

Document Pack



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

WEDNESDAY, 11 OCTOBER 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 10.00 AM ON THURSDAY, 19TH OCTOBER, 2017** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Kevin Thomas
Telephone (direct line):	01267 224027
E-Mail:	Democraticservices@carmarthenshire.gov.uk
Ref:	AD016-001

PLANNING COMMITTEE

20 MEMBERS

PLAID CYMRU GROUP - 10 MEMBERS

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

LABOUR GROUP - 6 MEMBERS

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

INDEPENDENT GROUP - 4 MEMBERS

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

NO SUBSTITUTES ARE ALLOWED AT MEETINGS OF THIS COMMITTEE

AGENDA

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5. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE:-
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**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

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

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 19 HYDREF 2017
ON 19 OCTOBER 2017**

**I'W BENDERFYNU/
FOR DECISION**

***Ardal De/
Area South***



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:	19 OCTOBER 2017
REPORT OF:	HEAD OF PLANNING

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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	S/35645
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Application Type	Full Planning
Proposal & Location	RESIDENTIAL DWELLING AND GARAGE AT LAND OFF HAFOD ROAD, TYCROES, AMMANFORD, SA18 3GA

Applicant(s)	MRS BEVERLEY WILLIAMS, 1A PARC PENCAE, LLANDYBIE, AMMANFORD, SA18 3AZ
Agent	,
Case Officer	John Thomas
Ward	Tycroes
Date of validation	08/06/2017

CONSULTATIONS

Llanedi Community Council – Have not commented to date.

Local Member – County Councillor T Higgins has received expressions of concern over the proposed drainage arrangements for the development and requested that the Council's Hydrology Division be consulted

Dwr Cymru / Welsh Water – No adverse comments.

Coal Authority – No observations received to date

Neighbours/Public - The application has been publicised by the posting of two Public Notices in the vicinity of the application site, in response to which letters of concern and objection have been received from two different households raising the following issues:-

- Construction traffic to the proposed development will access via a narrow shared access way, raising issues over maintenance and upkeep, and liability for any damage caused by construction traffic;
- Concern that previous surface water problems would re-occur, should the proposed development be constructed;
- Criticism of the means by which the application was publicised ie one public notice on the Parc yr Hendre Estate, when adjacent property owners/occupiers should have be notified directly;

- Concern regarding the scale, appearance and impact of the dwelling and garage on the surrounding area and adjoining neighbours;
- It is opined that the proposed siting of the development would overlook an adjacent dwelling, impacting on both the light received and privacy enjoyed to the rear of the house and garden;
- The large scale of the proposal would have an impact upon the appearance of the overall area;
- Contrary to Carmarthenshire LDP Policy G1 *Sustainability and High Quality Design*.
- Outstanding issues with uncompleted works on the adjacent Parc yr Hendre estate, the estate road to which has yet to be adopted;

RELEVANT PLANNING HISTORY

No planning applications have previously been submitted in respect of this site.

APPRAISAL

THE SITE

The application site consists of a 0.0875 ha area of gently sloping pasture land located to rear (East) of the detached properties “Lon Las” and “Melona” located along Hafod Road, Tycroes, Ammanford. The site presently serves as part of a small field enclosure which also borders onto the Parc yr Hendre residential estate (North), and former Wernos Farm (North-east). The private access driveway to the latter property borders the site along its South-eastern boundary.

Although the site address is given as being Off Hafod Road, the site is not contiguous with, and has no direct access onto that road. The only direct vehicle access route to the site would be via Parc yr Hendre, which is the confirmed route of access off the A483, given that Hafod Road is constrained in terms of width and restricted visibility at the junctions onto Ammanford Road. The point of access to the application site would be via an un-adopted section of private road leading off the Parc yr Hendre estate, which serves nos. 24 & 25 Parc yr Hendre as well as providing rear access and parking for nos. 16 - 18 Parc yr Hendre.

THE PROPOSAL

The application seeks full planning permission for the construction of a detached dwelling and further double garage/workshop, served by a generous driveway/turning area off the un-adopted private lane. Although two-storey in scale and appearance, with a generous roof pitch and unbroken roof planes, the basic footprint of the house would measure 9.21m x 13.15m, with a further two-storey front gable and hallway projection and single storey rear sun room, with a maximum ridge height of 9.5m. The design of this 348 sqm gross floor area six bedroom house does include a partial second floor, surreptitiously provided in part of the attic space. The sole source of natural light to the second floor attic room would be via a high level window in the apex of the western gable elevation wall, while all other principle fenestration would be to the front (north) and rear (south). The proposed

dwelling is of a not too unfamiliar front gable featured design, while the proposed facing brick, hanging tiles and dark grey roof tile finishes being common to the surrounding area. Similarly, the 10.0m (L) x 7.2m (W) x 5.7m(H) single storey garage/workshop is shown to be finished in matching material finishes.

Although no detailed landscaping scheme or precise details of all boundary treatment is included in the application submission, the provision and implementation of such details can be secured by means of appropriately worded pre-commencement conditions, as can other aspects of the proposal.

As the application site is located in an area where there is a legacy of past coal mining activity, and as such we are statutorily required to consult with the Coal Authority on all planning applications which may be at risk from such past activities. A report has been received from the applicant addressing risk posed to the development by any such potential constraint. The report has been forwarded to the Coal Authority for their formal observations.

PLANNING POLICY

The application site is located within the defined settlement limits of Tycroes, which forms part of the Ammanford/Cross Hands Growth Area, as delineated by Inset Map GA3 to the Adopted Carmarthenshire Local Development Plan (LDP), 2014. The application site, together with the remainder of the same paddock, and substantively completed Parc yr Hendre Estate are allocated for housing purposes under Policy H1 of the Plan (allocation GA3/h20). As such, there is a clear policy presumption in favour of the development of the site for residential purposes. Reference is also drawn to the following strategic and specific policies of the Plan which are relevant to the consideration of the proposal.

Policy SP1 of the LDP promotes environmentally sustainable proposals and encourages the efficient use of vacant, underused or previously developed land.

Policy SP3 of the LDP refers to the settlement framework and states that provision for growth and development will be at sustainable locations in accordance with the LDP's settlement framework. In this respect, Tycroes forms part of the Ammanford/Cross Hands Growth Area.

Policy SP17 of the LDP states that development will be directed to locations where adequate and appropriate infrastructure is available or can be readily available.

Policy GP1 of the LDP 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.

Policy GP2 of the LDP states that proposals within defined development limits will be permitted, subject to policies and proposals of the plan, national policies and other material planning considerations.

Policy AH1 of the LDP normally requires, where an open market development falls below the threshold of five dwellings, a contribution towards affordable housing in lieu of on-site provision.

Policy TR3 of the LDP highlights 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 GP4 states that proposals for development will be permitted where the infrastructure is adequate to meet the needs of the development. Proposals where new or improved infrastructure is required but does not form part of an infrastructure provider's improvement programme may be permitted where it can be satisfactorily demonstrated that this infrastructure will exist, or where the required work is funded by the developer. Planning obligations and conditions will be used to ensure that new or improved facilities are provided to serve the new development.

Policy EP3 requires proposals to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Urban Drainage Systems (SUDS), has been fully investigated.

Policy EQ4 relates to biodiversity and 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 will not be permitted unless satisfactory mitigation is proposed, and in exceptional circumstances where the reasons for development outweigh the need to safeguard biodiversity and where alternative habitat provision can be made.

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 application has attracted some local objection and concern, certain of which have been echoed by the local County Councillor. In respect of the concerns raised regarding surface water drainage, given past instances of surface water flooding and worries that such flooding could re-occur or worsen as a result of the proposed development. The applicant has undertaken a percolation test on the site to ascertain the suitability of the site for soakaways to function. The results of that exercise, which have been shared with colleagues in the Drainage Section, demonstrate good infiltration and that the site would be suitable for soakaway to function.

Certain of the objectors question the scale, appearance and appropriateness of the proposed house and garage, given the surrounding context and relative proximity of neighbouring properties, with specific reference to LDP Policy GP1 *Sustainability and High Quality Design*. However, in the context of the scale and spatial arrangement of those neighbouring dwellings on the Parc yr Hendre estate, as well as those along Hafod Road. The two-storey scale development is of a design and finish that would not only integrate

well with surrounding development, but would sit within a generous plot with more than adequate separation distance from the nearest neighbouring properties.

The concerns raised around the perceived disturbance and inconvenience caused during any construction phase is an inevitable and recognised short term inconvenience with any development of this nature. However, by their very nature any construction phase would be over a relatively short period, invariably gaining access via Parc yr Hendre as the only practicable access route. While the initial short section of private lane may not be to an adoptable width, it would be sufficient for delivery and construction vehicles to serve the proposed development. The associated questions surrounding the ownership, maintenance and repair of this section of private road would be a civil matter between the respective interested parties, but are not directly material to the consideration of this planning application.

On the question of the alleged inadequacy on the part of the Planning Service in publicising the planning application. As the application file records and site visit photographs taken bare testimony, the application was publicised by means of two site notices, one on Hafod Road and the other on the Parc yr Hendre Estate. Contrary to the objectors understanding of the statutory requirements regarding the publicising of all planning applications, the local planning authority is only required to publicise by means of either a site notice displayed in the near vicinity of the application site, or by individual notification to any immediately adjoining owners or occupiers. This is a requirement in the alternative, and there is no requirement to do both.

CONCLUSION

The site is allocated for residential development in the Local Development Plan so forms part of the County's housing strategy for the village and wider Growth Area. The application plot is of generous proportions, while the scale and design of dwelling can be comfortably accommodated within the confines of the site, allowing for an appropriately form of development not out of place within the village.

The village of Tycroes benefits from a primary school, shops, post office, places of worship, and reasonable amount of community facilities coupled with the fact that the application site is within easy walking distance of a public transport route. The site is therefore considered to be in a sustainable location.

Although it is adopted policy (AH1 – Affordable Housing) that all new residential development contribute to either the on-site provision of affordable housing or, for open market developments of below five dwellings a commuted sum contribution is made towards the provision of affordable housing elsewhere. Where it can be demonstrated that the policy requirements cannot be achieved, without making the scheme unviable and otherwise undeliverable, provision exists to relax this requirement. In accordance with this policy exception, the applicant has in this instance submitted a viability appraisal to support this exception, which has been assessed and scrutinised by colleagues in Corporate Property. The conclusions of that examination and analysis of the viability appraisal has confirmed that the scheme would be commercially unviable, even without the requirement to make a contribution towards affordable housing provision. As such, the Planning Service will not be seeking a legal agreement to secure an in lieu contribution towards affordable housing in this instance.

The various concerns and objections raised by neighbouring residents and the local County Councillor have been addressed in this appraisal, with appropriately worded conditions recommended to cover certain detailed aspects of the development.

