparable" planning application. This was for a single log cabin at Sylen Lake where policy EMP3 was referred to. Letters of support have also been provided with the application.

PLANNING POLICY

In the context of the current development control policy framework the site is located outside the defined development limits as contained in the adopted Carmarthenshire Local Development Plan Adopted December 2014.

LDP Policy TSM1 is relevant to the proposal. This relates to Static Caravan and Chalet Sites and states that proposals for new static caravan and chalet sites will only be permitted within the Development Limits of a defined settlement (Policy SP3).

It also refers to proposals for the enhancement and extension of existing static and chalet sites stating they will only be permitted where the development will increase the vitality, sustainability and environmental quality of the site, it will not result in an unacceptable increase in the density of units and/or the overall scale of the site, it enhances the surrounding landscape and townscape and it provides (where appropriate) for the significant improvement of the overall quality, appearance and setting of the site.

Policy TSM4 Visitor Accommodation is relevant. This states that proposals for new build serviced or self catering holiday accommodation will be permitted within the development limits of defined settlements (Policy SP3) where it accords with the relevant criterion under Policy SP15.

Outside the development limits of defined settlements (Policy SP3) proposals for permanent serviced or self catering visitor accommodation will be permitted where it consists of the re-use and adaptation (including conversion) of existing buildings and complies with criteria d) and e) set out in Policy H5.

Policy GP1 of the Local Development Plan (LDP) sets out the general requirements of the Local Planning Authority to ensure sustainability and high quality design through new development. In particular, that "*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”, “it would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community” and “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”.

Policy TR3 Highways in Developments - Design Considerations outlines a number of matters to be considered included suitable access and parking and to ensure highway safety is not adversely affected for users of the roads/streets.

Policy SP1 Sustainable Places and Spaces states that proposals for development will be supported where they reflect sustainable development and design principles. This relates to a number of factors including by distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements; promoting, where appropriate, the efficient use of land including previously developed sites; integrating with the local community, taking account of character and amenity as well as cultural and linguistic considerations; respecting, reflecting and, wherever possible, enhancing local character and distinctiveness; creating safe, attractive and accessible environments which contribute to people’s health and wellbeing and adhere to urban design best practice; promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling; utilising sustainable construction methods where feasible; improving social and economic wellbeing; and protect and enhance the area’s biodiversity value and where appropriate, seek to integrate nature conservation into new development.

Policy SP2 Climate Change states that development proposals which respond to, are resilient to, adapt to and minimise for the causes and impacts of climate change will be supported. In particular proposals will be supported where they: adhere to the waste hierarchy and in particular the minimisation of waste; promote the efficient consumption of resources (including water); reflect sustainable transport principles and minimise the need to travel, particularly by private motor car; avoid, or where appropriate, minimise the risk of flooding including the incorporation of measures such as SUDS and flood resilient design; promote the energy hierarchy by reducing energy demand, promoting energy efficiency and increasing the supply of renewable energy; and incorporate appropriate climate responsive design solutions including orientation, layout, density and low carbon solutions (including design and construction methods) and utilise sustainable construction methods where feasible.

Policy SP3 Sustainable Distribution – Settlement Framework states that the provision for growth and development will be at sustainable locations in accordance with the Settlement Framework identified in the LDP.

Policy SP15 Tourism and the Visitor Economy states that proposals for tourism related developments and for appropriate extensions to existing facilities will be supported where they are in accordance with the locational hierarchy set out in the policy and are acceptable in terms of scale, type of development, siting and general impact:

- i. Within the development limits of Growth Areas and Service Centres - major tourism proposals, including high level traffic generators;

- ii. Within the development limits of Local Service Centres and Sustainable Communities – smaller scale proposals which reflect the character of the area which are appropriate in terms of size, scale and impact;
- iii. Open Countryside – small scale location specific developments that must satisfy policy TSM3, except where they are subject to the provisions of TSM2 and/or TSM5.

Extensions to existing facilities should be subordinate in scale and function to the existing facility and proposals that constitute substantive extensions should be construed as new development.

Policy TR3 Highways in Developments - Design Considerations states that the design and layout of all development proposals will, where appropriate, be required to include an integrated network of convenient and safe pedestrian and cycle routes (within and from the site) which promotes the interests of pedestrians, cyclists and public transport; suitable provision for access by public transport; appropriate parking and where applicable, servicing space in accordance with required standards; infrastructure and spaces allowing safe and easy access for those with mobility difficulties; required access standards reflective of the relevant Class of road and speed restrictions including visibility splays and design features and calming measures necessary to ensure highway safety and the ease of movement is maintained, and where required enhanced and provision for Sustainable Urban Drainage Systems to allow for the disposal of surface water run-off from the highway.

