

**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 06 EBRILL 2017
ON 06 APRIL 2017**

**I'W BENDERFYNU/
FOR DECISION**

***Ardal De/
Area South***



**Cyngor Sir Gâr
Carmarthenshire**
County Council



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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	06 APRIL 2017
REPORT OF:	HEAD OF PLANNING

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APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	S/35189
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Application Type	Outline
Proposal & Location	SITING OF TWO DETACHED DWELLING HOUSES AT LAND AT FORMER CWMBLAWD SAWMILLS, LLANNON ROAD, PONTYBEREM, LLANELLI, SA15 5NB

Applicant(s)	MR DHA LEWIS, 17A HEOL Y BRYN, PONTYBEREM, LLANELLI, CARMARTHENSHIRE, SA15 5AG
Agent	SAURO ARCHITECTURAL DESIGN LTD - MR PETER SAURO, SAURO ARCHITECTURAL DESIGN LTD, 9 ELLISTON TERRACE, CARMARTHEN, SA311HA
Case Officer	Gary Glenister
Ward	Pontyberem
Date of validation	27/02/2017

CONSULTATION

Head of Transport – Has not commented to date.

Pontyberem Community Council – Has not commented on the application to date.

Local Members – County Councillor J S Williams is a member of the Planning Committee and has not made prior comment. She has however asked that the application be determined at Committee after a site visit as the land has been maintained by the family since the mill closed and there is historic permission for a dwelling.

Dwr Cymru/Welsh Water – States that there is no mains sewerage so details of drainage should be submitted prior to commencement of development.

Neighbours/Public – Four neighbouring properties have been consulted with no responses received to date.

RELEVANT PLANNING HISTORY

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

D5/14103	Two houses Outline planning refused	30 September 1991
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D5/11766 Two houses
Outline planning refused

26 June 1989

APPRAISAL

THE SITE

The application site is strip of land with a road frontage of approximately 39m and an average depth of 23m. The site is outside the development limits of Pontyberem, however it is noted that there is a cluster of 7 houses opposite to the south.

The site is a former sawmill, however any commercial use has long since been abandoned. The remains of the sawmill are evident with some of the wall structure still in place. The owner has maintained the site in a good condition.

The site has also been subject to permission for a dwelling prior to the First World War, and the applicant has the original plans for the site. Undulations on part of the site are said to be evidence of commencement in the form of foundation trenches. The undulations are broadly consistent with the location of the previously approved dwelling, however it is not known when any works were undertaken. However if foundations were dug over 100 years ago as suggested, they have collapsed and infilled over time with no development having taken place, so as to have been abandoned in planning terms.

More recently, planning permission was refused in 1989 and 1991 for two dwellings on the basis of its location in open countryside and highway safety.

THE PROPOSAL

The application seeks outline planning permission to establish the principle of two dwellings on the site in place of the former commercial use. The site is proposed to be laid out with two storey houses addressing the highway with modest rear gardens and a central access with parking & garages and turning to the front for each property.

No justification has been submitted in terms of affordable/local need or rural enterprise.

PLANNING POLICY

In the context of the current development control policy framework the site is outside the settlement development limits of Pontyberem as defined in the Carmarthenshire Local Development Plan (LDP) Adopted July 2006.

Policy SP1 Sustainable Places and Spaces states:

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 states:

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

- a) It conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing;
- b) It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;
- c) Utilises materials appropriate to the area within which it is located;
- d) It would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community;
- e) Includes an integrated mixture of uses appropriate to the scale of the development;
- f) It retains, and where appropriate incorporates important local features (including buildings, amenity areas, spaces, trees, woodlands and hedgerows) and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity;
- g) It achieves and creates attractive, safe places and public spaces, which ensures security through the 'designing-out-crime' principles of Secured by Design (including providing natural surveillance, visibility, well-lit environments and areas of public movement);
- h) An appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality;

- i) It protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment;
- j) It ensures or provides for, the satisfactory generation, treatment and disposal of both surface and foul water;
- k) It has regard to the generation, treatment and disposal of waste;
- l) It has regard for the safe, effective and efficient use of the transportation network;
- m) It provides an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all;
- n) It includes, where applicable, provision for the appropriate management and eradication of invasive species.

Proposals will also be considered in light of the policies and provisions of this Plan and National Policy (PPW: Edition 9 and TAN12: Design (2016)).