The proposed development is within settlement development limits and is not likely to have an unacceptable adverse impact on third parties or highway safety. Therefore, is considered to be in accordance with the above policies and policy guidance with the recommendation, subject to the outstanding observations of the Coal Authority, to grant conditional planning permission

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans:-
 - Site Location Plan 1:1250 scale (Drawing No. 14649/02 Rev. A) received on the 18-05-2017 2017;
 - Amended Block Plan 1:500 scale (Drawing No. CTA339.106 Rev. D) received on the 05-09-2017;
 - Amended Ground Floor Plan 1:75 scale (Drawing No. CTA339.101 Rev. -) received on the 31-08-2017;
 - Amended First Floor Plan 1:75 scale (Drawing No. CTA339.102 Rev. -) received on the 31-08-2017;
 - Amended Attic Floor Plan 1:75 scale (Drawing No. CTA339.104 Rev. A) received on the 31-08-2017;
 - Amended Elevations Plan 1:100 scale (Drawing No. CTA339.103 Rev. A) received on the 31-08-2017;
 - Amended Typical Section Plan 1:50 scale (Drawing No. CTA339.108 Rev. -) received on the Amended 31-08-2017;
 - Amended Garage Design Plans 1:50 & 1:100 scale (Drawing No. CTA339.107 Rev. -) received on the 31-08-2017;
- 3 Prior to the construction of the dwelling hereby approved details and/or samples of the materials to be used in the construction of the external surfaces of the dwellings 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.
- 4 Before the development hereby permitted is brought into use, the western elevation attic window shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority and any part of the window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.
- 5 Any access gates shall be set back a minimum distance of 5 metres from the private lane boundary and shall open inwards into the site only.

- 6 The front and side forecourt area shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, it shall be retained, unobstructed, for the purpose of vehicle parking and turning only.
- 7 No development approved by this permission shall be commenced until a detailed scheme for the provision of surface water drainage works, including future maintenance and management of the scheme for that unit, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented as agreed.
- 8 A detailed landscaping scheme for the site, including boundary and forecourt treatment indicating species size and number of trees and/or shrubs to be planted shall be submitted to and specifically approved in writing by the Local Planning Authority prior to the commencement the development, and shall following approval of such a scheme be implemented in the first planting season following commencement of the development, or at such other time as may be specifically approved in writing by the Local Planning Authority.
- 9 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwelling or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion 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.
- 10 The garage/workshop shall be used solely for the benefit of the occupants of the dwelling of which it forms part and their visitors and for no other purpose and shall be permanently retained as such thereafter.

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 In order to preserve the amenities of neighbouring residential properties.
- 5,6 In the interest of highway safety.
- 7 To reduce risk of surface water flooding and ensure appropriate drainage is provided.
- 8,9 To ensure the provision, establishment and maintenance of a reasonable standard of landscaping and boundary treatment.
- 10 To ensure the garage/workshop is used for domestic purposes only.

REASONS FOR GRANTING PLANNING PERMISSION

The decision to grant planning permission has been taken in accordance with Section 38 of the Planning and Compulsory Purchase act 2004, which requires that, in determining a

planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise.

- It is considered that the proposal complies with Policy SP1 of the Local Development Plan (LDP) in that the proposed development is environmentally sustainable.
- It is considered that the proposal complies with Policy SP3 of the LDP in that the proposed development accords with the LDP's settlement framework.
- It is considered that the proposal complies with Policy SP17 of the LDP in that the proposed development will be served by appropriate infrastructure.
- It is considered that the proposal complies with Policy GP1 of the LDP in that the proposed development is sustainable and will enhance the character and appearance of the area.
- It is considered that the proposal complies with Policy GP2 of the LDP in that the site is located within the defined settlement limits of Llanelli and accords with all other policies of the plan.
- It is considered that the proposal complies with Policy GP4 of the LDP in that adequate infrastructure is proposed to serve the proposed development.
- It is considered that the proposal complies with Policy H2 of the LDP in that the proposed housing development is located within defined settlement limits and accords with the principles of the plan's strategy and its policies.
- It is considered that the proposal complies with Policy AH1 of the LDP in that a commuted sum contribution towards affordable housing is not required in this instance as the application site benefits from having extant planning permission for two dwellings.
- It is considered that the proposal complies with Policy TR3 of the LDP in that the proposed development would not be detrimental to highway safety or cause significant harm to the amenity of residents.
- It is considered that the proposal complies with Policy EQ4 of the LDP in that the proposed development will not have an adverse impact on priority species, habitats and features of principal importance.
- It is considered that the proposal complies with Policy EP1 of the LDP in that the proposed development will not lead to a deterioration of either the water environment and/or the quality of controlled waters.

NOTES

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

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

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

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

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

Application No	S/35791
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Application Type	Full Planning
Proposal & Location	ERECT NEW DWELLING AT LAND AT, 7 PWLL ROAD, PWLL, LLANELLI, SA15 4BG

Applicant(s)	MR TERRY WILLIAMS, 8 ST ILLTYDS RISE, PEMBREY, LLANELLI, SA16 0YY
Agent	,
Case Officer	Paul Roberts
Ward	Hengoed
Date of validation	07/07/2017

CONSULTATIONS

Local Members – County Councillor P Edwards is a member of the Planning Committee and has not commented on the application. County Councillor J S Phillips has also not commented on the application to date.

Community Council – Llanelli Rural Council have objected to the application on the following basis :

- The site is not of sufficient size to accommodate a new dwelling.
- There is not a sufficient amount of general amenity space required of the enjoyment of the new dwelling.
- The close proximity of the proposed dwelling to the neighbouring property of no. 9A Pwll Road is likely to have a detrimental impact upon the amenity and privacy of this dwelling.
- Vehicular access to the dwelling is likely to have a detrimental impact upon highway safety.

Head of Transport – Has raised no objection to the application.

Welsh Water/Dwr Cymru – Have raised no objection to the application.

Wales and West Utilities – Have raised no objection to the application.

Neighbours/Public – The neighbouring properties within the vicinity of the site have been notified of the application. In response, four letters of representation have been received from neighbouring residents who object to the proposal and raise the following concerns :

- The lack of parking to the front of the site and neighbouring properties.
- Increased traffic along the lane to the rear of the site which is narrow with no passing or turning places and difficult to manoeuvre.
- Poor visibility at the junction of the rear lane with Elgin Road and the impact upon highway and pedestrian safety.
- Adverse effect on volume of traffic using Elgin Road and the lane to the rear of the site.
- Potential future proposal for a further dwelling in the garden of the application property, no. 7 Pwll Road, which will add further traffic along Elgin Road and the lane at the rear of the site.
- Damage caused to neighbouring properties by construction vehicles using the lane to the rear of the site.
- Proximity of the proposed house to the living room windows of a neighbouring property and the resulting loss of light.
- Potential structural damage to neighbouring properties.
- The house will look ‘squashed’ into the site.
- The proposal to raise parts of the rear garden with gabion baskets will be intrusive and impact upon current privacy levels.
- Lack of parking spaces along Pwll Road.
- Sewerage infrastructure is at full capacity.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

THE SITE

The application site consists of a rectangular parcel of land located on the northern flank of Pwll Road in Pwll. It consists of a grassed area that forms part of the side and rear garden of the detached property of No 7 Pwll Road and has a road frontage and depth of 7.6 metres and 50 metres respectively.

The site is elevated above the roadway and fronted by a high stone wall. The front of the site is relatively level while the remainder rises gradually towards its rear boundary which adjoins a narrow access lane that provides rear access to a number of neighbouring properties to the side and rear of the site. The western side boundary of the site consists of a mix of hedgerow and timber fencing and its eastern boundary with No 7 Pwll Road currently is currently open having no defined feature. There is a hedgerow along its rear boundary with the access lane which has been partly removed.

The surrounding area is primarily residential in character consisting of a mix of dwelling sizes which generally have long rear garden spaces. The site is flanked on either side by detached houses. The neighbouring properties have the benefit of on street parking areas along Pwll Road while a number have driveways as well as rear parking facilities that are accessed via the rear lane.

THE PROPOSAL

The application seeks full planning permission for the erection of a detached dwelling on the application site. The proposal will consist of a two storey three bedroom house that will be sited between the neighbouring houses and front onto Pwll Road. The house is to be sited at a comparable depth to the neighbouring house of No 7 Pwll Road and is to have a hipped roof to its front elevation and gable to the rear. Its front elevation will be characterised by a bay window feature while the principal access to the house will be via a single storey porch projection on its western elevation. Elevational treatments will consist of render and facing brick work and the roof is to be clad in grey tiles.

The finished floor level of the dwelling is to be comparable with the existing ground level and that of the adjacent house of No 7 Pwll Road. The house will be set at a lower level than the other adjacent property, No 9A Pwll Road. The rear garden is to be retained at its existing level while a new pedestrian access is to be provided from the house down to the footway flanking Pwll Road. The new house will utilise the existing on street parking area provided to the front of the site and neighbouring properties along Pwll Road.

It is of note that the original scheme submitted with the application included the creation of a new parking area at the end of the rear garden of the property which was to be accessed via the rear lane. This proposal involved the creation of tiered levels and stepped features in the rear garden to allow access from the parking area to the house. However, the Head of Transport raised concerns regarding the rear parking area in that the visibility of vehicles egressing the rear lane onto Elgin Road is substandard and the additional vehicular movements would be detrimental to highway safety. As a result, the applicant subsequently amended the application to that described above whereby the rear parking area and tiered garden levels have been omitted from the application and the occupiers of the new house will utilise the existing on street parking area along Pwll Road.

PLANNING POLICY

In the context of the current development control policy framework the site is located within the development limits of Llanelli as defined in the Carmarthenshire Local Development Plan (LDP). The following policies of the Plan are relevant to the proposal.

Policy SP1 promotes environmentally sustainable proposals and encourages the efficient use of vacant, underused or previously developed land.

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

Policy GP2 requires that proposals within defined development limits will be permitted, subject to policies and proposals of the plan, national policies and other material planning considerations.

Policy GP3 states that the Council will, where necessary seek developers to enter into planning obligations to secure improvements to infrastructure, community facilities and other services to meet the requirements arising from new developments. Allied to this, Policy AH1 states that a contribution towards affordable housing will be required on all housing allocations and windfall sites.

Policy H2 permits proposals for smaller housing developments on unallocated sites within the development limits of a defined settlement provided they are in accordance with the principles of the Plan's strategy and its policies and proposals.

Policy GP4 states that proposals for development will be permitted where the infrastructure is adequate to meet the needs of the development. Proposals where new or improved infrastructure is required but does not form part of an infrastructure provider's improvement programme may be permitted where it can be satisfactorily demonstrated that this infrastructure will exist, or where the required work is funded by the developer. Planning obligations and conditions will be used to ensure that new or improved facilities are provided to serve the new development.