Proposals which do not generate unacceptable levels of traffic on the surrounding road network and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted.

Proposals which will not result in offsite congestion in terms of parking or service provision or where the capacity of the network is sufficient to serve the development will be permitted. Developers may be required to facilitate appropriate works as part of the granting of any permission.

Policy EMP3 is “Employment – Extensions and Intensification”. This states that proposals for extensions and/or intensification of existing employment enterprises will be permitted provided that the development proposals are not likely to cause environmental damage or prejudice other redevelopment proposals, the proposal does not extend and/or intensify a use or activity that might result in adverse amenity issues, or may not be compatible, with neighbouring uses and that the development proposals are of an appropriate scale and form compatible with its location. Proposals for the expansion of existing rural enterprises will be supported subject to the above provisions and the policies and proposals of this Plan.

Technical Advice Note (TAN) 23: Economic Development (2014) is relevant as is Technical Advice Note (TAN) 14 : Tourism (1997) and Technical Advice Note (TAN) 6 : Planning for Sustainable Rural Communities.

In relation to Planning Policy Wales Chapter 11 (Tourism, Sport and Recreation), Chapter 7 (Economic Development) and Chapter 4 (Planning for Sustainability) are particularly relevant.

THIRD PARTY REPRESENTATIONS

There have been no adverse representations received to date. The Local Member has requested the application be presented to the Planning Committee as the applicants' son, who has a disability, currently attends college studying travel and tourism. The Local Member feels this proposal helps to protect and grow this opportunity for him with sustainable employment, and should be approved under the current tourism policy, as set out in the Local Development Plan.

Location of the site/sustainability

The proposal was subject to pre-application advice before the original and this application where concerns were raised with the proposed development. The concerns centred on the location of the site being aware from any settlements and the sustainability issue this gives rise to.

The site is located outside of the development limits of any settlement. The distance from any services and facilities also a consideration. Llangain is the nearest settlement to the site which is approximately 2km from the site. There are some facilities in the settlement however these are limited to a public house. While there are recreation facilities in terms of the ponds/garden on site there are no other services or facilities. Therefore other than the possible future walkway or ponds it is likely that people would need to travel to access facilities. Members will be aware of a recent decision at Planning Committee relating to a RV site near Idole (W/33310). The application was refused due to the site not being considered to be in a sustainable location, not being accessible by foot and that it would be wholly dependent on motorised vehicles to access services and facilities. The roads at and near the site have no public footways either. The previous application refused earlier this year also included sustainability as a reason for refusal.

As has been referred to elsewhere there are no on site facilities for holiday makers and other than a public house no other facilities or services in the area. For example the nearest shops would be Llansteffan or Johnstown. It is acknowledged that the applicant aims to target those with disabilities and therefore this would be likely to require more journeys by vehicle than otherwise would be the case. However any planning permission will be for a holiday let and not specific to any particular users. Reference is made by the applicant to them being able to work from home rather than commute with the additional unit however again any permission would not be tied to particular members of staff.

The local member has referred to the applicant's son being employed at the site and the correlation with the course he is studying. The applicant has also referred to them being able to work from the site if this additional unit were approved. Further details are given later in the report regarding a breakdown of the employment. However the planning permission would not be specific to any particular employee and members of staff can change as can the ownership of the site.

The applicant feels that occupants are likely to travel in a single vehicle rather than multiple ones however again this is something that would not be able to be controlled by planning condition. Sustainability in terms of the building is referred to however this indicates that the building will be "up to and beyond" the required standards. No specific details are provided to show that the proposal would be significantly above the usual requirements.

There has been no change in relation to the above circumstances from the previous application which was refused on sustainability grounds.

Planning Policy Relevance

The application has again referred to a decision at Sylen Lakes which they feel is comparable to the proposed scheme. The proposal was for a single log cabin and the approval made reference to Policy EMP3. This policy relates to the extension of existing employment enterprises. The LDP makes reference to what uses would fall use the “employment” category. The notes at 6.3.1 of the LDP state these are a “mix of B1, B2 and B8, and where appropriate, sui generis uses”.