Policy GP2 Development Limits states:

Development Limits are defined for those settlements identified as Growth Areas, Service Centres, Local Service Centres and identified Sustainable Communities within the settlement framework.

Proposals within defined Development Limits will be permitted, subject to policies and proposals of this Plan, national policies and other material planning considerations.

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 (2014) states:

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

Paragraph 2.6 & 2.7 of Technical Advice Note 12 Design (2014) states:

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

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 should be presented in the design and access statement where one is required.

CONCLUSION

After careful consideration of the site and its surrounding environs, it is considered that whilst there is evidence of a former commercial use and history of permission, both have long since been lost through the passage of time, therefore the proposal is unjustified new residential development in the open countryside. Local and National planning policy directs development to sustainable communities, and there is a general presumption against development in the open countryside.

It is noted that there are houses opposite, however this is not considered to be a sustainable community and merely forms a cluster of rural dwellings without a defined settlement development limit. The general approach adopted in the LDP is to exclude such outlying clusters and confine development limits to sustainable settlements. In this case, the site is 0.7km from the closest part of Pontyberem, and 1.7km from its centre, with no bus stops or pedestrian facilities evident between the site and the village, therefore it is not considered to be in a sustainable location.

In terms of the site specific considerations, an indicative plan has been submitted which shows an indication of two dwellings. It is considered that there is insufficient private amenity space to the rear to serve the dwellings as shown. Notwithstanding the fact that this application merely seeks to establish the principle of development, it is considered that the site is of insufficient dimensions to accommodate two dwellings as shown.

Further, the application does not include any form of legal agreement setting out a contribution towards affordable housing as required under Policy AH1.

On balance, the proposal is not considered to be in accordance with the above policies and therefore is recommended for refusal.

RECOMMENDATION – REFUSAL

REASONS

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

Policy 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 site is in a location which is not served by public transport or pedestrian facilities, and is therefore wholly reliant on the private car. The site is not therefore considered to be in a sustainable location.

- 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 9 and TAN12: Design (2016)).

In that the site is not of sufficient size to accommodate the two houses along with parking, turning and an adequate rear garden area as shown on the indicative plan.

- 3 The proposal is contrary to Policy GP2 “Development Limits” of the Carmarthenshire Local Development Plan:-

Policy GP2 Development Limits

Development Limits are defined for those settlements identified as Growth Areas, Service Centres, Local Service Centres and identified Sustainable Communities within the settlement framework.

Proposals within defined Development Limits will be permitted, subject to policies and proposals of this Plan, national policies and other material planning considerations.

In that the proposed development is unjustified development outside the settlement development limits of Pontyberem as defined in the adopted Local Development Plan. The proposal would therefore constitute inappropriate and unsustainable development in the open countryside.

- 4 The proposal is contrary to Policy TR3 “Highways in Developments – Design Considerations” of the Carmarthenshire Local Development Plan:-

Policy TR3 Highways in Developments - Design Considerations

The design and layout of all development proposals will, where appropriate, be required to include:

- a) **An integrated network of convenient and safe pedestrian and cycle routes (within and from the site) which promotes the interests of pedestrians, cyclists and public transport;**
- b) **Suitable provision for access by public transport;**
- c) **Appropriate parking and where applicable, servicing space in accordance with required standards;**
- d) **Infrastructure and spaces allowing safe and easy access for those with mobility difficulties;**
- e) **Required access standards reflective of the relevant Class of road and speed restrictions including visibility splays and design features and calming measures necessary to ensure highway safety and the ease of movement is maintained, and where required enhanced;**
- f) **Provision for Sustainable Urban Drainage Systems to allow for the disposal of surface water run-off from the highway.**

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

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

In that:

- (i) the site is in a location which is not served by public transport or pedestrian facilities, and is therefore wholly reliant on the private car. The site is not therefore considered to be in a sustainable location.
- (i) 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.
- (ii) the proposed development would lead to increased pedestrian movements along a section of road with no pedestrian facilities.

5 The proposal is contrary to Policy AH1 “Affordable Housing” of the Carmarthenshire Local Development Plan:-

Policy AH1 Affordable Housing

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

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

On Site Contributions

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

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

Commuted Sums

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

In that the application does not provide a contribution for affordable housing in accordance with Policy AH1.