Policy TR3 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 EP2 states that proposals should wherever possible seek to minimise the impacts of pollution. New developments will be required to demonstrate and satisfactorily address any issues in terms of air quality, water quality, light and noise pollution, and contaminated land. Policy EP3 requires proposals to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Urban Drainage Systems (SUDS), has been fully investigated.

THIRD PARTY LETTERS OF REPRESENTATION

A number of letters of objection have been received from neighbouring residents in respect of the proposal and Llanelli Rural Council have also raised concerns regarding the application. The principal issues relating to the application are addressed in the following appraisal.

A common ground of concern amongst the respondents is the likely increased vehicular use of the lane at the rear of the site given its restricted width and the poor visibility at its junction with Elgin Road. However, as noted above the scheme has since been amended to omit this rear parking area upon the advice of the Head of Transport thereby ensuring there will be no unacceptable highway impacts upon the lane and Elgin Road.

A number of respondents have opined that there is a lack of parking spaces available along Pwll Road to the front of the site and neighbouring properties and this will be worsened by the proposal. The width of the carriageway of Pwll Road has allowed the provision of on street parking areas along the roadway which are used by local residents while others have the benefit of driveways and rear parking facilities. The Head of Transport is satisfied that the use of these parking areas by the occupiers of the new dwelling will cause no detriment to highway safety along Pwll Road. The proposal is therefore considered to be in accord with the requirements of policies GP1 and TR3 of the LDP in terms of its likely highway impact.

Turning to the concerns regarding visual impact of the proposal, the modest size of the dwelling combined with its general layout and design will mean that it will not be at odds with the spatial character and appearance of the surrounding street scene. Moreover, the new dwelling will have the benefit of a long rear garden space similar to neighbouring properties. The siting and design of the dwelling and separating distance to adjacent

properties will also safeguard against any unacceptable impacts in terms of loss of light or privacy. Concerns regarding the proposed change in levels in the rear garden space are no longer relevant to the proposal in that the application has been amended to omit this element of the scheme. The proposal is therefore in accord with the objectives of policies GP1 and H2 of the LDP in terms of its likely visual and amenity impacts.

Concerns regarding potential damage to neighbouring properties are a civil matter and outside the scope of planning control. As to concerns regarding proposals for a further dwelling in the garden of the existing property, no application has been received and, in any event, all applications received are considered on their own merits. Comments received regarding the capacity of the sewerage system are unfounded in that Welsh Water have raised no objection to the application.

CONCLUSION

On balance, and after careful examination of the site and its surrounding environs, together with the representations received to date, the proposal is considered to represent an acceptable form of residential development that will be in keeping with and complement the general character and appearance of the surrounding area. The site is located within the development limits of Pwll and its development complies with the key policy and sustainability objectives of both the Authority's LDP and National Planning Policy.

The general scale, design and spatial layout of the dwelling are acceptable and combined with the pallet of external finishes will provide a development that will respond well to the site's setting in the wider area. Moreover, it will be well related to the existing services and facilities in the village as well as being within easy access of existing public transport facilities. The proposal will also make a positive contribution towards the provision of affordable housing in the locality whereby the applicant will be required to make a commuted payment towards the same under the requirements of Policy AH1 of the LDP.

Furthermore, there are no amenity, highway or public service objections to the development.

Based on the foregoing, the application is put forward with a favourable recommendation subject to the applicant entering into a unilateral undertaking or Section 106 agreement securing a commuted payment towards affordable housing.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced no later than the 5 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:

- 1:1250 and 1:500 scale location and block plan received on 5 October 2017.
 - 1:200 scale site layout plan (PR/007) received on 5 October 2017.
 - 1:200 scale site sections (PR/008) received on 5 October 2017.
 - 1:100 scale elevations (PR006) received on 25 May 2017.
 - 1:100 scale front elevation (PR/005) received on 25 May 2017.
 - 1:50 scale proposed roof space (PR/004) received on 25 May 2017.
 - 1:50 scale proposed ground floor plan (PR/002) received on 25 May 2017.
 - 1:50 scale proposed first floor plan (PR/003) received on 25 May 2017.
- 3 There shall at no time be any vehicular access to the site from the existing lane to the rear (north) of the application site.
 - 4 The first floor window proposed in the western side elevation of the dwelling hereby approved shall be glazed in obscure glass and shall be so maintained thereafter in perpetuity.
 - 5 Prior to the commencement of the development hereby approved details of the materials to be used in the construction of the external surfaces of the dwelling shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 6 Prior to the commencement of the development hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected as part of the development shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the dwelling is occupied.

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 In the interests of highway safety.
- 4 To ensure the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties
- 5 &
- 6 In the interests of visual amenity.

NOTE(S)

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

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

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

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

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).
- 3 The developer/applicant's attention is drawn to the terms of the Unilateral Undertaking under Section 106 of the Town and Country Planning Act which sets out the agreement to make a contribution of £8092.24 towards the provision of affordable housing.

Application No	S/35911
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Application Type	Full Planning
Proposal & Location	PROPOSED INCREASE IN OPERATING HOURS FOR UNIT 8 TO ALLOW OPENING UNTIL 02.00 HOURS EVERY DAY AT UNIT 8, CROSS HANDS RETAIL PARK, CROSS HANDS, LLANELLI, CARMS, SA14 6NB

Applicant(s)	DOMINO'S PIZZA UK & IRELAND, C/O AGENT
Agent	DPP PLANNING - OSIAN ROBERTS, SOPHIA HOUSE, 28 CATHEDRAL ROAD, CARDIFF, CF11 9LJ
Case Officer	Gary Glenister
Ward	Llannon
Date of validation	03/08/2017

CONSULTATIONS

Head of Public Protection – Has no objection subject to the imposition of appropriate conditions.

Llannon Community Council - No observations received to date.

Local Members - County Councillor E Dole has not commented to date. County Councillor D Jones is a member of the Planning Committee and has made no prior comment.

Neighbours/Public - The application has been publicised by the posting of 2 No Site Notices and 1 No response has been received to date on behalf of the Poplar Court Residents Association raising the following matters.

- The nearby Park Home site has wooden dwellings so are more noise sensitive.
- There is already an increase in noise from the new road and wider development.
- Existing Acoustic fencing is ineffective.
- Health and Wellbeing.
- Applicant has not consulted local residents.
- A Site Visit is requested prior to determination.

RELEVANT PLANNING HISTORY

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

S/36111	Installation of New Signage. Advertisement Consent Granted	25 September 2017
S/36112	Details of New HVAC Equipment and Minor Works to Shopfront Elevations.	Pending
S/35500	Variation of Conditions 2 (Plans) and 18 (Floor area) on Planning Permission S/33609 (Granted on 18/08/2016) Variation of Planning Condition Granted	19 June 2017
S/35281	Non-Material Amendments to Approved Scheme Details and Drawings on S/33609 (Granted on 18/08/2016) Non-Material Amendment Granted	29 March 2017
S/33609	The Construction and Operation of a Retail Park (For Uses Within Class A1 and A3), Together with Associated Access, Servicing Facilities, Car Parking, Landscaping and Related Infrastructure. Full Planning Permission	18 August 2016.

APPRAISAL

THE SITE

The application site is a recently constructed unit within the Cross Hands West retail park known as "Maes yr Eithin". The approved retail park is on a 4.48ha site within the overall mixed use Cross Hands West regeneration area comprising a former disused mineral spoil tip lying between the A48 and villages of Cross Hands and Cefneithin. The Retail terrace, A3 Drive through Coffee shop and the two smaller A1/A3 units have been constructed to date, however the A3 Family pub and the A1 convenience retailer have not commenced.

The unit subject to the application has full planning permission for a dual A1 or A3 use which provides flexibility of occupation. The Retail Park has not yet opened, however it is noted that several of the units are being fitted out in anticipation of imminent occupation by the end users. The unit subject to this application is in an advanced stage of construction.

The unit is proposed to be occupied by a national pizza chain and an application is pending for the ventilation system and signage (S/36111 and S/36112 refer). The unit will primarily be used as a take away, however there are limited dining tables so people have the option of eating in or taking away.

THE PROPOSAL

This full detailed application is for revised opening hours on the approved and constructed unit. The application seeks permission to open until 02.00 every day of the week rather

than 23:00 as conditioned in the full permission for the site (S/33609). The proposal would therefore supersede the full planning permission in respect of opening hours for the unit but in no other respect.

The application is accompanied by a noise report based on existing background noise levels. The report seeks to demonstrate that the increase in hours won't be unacceptable.

PLANNING POLICY

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

Policy SP1 Sustainable Places and Spaces seeks to ensure sustainable development which does not affect the amenity of third parties.

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.**

Policy GP1 Sustainability and High Quality Design is the general policy which seeks to ensure good design and protection for third parties.

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)).

THIRD PARTY REPRESENTATIONS

One objection has been received on behalf of residents of the Poplar Court Park Homes site which raises several issues with the extension of operating times.

The site is within the Cross Hands West strategic mixed use regeneration site. The site has permission for residential development and a retail park with 8 units currently nearing completion. As part of the strategic regeneration site, a spine road has been provided linking Llandeilo Rd, Carmarthen Road and Heol y Parc. The road is aligned to the rear of the established residential and provides a degree of separation between the established and the new development. As part of the overall development, an acoustic fence has been provided to the rear of the established residential properties, including the Park Homes site in order to reduce the noise from the road and from the commercial units beyond.

It is acknowledged that there is a Park Homes site nearby which has non-traditional residential units. Therefore, safeguards have been put in place to ensure that the occupants of the primarily wooden dwellings do not experience unacceptable noise levels given that they may be potentially more noise sensitive.

The applicant was asked for additional information in respect of the background noise levels particularly in the early hours, to ensure that noise generated would be within

acceptable levels. It is noted that the nearest residential units are approximately 85m to the South West and that the nearest Park Home is approximately 100m to the South South West of the unit, so there is a reasonable separation distance with intervening development and landscaping proposed. Conditions are therefore recommended based on the careful scrutiny of the proposal, to ensure that noise is not likely to be unacceptable.

Given the separation distance and safeguarding conditions, it is not considered likely that the proposal would have an impact on the health and wellbeing of neighbouring residents.

Whilst it is good practice, the applicant has no obligation to consult local residents prior to submitting the application as the proposal does not require a Pre Application Consultation (PAC) report. The application has been advertised by the posting of two site notices to inform residents of the proposal. The site notices have generated one objection on behalf of the Poplar Court Resident's Association. The Planning Authority's statutory consultation obligation has therefore been met and has been effective in ensuring neighbours have been consulted.

