PLANNING COMMITTEE

Tuesday, 13 June 2017

PRESENT: Councillor A. Lenny (Chair)

Councillors:
J.E. Williams, J.M. Charles, I.W. Davies, J.A. Davies, M.J.A. Lewis, K. Madge, W.T. Evans, J.K. Howell, J.D. James, H.I. Jones, G.B. Thomas, S.M. Allen, A.C.J. Jones, K. Lloyd, D. Jones and L.R. Bowen

Also Present:
Councillor K. Broom who addressed the Committee in respect of Planning Application S/35086

The following Officers were in attendance:
L. Quelch, Head of Planning
S. Murphy, Senior Solicitor
J. Thomas, Senior Development Management Officer [South]
K. Thomas, Democratic Services Officer

Chamber, County Hall, Carmarthen - 11.00 am - 12.00 pm

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P. Edwards, J. Gilasbey and L. Roberts

2. DECLARATIONS OF PERSONAL INTERESTS

Councillor	Minute Number	Nature of Interest
W. T. Evans	3 – Planning Application S/35086 – Alternative Scheme for one dwelling (resubmission of S/34809 – REFUSED 06/01/2017) at plot adjacent 15 Heol Ddu, Pen Y Mynydd, Trimsaran, SA15 4RN	Previously a member of Trimsaran Community Council, but had not taken any part in that authority's consideration of the application
K. Broom	3 – Planning Application S/35086 – Alternative Scheme for one dwelling (resubmission of S/34809 – REFUSED 06/01/2017) at plot adjacent 15 Heol Ddu, Pen Y Mynydd, Trimsaran, SA15 4RN	Member of Trimsaran Community Council, but has not taken any part in that authority's consideration of the application

3. S/35086 - ALTERNATIVE SCHEME FOR ONE DWELLING (RESUBMISSION OF S/34809 - REFUSED 06/01/2017) AT PLOT ADJACENT 15 HEOL DDU, PEN Y MYNYDD, TRIMSARAN, SA15 4RN

(NOTE: Councillors W.T. Evans and K. Broom had earlier declared an interest in this application)

The Senior Development Management Officer (South) referred to the private site visit undertaken by the Committee earlier that day (Minute 3.1 of the Planning Committee held on the 1st June, 2017 refers) the purpose of which had been to afford the new members appointed onto the Committee, following the local government elections, the same opportunity of viewing the site, as the previous committee on the 19th April, 2017.

He advised that at the meeting on the 19th April following concerns raised by the objectors on the possibility of the flat roof to the extension being used as a roof terrace, the committee had resolved to defer the application for discussions to take place with the applicants on the feasibility of replacing the rear first floor French windows/Juliette Balconies with fixed windows to prevent access to the flat roof extension. Whilst agreement had been reached in that regard, it was subject to the windows being openable for ventilation and means of exit in an emergency, in accordance with building regulations, and the imposition of conditions 4 and 5 in the report preventing access to the roof area. Should those conditions be breached at any time, immediate enforcement action would be taken.

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 retrospective 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 retrospective application re-iterating the points detailed in the Head of Planning's report which included the following:-

- With regard to the proposed replacement of the French windows, a view was expressed that with minimal changes thereto access could still be achieved to the roof area. Assurances were therefore sought that such access would never be permitted and appropriate conditions applied to any consent accordingly. That condition was considered to be necessary as the proposed roof covering was capable of being walked upon,
- The ground floor extension measuring 4.3m x5m x 9m, which had been constructed without planning consent, was considered to be overbearing and would impact on the amenity of the adjacent residential properties. That impact would be exacerbated if the roof area were to be accessed.
- Concerns were expressed at the possibility of further retrospective applications being submitted in the future for the use of the flat roof as a terrace and use of the paddock area.
- The Committee was requested to condition any planning consent to prevent access to the first floor extension roof area

The Senior Assistant Solicitor advised the Committee that whilst, in accordance with protocol, the applicants would be afforded the opportunity of responding to the planning issues raised by the objectors they had requested if they could initially apprise the committee, in camera, of sensitive personal matters relative to their application. Should the committee approve that request, it would need to formally resolve to exclude the public and press from the meeting and suspend the webcast. Thereafter, the meeting would recommence in open public session to hear the appellant's response to the issues raised by the objectors.

RESOLVED pursuant to the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) (Wales) Order 2007, that the public be excluded from the meeting by virtue of Paragraph 12 of Part 4 of Schedule 12A to the Act in order for the Committee to be apprised by the applicants of personal and sensitive information relative to their application.

Following the application of the public interest test it was RESOLVED, pursuant to the Act referred to above to consider this matter in private, with the public excluded from the meeting as the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Following the appellants' submission, the Committee:-

FURTHER RESOLVED that the meeting reconvene in open public session to consider the application

Representations were received in support of the application in the following terms:

- No objections had been raised to the original planning application for the erection of a property on the plot
- the initial proposals for the use of the first floor extension roof area had been withdrawn and no longer formed part of the application,
- the french windows/Juliette balconies to the rear first floor of the main house had been replaced with windows, which would comply with building regulations
- the extension was not considered to be overbearing
- the extension to the rear garden would be aligned with the existing rear boundary of the adjacent property - No 17,
- the committee was requested to approve the application in accordance with the Head of Planning's recommendation.

UNANIMOUSLY RESOLVED that planning application S/35086 be granted subject to the conditions detailed within the Head of Planning's written report

_____ _____

CHAIR **DATE**