The Sylen Lakes site has an extensive planning history. The site has fishing lakes and is a wedding venue and therefore there are existing commercial uses which are not related to the tourism policies of the LDP which make reference to accommodation. The proposed cabin at Sylen Lakes was linked to these other uses and to provide overnight accommodation which enhances these other elements of the business. It is also a former colliery site which has been restored with the lakes and has an aggregate business at the site as well. Therefore in that instance policy EMP3 “Employment – Extensions and Intensification” was considered the most relevant policy.

This proposal is for a new log cabin. The existing permissions at the site are for a single holiday let conversion/rebuild and ponds associated with the holiday accommodation. It is not an extension to an existing static caravan or chalet site and as such policy TSM1 would not be considered to be the most relevant policy. The additional unit would be considered as new build accommodation in connection with the existing accommodation and policy TSM4 “Visitor Accommodation” is most relevant. This states that any self-catering or serviced accommodation should only be permitted in the open countryside where it relates to a conversion of an existing building. This proposal does not relate to any conversion. The log cabin is therefore contrary to TSM4 of the LDP. This policy seeks to restrict new build accommodation to within settlement limits where they would have better access to services and facilities and support the sustainable settlement framework of the LDP.

Economic Considerations

The type and level of impact that the proposal would have on the economy are matters that need to be considered.

Chapter 7 of Planning Policy Wales applies and was revised to strengthen the emphasis given to economic considerations and also clarifies economic development as development of land and buildings for activities that generate wealth, jobs and incomes. Economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism, and public services. It is clear from this statement that the Welsh Government regards tourism as major contributor to the Welsh economy.

It stresses the need for local planning authorities to give increasing weight to job creation, PPW states in Chapter 7:

7.6.1 Local planning authorities should adopt a positive and constructive approach to applications for economic development. In determining applications for economic land

uses authorities should take account of the likely economic benefits of the development based on robust evidence. In assessing these benefits, key factors include:

- the numbers and types of jobs expected to be created or retained on the site;
- whether and how far the development will help redress economic disadvantage or support regeneration priorities, for example by enhancing employment opportunities or upgrading the environment;
- a consideration of the contribution to wider spatial strategies, for example for the growth or regeneration of certain areas.

Chapter 11 specifically looks at tourism, sport and recreation and is therefore also relevant to the considerations of this application.

It states that *“Tourism is vital to economic prosperity and job creation in many parts of Wales. It is a significant and growing source of employment and investment, based on the country’s cultural and environmental diversity. Tourism can be a catalyst for environmental protection, regeneration and improvement in both rural and urban areas”*. (11.1.1)

It goes on to say that *“Tourism involves a wide range of activities, facilities and types of development throughout Wales. The planning system should encourage sustainable tourism in ways which enable it to contribute to economic development, conservation, rural diversification, urban regeneration and social inclusion, recognising the needs of visitors and those of local communities. In addition to supporting the continued success of existing tourist areas, appropriate tourist-related commercial development in new destinations, including existing urban and industrial heritage areas, should be encouraged”*. (11.1.4)

In 11.1.7 PPW says that *“In rural areas, tourism-related development is an essential element in providing for a healthy, diverse, local and national economy. It can contribute to the provision and maintenance of facilities for local communities. Here too development should be sympathetic in nature and scale to the local environment and to the needs of visitors and the local community”*. And goes on at 11.1.9 to state that *“Development for tourism, sport and leisure uses should, where appropriate, be located on previously developed land. The sensitive refurbishment and re-use of historic buildings presents particular opportunities for tourism and leisure facilities”*.

TAN6 relates to sustainable rural communities and again is a consideration of the proposal. Paragraph 3.1.1 highlights that *“Strong rural economies are essential to support sustainable and vibrant rural communities. A strong rural economy can also help to promote social inclusion and provide the financial resources necessary to support local services and maintain attractive and diverse natural environments and landscapes”*.

It is not felt that the proposal complies with the relevant LDP policies. Therefore these concerns need to be balanced against any economic benefits of the development.

In updating economic development planning policy the Welsh Government recognised that there was also a requirement for a Technical Advice Note to provide further detail. TAN23 Economic Development was issued in 2014.