Residents of Poplar Court request that a site visit is carried out prior to determination. Officers have visited the site and assessed the proposal in light of surrounding properties. It is noted that the Park Homes are a reasonable distance from the proposal with a road and other commercial operators proposed on the intervening land. The proposal has been accompanied by detailed noise reports which have been scrutinised by the Council's noise experts within Public Protection. The result of the site visits is to confirm that there are no objections from a Planning or Public Protection perspective subject to the imposition of appropriate conditions.

CONCLUSION

After careful consideration of the site and surrounding environs in light of the information submitted and responses to consultation, it is considered that the unit has planning for either an A1 retail use or an A3 Food and Drink use at this location as approved in 2016. The units were assessed for both A1 and A3 uses as the owners sought flexibility to ensure that the units would be occupied.

The full permission had restricted opening hours, with a condition stating that the use was only allowed to operate from 06.00 to 23.00 hrs for the retail units. Any variation therefore needs to be assessed on its own merits and justified on the basis of evidence that the extension of operating times would cause no harm to third parties. Accordingly, this full application to extend opening hours was submitted along with a detailed noise assessment. Further information was sought and provided as part of the determination process to ensure a thorough assessment has been carried out.

It should be noted that a separate full application is pending in respect of the ventilation system and plant for the unit. These details are subject to similar scrutiny irrespective of whether the extension of opening hours is approved. On balance, the location of the unit and separation distance from nearby residential units is such that the increase in operating hours is not considered likely to have an unacceptable adverse impact on third parties. The extension of opening hours is therefore considered to be in accordance with the above policies.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The extended opening hours hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The extension of operating hours hereby permitted is for Unit 8 only as defined on the 1:1250 scale Location Plan dated 1 August 2017.
- 3 The use shall not operate other than between the hours of 06:00 and 02.00.
- 4 The rating level of sound emitted from any fixed plant or machinery associated with the development shall not exceed the existing background sound level of 31 dB $L_{A90, T}$. The rating sound levels shall be determined at the nearest noise sensitive premises or at another location that is deemed suitable by the authority. Measurements and assessments shall be made in accordance with BS 4142: 2014 Methods for Rating and Assessing Industrial and Commercial Sound and/or its subsequent amendments.
- 5 Within 28 days from the receipt of written request from the Local Planning Authority, the operator of the development shall, at its own expense, employ an independent consultant approved by the Local Planning Authority to assess the level of sound immissions arising from the development to determine whether they exceed the sound levels specified in Condition 4. The assessment shall be undertaken under the supervision of the Local Authority.
- 6 In the event that Condition 4 is exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the sound level specified in Condition 4. These measures will then be implemented forthwith.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interests of clarity.
- 3-6 In the interests of public protection.

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 extension of operating hours complies with Policy SP1 and GP1 of the LDP in that it 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 if development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

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

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

Application No	S/36017
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Application Type	Full Planning
Proposal & Location	CONSTRUCTION OF GROUND FLOOR REPLACEMENT GARAGING WITH FIRST FLOOR RESIDENTIAL FLAT AT 21 PARC HOWARD AVENUE, LLANELLI, SA15 3LQ

Applicant(s)	MRS K. WILLIAMS & DR. K. LEWIS, 21 PARK HOWARD AVENUE, LLANELLI, SA15 3LQ
Agent	JCR PLANNING LTD - MR RICHARD BANKS, UNIT2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, SA14 6RE
Case Officer	Robert Davies
Ward	Lliedi
Date of validation	29/08/2017

CONSULTATIONS

Head of Housing and Public Protection – No objection.

Llanelli Town Council – No response received to date.

Local Members – County Councillors R James and S Najmi have not responded to date.

Dwr Cymru/Welsh Water – No objection subject to the imposition of conditions and advisory notes on any planning permission granted.

The Coal Authority – No objection subject to conditions.

Neighbours/Public – 4 no. neighbouring properties consulted on the application. To date 2 letters of representation have been received raising the following concerns and objections:-

- The proposed development is out of character with the area
- The proposed dwelling will further reduce the availability of on street parking.
- The possibility of mine workings and entries being present at the site should be fully investigated and the risk of subsidence and settlement to neighbouring properties to be taken into account. Further investigation is needed as recommended in the Assessment undertaken.
- The boundary wall with no.23 is a Party Wall and as such a Party Wall Agreement will be required. A new wall should be built in similar material.

- Concern that mature shrubs and plants in the garden of no. 23 will be destroyed.
- The building line of the proposed build should be in keeping with the front wall of no.23
- Concern over loss of light to no. 23 as the proposal will sit at a higher level
- Lack of neighbour consultation
- Building work should not be carried out at unreasonable hours

RELEVANT PLANNING HISTORY

S/01872	Proposed double garage with ancillary accommodation above Full Granted	08 July 1999
D5/15613	Single dwelling house Outline Refused Appeal Upheld	29 July 1993 05 January 1994

APPRAISAL

THE SITE

The application site consists of part of the existing rear garden area of No.21 Parc Howard Avenue, which is a large, detached dwelling with extensive curtilage. Part of the application site is currently occupied by a flat roof garage which exits out on to Parc Howard Avenue adjacent to the driveway serving No 23. The existing garage is located at road level whilst the land forming the rear garden of No 21 is located at a higher level to the rear of the garage.

The application site is approximately 15.5m in depth by 13.5m in width.

THE PROPOSAL

The application seeks full planning permission to demolish the existing garage and replace with a new double garage with a one bedroom residential flat above.

The proposed two storey development is to have a hipped roof design finished with grey tiles whilst the walls are to be rendered. The proposal is approximately 11.6 metres in width, 7.3 metres in depth and has a maximum ridge height of 7.1 metres. In addition to two parking spaces, the ground floor of the proposal will provide bicycle and general storage, whilst the one bedroom flat at first floor will exit out on to a raised patio area to the rear, which is set at the same level of the existing rear garden of No.21.

A new retaining wall will be constructed along the boundary with No 23 Parc Howard Avenue, whilst a 1.8m high close boarded fence will surround the rear patio area.

In addition to the drawings the application has been accompanied by a Coal Mining Risk Assessment.

PLANNING POLICY

The application site is located within the defined settlement limits of Llanelli as delineated in the Adopted Carmarthenshire Local Development Plan (LDP), 2014.

In respect of the applications policy context reference is drawn to the following Strategic and Specific planning policies: -

Policy SP1 of the LDP promotes environmentally sustainable proposals and encourages the efficient use of vacant, underused or previously developed land.

Policy SP3 of the LDP refers to the settlement framework and states that provision for growth and development will be at sustainable locations in accordance with the LSP's settlement framework. In this respect Llanelli is identified as a Growth Area.

Policy SP17 of the LDP states that development will be directed to locations where adequate and appropriate infrastructure is available or can be readily available.

Policy GP1 of the LDP 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.

Policy GP2 of the LDP states that proposals within defined development limits will be permitted, subject to policies and proposals of the plan, national policies and other material planning considerations.

Policy GP4 of the LDP states that proposals for development will be permitted where the infrastructure is adequate to meet the needs of the development. Proposals where new or improved infrastructure is required but does not form part of an infrastructure provider's improvement programme may be permitted where it can be satisfactorily demonstrated that this infrastructure will exist, or where the required work is funded by the developer. Planning obligations and conditions will be used to ensure that new or improved facilities are provided to serve the new development.

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

Policy AH1 of the LDP requires a contribution to affordable housing on all housing allocations and windfall sites. On such a proposal a commuted sum financial requirement is relevant.

Policy TR3 of the LDP highlights 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 EQ4 of the LDP relates to biodiversity and 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 (ie 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.

Policy EP1 of the LDP states that proposals 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.

THIRD PARTY REPRESENTATIONS

As aforementioned in this report, two letters of representation have been received raising concerns and objections towards the proposed development. The material reasons for concern raised will now be addressed individually, however matters relating to the Party Wall Act are a civil matter between both neighbouring properties concerned.

In terms of character, Members will have noted from the planning history that two previous approvals relate to this site. Despite refusing outline planning permission for a dwelling in 1993 for reasons relating to character, an appeal against this decision was upheld, with the Inspector concluding that a dwelling in this location would not result in a cramped form of development and would not adversely affect the character of the area. A subsequent application was approved in 1999 for a double garage with ancillary accommodation above, establishing the acceptability in principle for such a development.

At the request of the LPA, the applicant has amended the scheme proposed to ensure that the building line is set back in line with that of no.23 Parc Howard Avenue, whilst the external design has been improved picking up on some local vernacular including a more interesting roof design. In light of this and the planning history relating to the site it is considered that the replacement garaging with residential element above is acceptable and in keeping with the character of the area.

With regards to car parking, as aforementioned the proposal will provide two number car parking spaces at ground floor, whilst there will be space in front of the development to park on street also. The existing property at no.21 Parc Howard Avenue benefits from having alternative driveway and parking arrangements. Therefore the proposal will not further reduce the availability of on street parking.

Prior to registering the application the LPA requested a Coal Mining Risk Assessment as the application site falls within a defined Development High Risk Area. The Report makes recommendations for the carrying out of intrusive ground investigations in the form of boreholes in order to establish the presence or otherwise of shallow coal mine workings and to inform any necessary remedial measures required.

The Coal Authority has been consulted on the planning application and concurs with the recommendations of the Mining Risk Assessment Report that coal mining legacy potentially poses a risk to the development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation. The Coal Authority recommends that a planning condition is imposed requiring such site investigation works to be undertaken. In the event that the site investigations confirm the need for remedial works to treat any areas of shallow mine workings to ensure the safety and stability of the proposed development, these should also be conditioned to undertaken prior to commencement of the development. As such, a condition to this effect will be imposed on any planning permission granted.

As aforementioned the front building line of the proposed development will be in line with that of no.23 Parc Howard Avenue, whilst the construction itself will be set at road level

and therefore will not sit higher than the adjacent property. The proposal is also offset away from the boundary with No.23. Therefore the proposal will not adversely affect light to the adjacent property whilst no mature trees or hedgerows will be adversely affected.

In terms of neighbour consultation the LPA has complied with statutory requirements in this respect, whilst with regards to hours of construction the LPA does not normally impose restrictions in this respect on such developments.

CONCLUSION

The application site is located within the defined settlement limits of Llanelli as delineated within the Adopted LDP and therefore there is no in-principle objection to developing the site for residential use.

The plans submitted depict that the application site can adequately accommodate the proposed development with associated access, parking and amenity areas.

It is considered that there are no loss of amenity issues associated with the proposed development, whilst it is considered that the issues of concern and objection raised have adequately been addressed as part of the above appraisal. The proposed development is of a modest size located an appropriate distance away from adjacent well established residential dwellings.

In accordance with Policy AH1 of the Adopted Local Development Plan, the applicant has agreed to provide a financial commuted sum contribution towards affordable housing, and this will be secured via a Unilateral Undertaking. The contribution will be levied at £53.35 per sqm of internal floorspace which is relevant contribution in the Llanelli area.

On balance after careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that the proposal does accord with the Policies contained within the Adopted LDP.

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 hereby permitted shall be carried out strictly in accordance with the following schedule of plans:-
 - Existing elevations and floor plans @ A3 received 7 April, 2017
 - Block and location plan (PH004 Rev C) 1:500; 1:1250 @ A3 received 18 July, 2017
 - Proposed elevations (PH003 Rev C) 1:100 @ A3 received 18^h July, 2017
 - Proposed floor plans (PH002 Rev C) 1:100 @ A3 received 18 July, 2017
- 3 Prior to the commencement of development and in accordance with the recommendations made in the Coal Mining Risk Assessment Report undertaken by Blandford Consulting received by the Local Planning Authority on 22 August, 2017,

the following need to be submitted for the written approval of the Local Planning Authority:-

- The submission of a scheme of intrusive site investigations;
- The undertaking of that scheme of intrusive site investigations
- The submission of a report of findings arising from the intrusive site investigations
- The submission of a scheme of remedial works for approval; and
- Subsequent implementation of those remedial works

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
- 3 To prevent land instability

REASONS FOR GRANTING PLANNING PERMISSION

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

It is considered that the proposal complies with Policy SP1 of the LDP in that the proposed development is environmentally sustainable

It is considered that the proposal complies with Policy SP3 of the LDP in that the proposed development accords with the LDP's settlement framework

It is considered that the proposal complies with Policy SP17 of the LDP in that the proposed development will be served by appropriate infrastructure

It is considered that the proposal complies with Policy GP1 of the LDP in that the proposed development is sustainable and will enhance the character and appearance of the area

It is considered that the proposal complies with Policy GP2 of the LDP in that the site is located within the defined settlement limits of Burry Port and accords with all other policies of the plan

It is considered that the proposal complies with Policy GP4 of the LDP in that adequate infrastructure is proposed to serve the proposed development

It is considered that the proposal complies with Policy H2 of the LDP in that the proposed housing development is located within defined settlement limits and accords with the principles of the plan's strategy and its policies

It is considered that the proposal complies with Policy AH1 of the LDP in that the applicant has agreed to provide a commuted sum financial contribution towards affordable housing

It is considered that the proposal complies with Policy TR3 of the LDP in that the proposed development would not be detrimental to highway safety or cause significant harm to the amenity of residents

It is considered that the proposal complies with Policy EQ4 of the LDP in that the proposed development will not have an adverse impact on priority species, habitats and features of principal importance

It is considered that the proposal complies with Policy EP1 of the LDP in that the proposed development will not lead to a deterioration of either the water environment and/or the quality of controlled waters

NOTES

This planning permission is granted subject to the covenants contained in the Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 dated in connection with the payment of a commuted payment towards affordable housing provision.

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

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	S/36018
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Application Type	Full Planning
Proposal & Location	CONVERSION AND EXTENSION OF BARN TO FORM A RESIDENTIAL ANNEXE FOR FAMILY MEMBERS OF ADJOINING DWELLINGHOUSE AT LLWYNY RHOS, COOPERS ROAD, AMMANFORD, SA18 3SH

Applicant(s)	MR A & EDAVIES, LLWYN Y RHOS, COOPERS ROAD, TYCROES, AMMANFORD, SA18 3SH
Agent	JCR PLANNING LTD - RICHARD BANKS, UNIT2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, CARMARTHENSHIRE, SA14 6RE
Case Officer	Paul Roberts
Ward	Tycroes
Date of validation	29/08/2017

CONSULTATIONS

Local Member – County Councillor T Higgins has asked that the application be referred to the Planning Committee for determination if officers are minded to refuse the application. The reasons for the request are:

- The annexe is to accommodate an elderly family member and will be ancillary to the main house.
- The increase in the roof space of the original barn is intended to provide an attic workshop and playroom and roof is to be set below the roof level of the main house.
- The site is in an isolated position several hundred metres off Coopers Road where there are no neighbouring properties in close proximity and no public rights of way running near the property.
- The roof height will not pose any detriment to the setting of the landscape as it appears to be part of the farm buildings.

Llanedi community Council – Have not commented on the application to date.

Neighbours/Public – The application has been publicised with the posting of a site notice at the entrance to the site. In response, no third party letters of representation have been received to date.

RELEVANT PLANNING HISTORY

S/35553	Conversion and extension of barn to form a residential annexe for family members of adjoining dwellinghouse. Planning permission refused	14 July 2017
S/26588	Proposed barn conversion to holiday let Planning permission refused Appeal upheld	9 July 2012 11 April 2013

APPRAISAL

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

THE SITE

The application site consists of the curtilage of a detached dwelling and disused barn located in a countryside location to the south of Capel Hendre. The barn is located close to the rear elevation of the dwelling being separated from the same by an access track that serves the site. The track is largely unmade and extends over some 500 metres eventually egressing onto Coopers Road to the east.

The original barn structure is of a single storey design and consists of thick random stone walling. It covers a floor area of 13.8 metres by 5.5 metres and previously had a small lean-to extension on its rear elevation. Its front elevation is characterised by a number of window and door openings which are set immediately below the eaves level of the building.

Works have commenced on converting the building to habitable accommodation which includes raising the eaves level of the building with new block work while new roof trusses have also been erected on the building. The original rear lean-to extension has been replaced with a larger lean-to extension which is partly completed and has a mix of stone and facing brick elevations.

The area around the barn consists of a mix of a loose gravel surface and overgrown grassed areas with the former being used for parking purposes in association with the neighbouring dwelling.

THE PROPOSAL

The application seeks partly retrospective permission for the conversion and extension of the original barn to a residential annexe to be used as ancillary accommodation in association with the adjacent dwelling.

By way of background to the application, the applicant previously submitted an application to convert the barn to holiday let accommodation which was refused by the Authority back in July 2012. Planning application S/26588 refers. The application was refused on the basis that the applicant had failed to provide sufficient information to demonstrate that the

building was structurally sound and could therefore be converted without extensive rebuilding works. The applicant appealed the decision and was subsequently granted planning permission in April 2013.

The approved scheme reflects the scale and form of the original barn and provides ground floor holiday let accommodation which incorporates two bedrooms. The eaves and ridge heights of the barn are maintained at their original levels while the rear lean-to extension was also to be retained as part of the scheme albeit with a small extension to provide a porch area to the building. The design of the scheme is reflective of the Authority's policy requirement of ensuring that conversion schemes retain the character and appearance of the original building without extensive rebuilding or alterations.

The works undertaken by the applicant on the conversion of the barn go beyond those permitted under the planning permission whereby the eaves and ridge levels of the building have been increased in height and the rear lean-to projection has been demolished and replaced with a new larger extension. The eaves heights of the building have been raised by 1.6 metres above those of the approved scheme with block work walling that is to be clad externally with stonework. The ridge height is set at 6.7metres in contrast 4.2 metre height of the permission granted. The rear extension added to the barn measures 5 metres in depth by 9 metres in width in contrast to the smaller extension approved which measured 2.5 metres in depth and 5 metres in width.

The application seeks permission to retain these alterations to the design of the barn as well as changing its intended use to a residential annexe to be used in association with the adjacent dwelling. The supporting information indicates that the applicant intends to occupy the main dwelling house and the converted annexe is to be used as an annexe by his elderly disabled father. The annexe is shown to include a lounge and bedroom on the ground floor of the barn and a further sun room and disabled bathroom in the new rear extension. The first floor of the building is to be accessed via a pull down ladder and utilised as a domestic workshop and play room.

It is of note that the applicant has previously submitted an application to retain the alterations to the barn and change its use to an annexe under planning S/35553. This application was refused in July of this year on the basis that extensions resulted in an incongruous form of development that was harmful to the original character and appearance of the barn and the surrounding rural area. The current application is a resubmission of this previous application.

PLANNING POLICIES

In the context of the Authority's current Development Plan the application site is located in the countryside outside the development limits of settlements defined in the Local Development Plan. The following policies are of relevance to the proposal.

Policy GP1 is a general policy which, amongst others, promotes sustainability and high quality design, and seeks to ensure that development proposals conform with and enhance the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing. Developments should also not have a significant impact upon the amenity of adjacent land uses and properties, be served by appropriate access provision and have regard to the safe and efficient use of the transport network. Proposals are also required to have regard to the generation, treatment and disposal of waste.

Policy SP1 supports development proposals where they reflect sustainable development and design principles by, amongst others, respecting, reflecting and, where possible, enhancing local character and distinctiveness.

THIRD PARTY REPRESENTATIONS

No third party letters of representation have been received to date in respect of the application. The application is presented to Committee in response to a request received from the local member for the ward, County Councillor T Higgins, who supports the proposal.

CONCLUSIONS

The main issue in the determination of the application is the visual impact of the extensions and alterations to the barn upon its original character and appearance in the surrounding rural area.

The original barn is of a single storey design of modest proportions having a low eaves level set directly above its window and door openings and a low roof pitch. These features give the building a utilitarian appearance reflective of its previous agricultural use. The increase in the height of the building with the large expanse of walling between the heads of ground floor openings and the new eaves combined with the higher roof pitch alter the shape and proportions of the building significantly to the extent that they appear incongruous with its original character and appearance. The visual impact of the proposal is exacerbated by the addition of the large lean-to extension on the rear elevation which detracts from the attractive simplicity of the original barn and combined with the higher eaves level gives the building a domestic appearance that pays little regard to its agricultural origins.

The previous scheme approved for the conversion of the barn to holiday let accommodation demonstrates that the building can be converted to residential use in a sympathetic manner without significant extension or alterations works to the original building. The barn is considered to be of sufficient size to incorporate a residential annexe without detracting from its original appearance by increasing its overall height and adding a large extension to the rear. Indeed, the building is to be occupied by the applicant's disabled father whereby there will be no functional for the first floor accommodation which is to be accessed via a loft ladder from the ground floor.

Whilst Councillor Higgins opines that the building occupies an isolated location that is not visually prominent from the wider area, this is not a sound basis upon which to grant planning permission and does not outweigh the visual harm of the proposal upon the existing building.

The proposal is therefore considered to be at odds with the objectives of policies GP1 and SP1 of the LDP in that it does not conform with or enhance the character and appearance of the existing building in the wider rural area in terms of its appearance, scale, height and massing. The application is therefore put forward with a recommendation for refusal.

RECOMMENDATION – REFUSAL

REASONS

- 1 The proposal is contrary to Policy GP1 of the Carmarthenshire Local Development Plan (December 2014):

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

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

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

In that the proposed extensions to the building with the raising of the eaves and roof level and addition of a large rear extension will result in an incongruous form of development that will be harmful to the character and appearance of the original barn and surrounding rural area.