The TAN states that *“Where economic development would cause environmental or social harm which cannot be fully mitigated, careful consideration of the economic benefits will be*

necessary. There will of course be occasions when social and environmental considerations will outweigh economic benefit. The decision in each case will depend on the specific circumstances and the planning authority's priorities". (2.1.2)

In relation to the rural economy the TAN says *"There are two kinds of special contribution that are particularly relevant to rural development. Firstly, an economic development could make communities more sustainable, by improving the alignment of housing and jobs, encouraging people to work close to home. Secondly, the needs of established businesses or clusters may be very specific. When businesses expand or modernise, they may need to do so in situ; it may be highly inefficient or impracticable for them to relocate to a sequentially preferable site. Similarly new businesses aiming to join existing clusters may need to be close to existing businesses if they are to derive the benefits."*

The TAN requires local planning authorities to assess the economic benefit associated with allocating sites and determining planning applications for economic development. Where a planning authority is considering a site allocation or planning permission that could cause harm to social and environmental objectives the TAN proposes an approach where three questions that should be asked -

- Are there alternative sites for the proposal?
- How many direct jobs will result from the proposal?
- And would such a development make a special contribution to policy objectives?

in order to help balance the economic, social and environmental issues.

Alternatives: If the land is not made available (the site is not allocated, or the application is refused), is it likely that the equivalent demand could be met on a site where development would cause less harm, and if so where?

The TAN cites an example of where some existing firms may not be able to grow unless they are allowed to expand on their existing site, or close to it. Before concluding that 'there is no alternative' local planning authorities are encouraged to try to assess whether competing firms, serving the same markets, could generate the same development and jobs.

The site is located in rural Carmarthenshire. There are other tourist sites in the wider area. The application makes reference to the accommodation being suitable for disabled access and this being a feature of the site. The details provided by the applicant indicate that in terms of accommodation identified as suitable for wheel chair use the nearest are 2 and 7 miles from Carmarthen and the other 7 suitable properties are between 14 and 20 miles away. Any approval would be for holiday accommodation and it would not be possible to impose a condition limiting the use of the building to any specific occupants. In terms of overall tourism accommodation it is not felt that there is any specific shortage of such accommodation in the County. While it is the applicants desire to expand the existing site this does not imply that any extension is acceptable or that any economic benefits imply a development is appropriate. In relation to economic benefits the application indicates that facilities on site mean there would be little need for those staying at the site to visit other locations.

Jobs accommodated: How many direct jobs will be based at the site?

This provides a rough-and-ready measure of a development's contribution to the wider economy. Economic growth is worthwhile wherever it is located, and in the interests of economic growth the planning system should generally aim to provide land where there is demand for it. There may be good reasons why jobs in some places are even more worthwhile than in other places. The third test below deals with this.

Details were provided by the applicant in the previous application that the current duties for the applicant's son include:

- Grounds maintenance.
- Minor building maintenance and repair.
- Cleaning internally and externally.
- Introduction to customer interface/support.

These comprise 16hrs per week of work it is estimated. Further labour of approximately 10hrs per week is also said to be employed on site supplementing these activities.

It is indicated that there are currently 2 part time staff and that if approved the proposal would relate to 2 permanent staff and 1 part time.

The applicant indicates that the proposal gives them the opportunity to expand the business sufficiently so they will be fully employed in managing and having the time to promote the business.

Therefore while any employment is beneficial, the development would not provide significant increases in employment. Comments made by the local member refer to the personal circumstances of the applicant and their family. It should again be noted that the planning permission will be for the site and not relate to any individuals.

Any employment is welcomed however this needs to be balanced against any harm the development would cause. It is not felt that the proposal would provide significant benefits in terms of job creation to outweigh the harm. There has been no change in relation to this since the original submission and refusal at Planning Committee.

Special merit: Would the development make any special contribution to policy objectives?

Such policy contributions may relate to the objectives listed in PPW, or to more general policy objectives set out elsewhere in PPW and Chapter 11 of PPW is particularly relevant in this case

Tourism is an important element of the economy in Carmarthenshire however the site is not one that is unique. There is a single existing unit of accommodation on the site which was approved following the collapse of a previously approved barn conversion. The proposal is now for a log cabin as a second unit of accommodation. While economic development is an important consideration it is not felt that this scheme provides any significant or unique benefits or any justification for overriding the concerns raised here and in the previous application. Such proposals could be easily repeated elsewhere.

Therefore it is not felt that the refusal of the application would be to the detriment of the wider economy or tourism in the area.