- 2 The proposal is contrary to Policy SP1 of the Carmarthenshire Local Development Plan (December 2014):

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

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

In that the proposed extensions to the building with the raising of the eaves and roof level and addition of a large rear extension will result in an incongruous form of development that will be harmful to the character and appearance of the original barn and surrounding rural area

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

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

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

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

**AR 19 HYDREF 2017
ON 19 OCTOBER 2017**

**I'W BENDERFYNU/
FOR DECISION**

*Ardal
Gorllewin/
Area West*



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:	19 OCTOBER 2017
REPORT OF:	HEAD OF PLANNING

INDEX - AREA WEST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
	None

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL	PAGE NO
W/35898	Construction of commercial garage/workshop for Sarnau Motors at field adj Hafod Bakery, Llysonnen Road, Bancyfelin, Carmarthen	51-60

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	W/35898
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Application Type	Full Planning
Proposal & Location	CONSTRUCTION OF COMMERCIAL GARAGE/WORKSHOP FOR SARNAU MOTORS AT FIELD ADJ HAFOD BAKERY, LLYSONNEN ROAD, BANCYFELIN, CARMARTHEN

Applicant(s)	MRS MAIR JONES, LLYS Y COED, LLYSONNEN ROAD, BANCYFELIN, CARMARTHEN, SA33 5DZ
Agent	HAROLD METCALFE PARTNERSHIP - CERI EVANS, 32 SPILMAN ST, CARMARTHEN, SA31 1LQ
Case Officer	Helen Rice
Ward	Cynwyl Elfed
Date of validation	27/07/2017

CONSULTATIONS

Merthyr and Newchurch Community Council – No comments received.

Cllr. I Jones, Local Member – requested that the application be called in for consideration by the Planning Committee on grounds that this form of development is invaluable for rural areas.

Head of Transport – recommend that the planning permission be refused on grounds that:

- It appears impracticable to construct an access within the curtilage of the site which would provide sufficient visibility for vehicles emerging onto the county road
- The proposed access is located on a section of highway where forward visibility is substandard.
- The proposed development would lead to increased pedestrian movements along a section of road with no pedestrian facilities.
- The proposed development is contrary to Carmarthenshire Local Development Plan Policy TR3 (a, b and e).

Head of Public Protection, Social Care and Housing – No objections subject to the imposition of conditions relating to noise levels and the monitoring of noise levels from the site.

Third Parties – The application was publicised by way of a site notice. No letters were received as a result.

RELEVANT PLANNING HISTORY

W/35389 Construction of garage / workshop
 for Sarnau Motors (commerical business)
 Withdrawn

18 July 2017

APPRAISAL

This application is being reported to the Planning Committee following a call-in request by Cllr I Jones on grounds that the proposal represents a development that is invaluable to rural areas.

THE SITE

The application site is located off the Llysonnen Road (C2081) which links the settlement of Bancyfelin to the east with the A40 junction to the west. This section of the Llysonnen Road runs parallel with the A40 dual carriageway which is located a fields width to the south of the application site. The site is immediately east of the Hafod Bakery building and forms part of a wider agricultural field. The site is therefore currently laid to grass with a strong hedgerow frontage onto the C2081. The application site land level is elevated in comparison to the road and the neighbouring site at Hafod Bakery, with hedgerow and mature trees forming the boundary of the site with the adjoining Hafod Bakery site. The wider field is currently accessed via an agricultural field gate approximately 100m to the east of the application site.

THE PROPOSAL

The proposal seeks planning permission for the erection of a new garage/workshop building, parking area and creation of a new access onto the C2081. The new garage workshop building would have an eaves height of 6m with a ridge height of 7.5m, and measure 14m in length and 10.2m, along with an adjacent covered car wash area. The building would accommodate three service bays, a kitchen and WC on the ground floor with a small mezzanine area above providing space for an office. The building would be finished in plastic coated profile metal sheets in either green or grey, with roller shutter doors providing access to the service bays, the only window would serve the WC on the ground floor. The elevation fronting the road would be the rear of the building, with the service bay area fronting the proposed car parking area and remaining agricultural field beyond. The plans indicates the provision of 7 parking spaces. The new access will necessitate the removal of a section of hedgerow with the required visibility splays necessitating the translocation of the part of the hedgerow behind the splay.

The applicant has provided a statement in support of the application which states that the intended business for the new building, Sarnau Motors is currently operated by a sole trader having been established in 2006. The current business is a mobile repair service that is stated to be at full capacity with repairs undertaken 6 days a week with an average

waiting list of 2 weeks. The business wishes to develop a permanent base with the chosen location being on land within the ownership of the applicant's family and is stated as being at the heart of the main existing customer base, with 85% of Sarnau Motor's customer base located within a 5 mile radius of Bancyfelin. The statement specifies that a search for suitable premises within the St Clears/Bancyfelin/Carmarthen areas since 2014 has not identified any suitable premises for the business. The submitted application indicates that the proposal would result in the creation of an additional 1 Full Time Equivalent job and would be open weekdays between 8am to 6pm and Saturdays 8am to 1pm.

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 is not located within a designated settlement and is therefore classed as countryside in the LDP. The relevant policies are:-

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 EMP2 New Employment Proposals clarifies that new developments for employment purposes will be permitted within, adjacent or directly related to defined settlements subject to meet with specific criteria. In particular, the policy requires applicants to undertake a sequential search to identify whether there is any existing or allocated employment land available for the use, followed by an assessment of any suitable land or building within an existing settlement, then adjacent to such settlement and finally on areas directly related to a recognised settlement. This sequential approach must be addressed before allowing new employment development with the overall objective being to seek to maximise the use of existing/allocated land within settlements in the interests of sustainability. Provided that this sequential approach is duly addressed the proposal must also be of an appropriate scale and from that would not be detrimental to the character and appearances of the area and is compatible with its location and with neighbouring uses.

Policy GP1 Sustainability and High Quality Design 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.

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 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 relevance include:

Planning Policy Wales (8th Edition) January 2016 which recognises the need for new employment opportunities within rural locations, but specific that such developments would generally be located within or adjacent to defined settlement boundaries, preferably where public transport provision is established. However, PPW also recognise that some industries may have specific land requirements which cannot be accommodated within settlements. PPW advise that the absence of allocated employment sites should not prevent authorities from accommodating appropriate small-scale rural enterprises in or adjoining small rural settlements. The expansion of existing businesses located in the open countryside should be supported provided there are no unacceptable impacts on local amenity (paragraph 7.3.2).

The above advice is further echoed in **Technical Advice Note 6 (TAN 6) – Planning for Sustainable Rural Communities (2010)** which specifies that new development should be located within or adjacent to settlements. Similarly, **Technical Advice Note 23 (TAN) 23: Economic Development (2014)** places a requirement on authorities to apply the sequential approach when considering applications for new employment developments. This approach echoes the central object of the planning system to steer development to the most appropriate sustainable locations. TAN23 calls for authorities to assess the benefits of the development at the application site against those of meeting demand in a sequentially preferable location. It specifies that development on land not allocated in the development plan should only be permitted in exceptional circumstances and must be fully justified.

CONSIDERATION

The key considerations relating to this case have been determined as whether the principle of the development is considered acceptable in light of the national and local planning policy background, the impact of the development on the character and appearance of the area and highway safety impacts.

Principle of Development

The application site is located within the countryside approximately 2km (1.2miles) north east of Bancyfelin and 5km (3miles) west of Carmarthen, and adjacent to an existing commercial business known as Hafod Bakery. The site is not considered to be adjacent to an existing settlement, and by reason of its distance from both Bancyfelin and Carmarthen is not considered to be directly related to these settlements and is therefore located within the countryside.

Policy EM2 echoes advice set out in National policy and specifies the need to undertake a sequential approach to site selection when assessing applications for new employment developments. In particular the policy requires a sequential search to identify that there is no allocation or existing employment sites available for the development. This should then be followed by an assessment of suitable land or buildings within development limits, then

adjacent to them and finally directly related to a settlement. The policy does not go on to enable consideration of locations within the countryside, distant from any defined settlements. As such, in principle, the development is contrary to Policy EM2 of the Local Development Plan.

The submitted information indicates that searches have been undertaken for existing commercial sites within existing settlements (Carmarthen/Bancyfelin/St Clears) in 2014 and that no suitable sites were found. The information submitted to support this claim includes lists of properties for rent, all of which have been discounted. Whilst a number of the properties would be unsuitable in that a number are offices within existing towns, other industrial units have been discounted on various grounds including, that planning permission would be required for the change of use into a B2 use, the units are too large and the internal layout was not suitable. The only detail provided with the application relates to one search undertaken in December 2014. No information about more recent searches has been provided.

No information has been provided to confirm whether or not sites allocated for employment purposes in the LDP were reviewed. In particular, there are specific land allocations for employment purposes in both St Clears (allocation T2/5/E2) and in Carmarthen, at Cillefwr Industrial Estate (allocation GA1/E1) that would be suitable for a B2 use. However, no such information as to whether these areas were looked into has been provided. As such, only existing sites have been reviewed with no information to confirm whether other sites within settlements or land directly related to settlements having been assessed. It appears therefore that once the existing sites identified in 2014 were discounted, the applicant considered that this was sufficient to justify a countryside location. It also appears that the principal reason for locating the building in this location is that it is on land within the ownership of the applicant. This approach does not reflect the sequential approach guidance set by both National and Local policy and as such, it is considered that insufficient justification has been provided to demonstrate that the application site is the most suitable location for the development. The overall aim of the policy is to try and direct development to the most sustainable location. This location is distant from any settlement and therefore everyone using the business, especially given its nature, would have to specifically travel by vehicle to the destination. There are no bus stops in the vicinity. Whereas if the business were located in a location within an existing settlement, the journey could be made as part of a wider journey (i.e. dropping the car off and then proceeding to home/work/shopping on foot/public transport) and thus would not generally result in a significant increase in traffic movements. Whilst the applicant has confirmed that many of its Clients currently pass the site on a daily basis, there is no facility for them to subsequently proceed with their journeys whilst their vehicles are being repaired. In all therefore, this site is not considered to represent a sustainable location for the development, especially having regard to the nature of the use.

Evidently, the proposal would result in the creation of an additional 1 FTE job in the area, which is a material consideration to balance against the above policy objection. TAN23 requires local planning authorities to assess the economic benefit associated with determining planning applications for economic development. Where a planning authority is considering an application that could cause harm to social and environmental objectives, which this case does, 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?

Having regard to the above questions, it is considered that insufficient information has been provided to fully demonstrate that there is no alternative site for the proposal. There are allocated employment land areas within both St Clears and Cillefwr Industrial Estate with land available subject to obtaining planning permission. The nature of the intended use would be an acceptable form of development within these areas and in particular offer a more sustainable site location than the current site.

The proposal would, according to the application form, result in an additional 1 FTE post to make a total of 2 FTE jobs. Whilst an addition of a single job is welcomed, it is considered that the amount generated is not considered of such a degree to amount to a material consideration that would overcome the policy objection set out above.

Whilst it is noted that the local Councillor has stated the need to generate employment growth in rural areas, it is not considered that positioning this type of development in this location would make a particular special contribution towards policy objectives.

In summary therefore, it is not considered that sufficient information has been submitted to demonstrate that there is no other suitable alternative location for the development proposed to satisfy the sequential approach to site selection. The overall objective of the sequential site selection process is to seek to concentrate developments in the most sustainable locations. The application site, is located within the countryside, and whilst on a relatively busy road, does not have any pedestrian access or public transport linkages and thus is classed as unsustainable. Whilst the proposal would generate 1 additional FTE job, it is not considered that this alone is sufficient to overcome the policy objection.

Impact upon character and appearance of the area

The application site includes part of an existing agricultural field that lies adjacent to the Hafod Bakery site. The proposal would necessitate the creation of an access that would result in puncturing the existing strong hedgerow along the field's boundary with the adjacent highway as well as translocation of part of the hedgerow behind the required visibility splays and erection of the building and car parking area behind. Whilst the form of the development would appear similar to other agricultural buildings which are synonymous within the countryside, it would not be viewed within the context of an existing agricultural enterprise and would rather appear as an incongruous industrial unit in the countryside.

Highway safety

The Highway Authority has confirmed that they would object to the development on grounds of insufficient visibility both in terms of access and forward visibility, lack of pedestrian linkages and the unsustainable location. In terms of access visibility, the applicant has since confirmed that they have control over the length of the splay required in a westerly direction and it appears that the required splay could be achieved subject to hedgerow translocation. However, this does not overcome the concerns raised from a forward visibility perspective in that it remains to be the case that there is insufficient visible distance for vehicles using the road to stop should a vehicle come out of the access. This is exacerbated by the geometry and topography of the road. This in itself would create a danger to users of the highway detrimental to highway safety and thus does not comply with the requirements of policy TR3 of the LDP.

CONCLUSION

After careful consideration of the scheme as submitted it is considered that insufficient information has been submitted to demonstrate that the necessary sequential approach to site selection has been exhausted to the extent that this site is the only available site for the proposed development. The development would result in the creation of a new business use in an unsustainable countryside location with no public transport or pedestrian linkages contrary to both national and local planning policies. It is not considered that the creation of 1 additional job presents a sufficient material consideration that would outweigh the clear policy objection to the development. Furthermore, the proposal does not demonstrate sufficient visibility for users of the road to the detriment of highway safety. The application is therefore recommended for refusal on the following grounds.

RECOMMENDATION – REFUSAL

REASONS

- 1 The proposal is contrary to 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 does not distribute development to a suitable location and is contrary to the settlement framework. The application has failed to demonstrate there is a justifiable need for the development in this location or that it could not be located in a more sustainable and suitable location. The

site is located outside of, and is not directly related to, any development limits of a recognised settlement.

- 2 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 application has failed to demonstrate that there is a justifiable need for the proposal in the location indicated or that it could not be located in a more sustainable and suitable location. The development would result in the addition of an incongruous industrial style building in the countryside that would not conform with or enhance the character of the area and fails to

protect or enhance the landscape. The proposal would also give rise to highway safety concerns on grounds of lack of forward visibility for oncoming vehicles.

- 3 The proposal is contrary to Policy EMP2 New Employment Proposals of the Carmarthenshire Local Development Plan:-

Policy EMP2 New Employment Proposals

Proposals for employment developments which are within, adjacent or directly related to the Development Limits of all defined settlements (Policy SP3) will be permitted provided that:

- a. A sequential search has been undertaken identifying that there is no allocation or existing employment site available that can reasonably accommodate the use, followed by there being no suitable land or building (for conversion or re-use) available within the Development Limits, then adjacent to limits, and finally on a site directly related to a recognised settlement;
- b. The development proposals are of an appropriate scale and form, and are not detrimental to the respective character and appearance of the townscape/landscape;
- c. The development proposals are of an appropriate scale and form compatible with its location and with neighbouring uses.

In that:

- The site is located outside of, and is not directly related to any development limits of a recognised settlement and is therefore within the countryside. The application has failed to demonstrate there is a justifiable need for the proposal in this location or that it could not be located in a more sustainable and suitable location. The sequential search undertaken is not considered adequate and has not provided sufficient justification for the proposed location. It has failed to show that the development could not be reasonably accommodated in other more suitable and sustainable locations. The development would result in the addition of an incongruous industrial style building in the countryside that would not conform with or enhance the character of the area and fails to protect or enhance the landscape.

- 4 The proposal would be in conflict with the advice set out in Planning Policy Wales (Edition 9) November 2016 which states:

While some employment can be created in rural locations by the re-use of existing buildings, new development will be required in many areas. New development sites are likely to be small and, with the exception of farm diversification and agricultural development to which separate criteria apply, should generally be located within or adjacent to defined settlement boundaries, preferably where public transport provision is established. However, some industries may have specific land requirements which cannot be accommodated within settlements. The absence of allocated employment sites should not prevent authorities from accommodating appropriate small-scale rural enterprises in or adjoining small rural settlements. The expansion of existing businesses located in the open countryside should be supported provided there are no unacceptable impacts on local amenity (paragraph 7.3.2)

In that:

- The site is located outside of, and is not directly related to any development limits of a recognised settlement and is therefore in the countryside. The application has failed to demonstrate there is a justifiable need for the proposal in this location or that it could not be located in a more sustainable and suitable location. The sequential search is not considered adequate and has not provided sufficient justification. It is not considered that the development has specific land requirements to justify this location. The economic benefits of the proposal would not outweigh the policy objection to the development.

Tuesday, 5 September 2017

PRESENT: Councillor A. Lenny (Chair)

Councillors:

J.M. Charles, I.W. Davies, J.A. Davies, M.J.A. Lewis, K. Madge, P.M. Edwards, W.T. Evans, J.K. Howell, J.D. James, H.I. Jones, G.B. Thomas, S.M. Allen, D. Jones, K. Lloyd, S.J.G. Gilasbey, C. Jones and B.A.L. Roberts

Also present:

Councillor A. Fox who addressed the Committee in respect of planning application S/35403
 Councillor G. John who addressed the Committee in respect of planning application W/35554
 Councillor G. Thomas who addressed the Committee in respect of planning application S/ 34071

The following Officers were in attendance:

J. Edwards, Development & Built Heritage Manager
 K. Byrne, Assistant Solicitor
 J. Thomas, Senior Development Management Officer [South]
 T. Boothroyd, Development Management Officer for Minerals and Waste
 S. Willis, Development Management Officer
 K. James, Assistant Engineer Planning Liaison
 K. Thomas, Democratic Services Officer

Chamber, County Hall, Carmarthen - 2.00 - 6.45 pm

(NOTE:

1. At 4.15 p.m, the Committee adjourned for a 10 minute comfort break and reconvened at 4.25 p.m.
2. At 4.55 p.m. the Committee's attention was drawn to Council Procedure Rule 9 – Duration of meeting and, as the meeting had been underway for nearly three hours it was **RESOLVED** to suspend standing orders to enable the Committee to complete the remaining business on the agenda).

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors L. Bowen and J.E. Williams,

2. DECLARATIONS OF PERSONAL INTERESTS

Councillor	Minute Number	Nature of Interest
G.B. Thomas	3 - Planning Application S/34537 – Construction of 8 houses together with associated vehicular and pedestrian accesses, car parking, landscaping, drainage and other ancillary development at land on eastern side of Heol Bronallt, Hendy, Llanelli	Had pre-determined the application

G.B. Thomas	4 – Planning Application S/34071 – Inert waste processing centre at Former Morlais Colliery, Pontardulais Road, Llangennech, Llanelli, SA14 8YN	Had pre-determined the application
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3. S/34537 - CONSTRUCTION OF 8 HOUSES TOGETHER WITH ASSOCIATED VEHICULAR AND PEDESTRIAN ACCESSES, CAR PARKING, LANDSCAPING, DRAINAGE AND OTHER ANCILLARY DEVELOPMENT AT LAND ON EASTERN SIDE OF HEOL BRONALLT, HENDY, LLANELLI.

(NOTE: Councillor G.B. Thomas, having previously declared an interest in this item, addressed the Committee objecting to the planning application following which, he vacated the Council Chamber and took no part in the discussion or, determination of the application).

The Senior Development Management Officer (South) referred to the private site visit undertaken by the Committee earlier that day (Minute 4.2 of the Planning Committee held on the 27th July, 2017 refers) the purpose of which was to enable the Committee to assess the suitability of the site in view of concerns regarding the steepness of the site and access issues. He thereupon referred, with the aid of powerpoint slides, to the written report/addendum of the Head of Planning which provided an appraisal of the site together with a description of the development, a summary of consultation responses received and information on the local and national policies which were relevant to the assessment of the application. The Committee was advised that the Head of Planning was recommending approval of the application for the reasons detailed within her written report.

Representations were received objecting to the application re-iterating the objections detailed within the Head of Planning's Report, with the primary area of concern and objection relating to the potential for surface water flooding to occur to properties at the lower level of the application site along Clayton Road and Iscoed Road in Pontarddulais as a result of increased run-off from the site.

The applicant and the Senior Development Management Officer responded to the issues raised

RESOLVED that planning application S/34537 be granted subject to the conditions detailed within the Head of Planning's written report.

4. S/34071 - INERT WASTE PROCESSING CENTRE AT FORMER MORLAIS COLLIERY, PONTARDULLAIS ROAD, LLANGENNECH, LLANELLI, SA14 8YN

(NOTE: Councillor G.B. Thomas, having previously declared an interest in this item, addressed the Committee objecting to the planning application following which, he vacated the Council Chamber and took no part in the discussion or, determination of the application).

The Development Management Officer for Minerals and Waste referred to the private site visit undertaken by the Committee earlier that day (Minute 4.2 of the Planning Committee held on the 24th August, 2017 refers) the purpose of which was to enable the Committee to view the access arrangements in view of highway safety concerns. He thereupon referred, with the aid of powerpoint slides, to the

written report of the Head of Planning which provided an appraisal of the site together with a description of the development, a summary of consultation responses received and information on the local and national policies which were relevant to the assessment of the application. The Committee was advised that the Head of Planning was recommending approval of the application for the reasons detailed within her written report subject to Natural Resources Wales signing off the revised Test of Likely Significant Effects.

Representations were received on behalf of Llangennech residents objecting to the proposed development re-iterating the points detailed within the Head of Planning's written report with the main emphasis of the objections relating to the potential impact the additional maximum 60 hgv movements per day generated by the development could have on the safety of traffic at the junction of the B4297 where it meets the A4138 (known as the Talyclun Lights) together with the existing congestion at Junction 48 on the M4.