Design and Appearance

The previous proposal was for a 2 storey log cabin. The scale and design of the cabin formed part of the refusal reasons for the previous application. This resubmission has amended the design of the cabin. It has been reduced in height by approximately 1m and is now single storey. The footprint has increased however the appearance from 3 of the elevation is more in keeping with the other buildings on site. It is felt that the changes have addressed the previous concerns and that the amended design is not a matter to warrant refusal of the application.

Other Matters

In relation to noise, impacts on amenity and traffic it is not felt that there are concerns. The site is located sufficient distance from any other properties that noise and disturbance should not be an issue. In terms of traffic while the location of the site and sustainability are concerns it is not felt that level of traffic would be detrimental to highway safety.

CONCLUSION

After careful consideration of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that on balance the proposal is not acceptable.

As such the application is put forward with a recommendation of refusal for the following reasons.

RECOMMENDATION – REFUSAL

REASONS

- 1 The proposal is contrary to Policy TSM4 “Visitor Accommodation” of the Carmarthenshire Local Development Plan:-

Policy TSM4 Visitor Accommodation

Proposals for new build serviced or self catering holiday accommodation will be permitted within the development limits of defined settlements (Policy SP3) where it accords with the relevant criterion under Policy SP15.

Outside the development limits of defined settlements (Policy SP3) proposals for permanent serviced or self catering visitor accommodation will be permitted where it consists of the re-use and adaptation (including conversion) of existing buildings and complies with criteria d) and e) set out in Policy H5.

In that:

- The proposal would go against the principle of distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements. The site is located outside of development limits and is distant from many services and facilities. Due to location

of the site and the nature of the route between the site and the nearest settlements, services and facilities the journeys to and from the site to would heavily reliant on private transport and therefore be unsustainable. The site is not in a sustainable location accessible by foot and would be wholly dependent on motorised vehicles to access services and facilities.

- 2 The proposal is contrary to Policy SP1 “Sustainable Places and Spaces” of the Carmarthenshire Local Development Plan:-

SP1 Sustainable Places and Spaces

Proposals for development will be supported where they reflect sustainable development and design principles by:

- a. Distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements;
- b. Promoting, where appropriate, the efficient use of land including previously developed sites;
- c. Integrating with the local community, taking account of character and amenity as well as cultural and linguistic considerations;
- d. Respecting, reflecting and, wherever possible, enhancing local character and distinctiveness;
- e. Creating safe, attractive and accessible environments which contribute to people’s health and wellbeing and adhere to urban design best practice;
- f. Promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling;
- g. Utilising sustainable construction methods where feasible;
- h. Improving social and economic wellbeing;
- i. Protect and enhance the area’s biodiversity value and where appropriate, seek to integrate nature conservation into new development.

In that:

- The proposal would go against the principle of distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements. The site is located outside of development limits and is distant from many services and facilities. Due to location of the site and the nature of the route between the site and the nearest settlements, services and facilities the journeys to and from the site to would heavily reliant on private transport and therefore be unsustainable. The site is not in a sustainable location accessible by foot and would be wholly dependent on motorised vehicles to access services and facilities.

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

Policy GP1 Sustainability and High Quality Design

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

- a. It conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing;
- b. It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;
- c. Utilises materials appropriate to the area within which it is located;
- d. It would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community;
- e. Includes an integrated mixture of uses appropriate to the scale of the development;
- f. It retains, and where appropriate incorporates important local features (including buildings, amenity areas, spaces, trees, woodlands and hedgerows) and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity;
- g. It achieves and creates attractive, safe places and public spaces, which ensures security through the ‘designing-out-crime’ principles of Secured by Design (including providing natural surveillance, visibility, well-lit environments and areas of public movement);
- h. An appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality;
- i. It protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment;
- j. It ensures or provides for, the satisfactory generation, treatment and disposal of both surface and foul water;
- k. It has regard to the generation, treatment and disposal of waste;
- l. It has regard for the safe, effective and efficient use of the transportation network;
- m. It provides an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all;

- n. It includes, where applicable, provision for the appropriate management and eradication of invasive species.

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

In that:

- The proposal would go against the principle of distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements. The site is located outside of development limits, and is distant from many services and facilities. Due to location of the site and the nature of the route between the site and the nearest settlements, services and facilities the journeys to and from the site to would heavily reliant on private transport and therefore be unsustainable. The site is not in a sustainable location accessible by foot and would be wholly dependent on motorised vehicles to access services and facilities.

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