The Applicant, Development Management Officer and the Assistant Engineer - Planning Liaison responded to the issues raised.

RESOLVED that planning application S/34071 be granted subject to the conditions detailed within the Head of Planning's written report and to Natural Resources Wales signing off the Test of Likely Significant Effects.

5. S/35403 - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT AT LAND ADJACENT TO 32 ERW TERRACE, BURRY PORT, LLANELLI, CARMARTHENSHIRE, SA16 0DA

(NOTE: The Committee, during consideration of this application, was advised of Corporate Procedure Rule 9 – Duration of the Meeting and, as the meeting had been underway for three hours, RESOLVED to suspend Standing Orders to enable the remaining business on the Agenda to be concluded)

The Senior Development Management Officer (South) referred to the private site visit undertaken by the Committee earlier that day (Minute 4.2 of the Planning Committee held on the 27th July, 2017 refers) the purpose of which was to enable the Committee to view the site following concerns regarding highway safety. He thereupon referred, with the aid of powerpoint slides, to the written report/addendum of the Head of Planning which provided an appraisal of the site together with a description of the development, a summary of consultation responses received and information on the local and national policies which were relevant to the assessment of the application. The Committee was advised that the Head of Planning was recommending approval of the application for the reasons detailed within her written report.

Representations were received objecting to the application re-iterating the points detailed within the Head of Planning's report with the main emphasis of the objections concentrating on the loss of existing off-street parking resulting in increased on-street parking along the existing heavily parked estate roads of Pembrey Avenue and Erw Terrace exacerbating current access difficulties faced not only by home owners, but also the emergency services, delivery and refuse vehicles.

The applicant and the Senior Development Management Officer responded to the issues raised.

In considering the application views were expressed by the committee that, if approved, the development would be contrary to the provisions of Policies TR3 and GP1 of the Local Development Plan. The Committee accordingly:

RESOLVED

5.1	that planning application S/35403 be refused contrary to the Head of Planning's recommendation on the basis the proposed development was contrary to Policies TR3 and GP1 of the Local Development Plan
5.2	that the Head of Planning submit a report to a future meeting detailing, for the Committee's endorsement, suggested planning reasons for the refusal of the application based on 5.1 above.

6. W/35554 - NEW PUBLIC SQUARE, CAFÉ AND SMALL BUSINESS UNITS TO EXISTING PUBLIC REALM AT JACKSONS LANE SQUARE, CARMARTHEN, SA31 1QD

The Development Management Officer referred to the private site visit undertaken by the Committee earlier that day (Minute 5.2 of the Planning Committee held on the 24th August refers) the purpose of which was to enable the Committee to view the site in view of concerns of the scale and size of the proposed development. He thereupon referred, with the aid of powerpoint slides, to the written report/addendum of the Head of Planning which provided an appraisal of the site together with a description of the development, a summary of consultation responses received and information on the local and national policies which were relevant to the assessment of the application. The Committee was advised that the Head of Planning was recommending approval of the application for the reasons detailed within her written report.

Representations were received objecting to the application re-iterating the points detailed within the Head of Planning's report with the main emphasis being the impact on the conservation area via the replacement of the only green area within the town centre with a hard paved area, the justification for the retail element, the provision of a large television screen and the considered view that the application was contrary to national and local planning policies GP1, RT4, SP13 and EQ1

Representations were received in support of the proposed development and views expressed that should the application be granted it be consideration be afforded to including additional conditions requiring the paved area to be paved with local stone, similar to that used within the castle area, the three replacement trees being semi-mature and indigenous – preferably oak and the prevention of off street car parking on the green area at the lower portion of the site fronting the highway

The Development and Built Heritage Manager and the Development Management Officer responded to the various issues raised.

RESOLVED that planning application W/35554 be granted subject to the conditions detailed within the Head of Planning's report and to additional conditions reflecting the Committee's views on the use of local stone in the

paved square, the three replacement trees being semi-mature – possibly oak and the prevention of parking on the lower grassed area.

CHAIR

DATE

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PLANNING COMMITTEE

THURSDAY, 21 SEPTEMBER 2017

PRESENT: Councillor A. Lenny (Chair)

Councillors:

L.R. Bowen, J.M. Charles, I.W. Davies, P.M. Edwards, W.T. Evans, S.J.G. Gilasbey, J.D. James, C. Jones, D. Jones, M.J.A. Lewis, K. Lloyd, K. Madge and G.B. Thomas

Also in attendance:

Councillor P.M. Hughes, who addressed the Committee in respect of Planning Application W/35461.

The following Officers were in attendance:

L. Quelch, Head of Planning
 G. Noakes, Senior Development Management Officer [East]
 J. Thomas, Senior Development Management Officer [South]
 S.W. Thomas, Senior Enforcement and Monitoring Officer
 K. James, Assistant Engineer Planning Liaison
 S. Murphy, Senior Solicitor
 J. Owen, Democratic Services Officer

Chamber, County Hall, Carmarthen – 10:00am - 11:40am

[Note: In order to resolve technical difficulties, the Committee adjourned at 10:45a.m. and reconvened at 11:05a.m.]

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S. Allen, J.A. Davies, H.I. Jones, J.K. Howell, B.A.L. Roberts and J.E. Williams.

2. DECLARATIONS OF PERSONAL INTERESTS

Councillor	Minute Number	Nature of Interest
G. B. Thomas	4.2 – Planning Application S/35823 Demolition of the existing dwelling (Hen Goitre) and construction of 1 no 4 bedroom two storey detached dwelling at Hen Goitre, Hendy, Llanelli, SA4 0YQ	His Son is the applicant.

3. AREA EAST - DETERMINATION OF PLANNING APPLICATIONS

3.1 RESOLVED that in accordance with the Addendum of the Head of Planning and at the request of the applicant’s agent, the following planning application be deferred to a future meeting.

E/35478	Repair and conversion of Salem Chapel in to 1 residential dwelling at Salem Chapel, Campbell Road, Llandybie, Ammanford, SA18 3UP
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4. AREA SOUTH - DETERMINATION OF PLANNING APPLICATIONS

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

S/33277	Residential development at land adjoining Mareta, Five Roads, Llanelli, SA15 5YT
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4.2 **UNANIMOUSLY RESOLVED** that the following planning application be granted subject to the conditions detailed within the Report/Addendum of the Head of Planning and or reported at the meeting:-

S/35823	Demolition of the existing dwelling (Hen Goitre) and construction of 1 no 4 bedroom two storey detached dwelling at Hen Goitre, Hendy, Llanelli, SA4 0YQ NOTE: Councillor G. B. Thomas having earlier declared an interest in this application left the meeting prior to the consideration and determination thereof.
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4.3 **UNANIMOUSLY RESOLVED** that consideration of the following planning applications be deferred to enable the Committee to undertake site visits:-

S/35875	Residential development - revised outline planning for 3 detached dwellings (resubmission of S/33484 - appeal refused 25/11/16) at land adjacent to Hen Soar Fach, Mynachlog Road, Pontyberem, Llanelli, SA15 5EY REASON: to enable the Committee to assess the potential impact the development may have on car parking and traffic flow.
S/35189	Siting of two detached dwelling houses at land at former Cwmblawd Sawmills, Llannon Road, Pontyberem, Llanelli, SA15 5NB REASON: to afford the new cohort of Planning Committee members the opportunity of visiting the site on the basis only 6 of its current members were members of the Planning Committee prior to the 2017 Elections in May. The site was previously visited on 19 th April 2017.

5. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS

- 5.1 The Senior Enforcement and Monitoring Officer informed the Committee that the following application had been withdrawn for consideration at the meeting in order to resolve additional issues and concerns that have been raised.

W/35336	Proposed residential dwelling at Land at Frondeg, 2 Bro Rhydybont, Llanybydder, SA40 9QX
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- 5.2 **UNANIMOUSLY RESOLVED** that consideration of the following planning application be deferred to enable the Committee to undertake a site visit:-

W/35461	<p>Construction of 30 no. residential dwellings and associated site infrastructure works (amended site) at land at the rear of Cae Ffynnon, Bancyfelin, Carmarthen, SA33 5DQ</p> <p>A representation was received from the local member requesting that the Committee undertake a site visit.</p> <p>REASON: To enable the Committee to view the proposed location of the development and consider the concerns in relation to:-</p> <ul style="list-style-type: none">• regarding surface water and flooding in the area;• its potential impact on the village of Bancyfelin;• the current parking issues at the village school and highways safety concerns. <p>It was noted that Councillor P. Hughes is an Executive Board Member and not a Member of the Planning Committee as stated within the report.</p> <p>In line with the Planning Committee Protocol, one of the objectors who had requested to speak on this application opted to make representation at today's meeting rather than at the meeting following the site visit. The Committee thereupon proceeded to receive a representation objecting to the proposed development, which re-iterated some of the points detailed within the Head of Planning's written report and included the following:-</p> <ul style="list-style-type: none">• Concerns about surface water and flooding in the area.• Existing issues and removing natural drainage likely to increase issues which already exist along High St and cause a flooding problem for residents of the street.• That the application does not make any reference to part of the development being built on a flood plain. <p>[Note: the objector provided Planning Officers with video evidence of surface water flow in the area during heavy rain fall.]</p> <p>The applicants' agent opted to make representations at the meeting of the site visit.</p>
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- 5.3 RESOLVED** that the following planning application be granted subject to the conditions detailed within the Report/Addendum of the Head of Planning and or reported at the meeting:-

W/35973	<p>NEW PUBLIC SQUARE, CAFÉ AND SMALL BUSINESS UNITS TO EXISTING PUBLIC REALM REQUIRING THE REMOVAL OF EXISTING WALLS/RAILINGS AT JACKSONS LANE SQUARE, CARMARTHEN, SA31 1QD</p> <p>Representations were received objecting to the application re-iterating the points detailed within the Head of Planning’s report with the main emphasis being the impact on the conservation area via the replacement of over 50% of the greenery with a hard paved area, the provision of a large television screen and the considered view that the application was contrary to national and local planning policies SP1 and GP1.</p> <p>The Chair reminded both objectors and members of the Planning Committee of the nature of the planning application, which was requiring the removal of existing walls and railings only.</p> <p>A representation was received in support of the proposed development and the views expressed that should the application be granted the plans would reinforce local character that would respect and enhance the local setting and the cultural and historic qualities of the plan area.</p>
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6. MINUTES

6.1. 27TH JULY 2017

UNANIMOUSLY RESOLVED that the minutes of the meeting held on the 27th July 2017 be signed as a correct record.

6.2. 8TH AUGUST 2017

UNANIMOUSLY RESOLVED that the minutes of the meeting held on the 8th August 2017 be signed as a correct record.

6.3. 24TH AUGUST 2017

UNANIMOUSLY RESOLVED that the minutes of the meeting held on the 24th August 2017 be signed as a correct record.

CHAIR

DATE

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