

**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 3 HYDREF 2017  
ON 3 OCTOBER 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 yn rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.**

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

<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>2017</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

**INDEX - AREA SOUTH**

<b>REF.</b>	<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>
<b>S/35996</b>	<b>Extension to existing hardstanding for car parking area (retrospective) at 32 - 34 Beidr Non, Llannon, Llanelli, SA14 6BA</b>

<b>REF.</b>	<b>APPLICATIONS RECOMMENDED FOR REFUSAL</b>
	<b>NONE</b>

**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>S/35996</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	EXTENSION TO EXISTING HARDSTANDING FOR CAR PARKING AREA (Retrospective) AT 32 - 34 BEIDR NON, LLANNON, LLANELLI, SA14 6BA

<b>Applicant(s)</b>	MR GARETH GRIFFITHS, TAIRGWAITH, HEOL LAS, LLANTRISANT, PONTYCLUN, CF72 8EG
<b>Agent</b>	,
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Llannon
<b>Date of validation</b>	22/08/2017

## CONSULTATIONS

**Head of Transport** – No response received to date.

**Llannon Community Council** – has not commented to date.

**Local Member** – County Councillor E Dole has not commented to date. County Councillor D Jones is a member of the Planning Committee and has not made prior comment.

**Neighbours/Public** – 5 No properties have been consulted on the application with two representations received to date raising the following matters:

- Previous work had no planning permission
- Surface water affecting third parties
- Light Pollution
- Danger of cars over running into neighbouring properties
- Overlooking - Loss of Privacy
- Un-sympathetic and harmful to the Character of the Area and Green Belt
- Proposal would prevent Maintenance of Rear Boundaries
- Japanese Knotweed

## RELEVANT PLANNING HISTORY

The following application has been received on the application site.

D5/252                      Improvements and Repairs

## **APPRAISAL**

### **THE SITE**

The application site is part of the residential curtilage of 32-34 Beidr Non. The property was formerly two cottages which have been combined and is used as a residential care facility. There have been investigations previously regarding the land use and it was deemed that the residents were living as a household so no change of use had occurred.

The cottage has a garden to the rear and an additional parcel of land forming a garden to the front on the opposite side of the road. The site is triangular in nature and has a road frontage of approximately 29m and a variable depth ranging from 8.5m to nothing.

The site is to the rear of properties in Erw Non but set at a higher ground level. There was formerly a fence enclosing 3 sides of the original parking area, however this was removed when the unauthorised work begun on the extended parking.

The retrospective nature of the application is such that the impact can be assessed on site.

### **THE PROPOSAL**

The application seeks full retrospective planning permission for an extension to the parking area measuring approximately 4.6m by 5m. The parking area is built up on top of a 1m high retaining structure so is higher than the original ground level.

As a result of concerns raised by third parties, the applicant has been asked to provide a fence along the eastern edge of the parking area between the parked cars and the residential properties to the East. The applicant has agreed to provide a fence 1.8m in height and solid in nature to prevent loss of amenity through light pollution and overlooking. It is recommended that if planning is granted, that a condition be imposed requiring the erection of the fence within 3 months of the decision date.

### **PLANNING POLICIES**

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

Policy GP1 Sustainability and High Quality Design states.

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

- a) It conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing;**
- b) It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;**
- c) Utilises materials appropriate to the area within which it is located;**

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

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

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 original parking area was not built with the benefit of planning permission. However, it is now considered to be lawful by the passage of time given the residential nature of the site. The proposal is therefore for the extension of this parking area rather than consideration of the original parking area itself.

There is a 3.5m gap shown between the hard standing and the rear boundaries of the properties to the East. Surface water runoff therefore has the opportunity to soak into the original ground level before it reaches the boundary.

Loss of amenity through light pollution is material consideration. Given the differences in ground levels headlights would shine unobstructed into the bedroom windows of the houses in Erw Non. It is noted that the original parking area was enclosed on three sides by a fence which would have prevented direct light pollution however this has been removed. If approved it is therefore recommended that a condition be imposed requiring the erection of a fence around the original and extended parking within 3 months of the decision date.

Danger of cars over running into neighbouring properties is a health and safety issue which would need to be addressed.

As aforementioned, the parking is at a higher level than the properties in Erw Non. There could therefore be a loss of privacy through overlooking. The raising of the ground level would take people's line of sight above the boundary fence and

There is concern that the proposal is un-sympathetic and harmful to the character of the area and green belt. It should however be noted that the site is within the defined village boundary and has historically been used as the garden for 32-34 Beidr Non. It is not therefore considered to be out of character with the surrounding area.

The additional parking is set away from the boundary with the neighbouring properties, therefore it would not prevent access to the properties for maintenance purposes. The construction of the parking does not preclude access, however it should be noted that this is a private matter between the parties and access to the rear boundaries would have to be agreed.

Japanese Knotweed is an invasive species which needs to be eradicated in an appropriate way. It is therefore recommended that if permission is granted, that the submission of a method statement be conditioned to ensure that the eradication method is suitable.

## **CONCLUSION**

After careful consideration of the site and its surrounding environs in the context of the representations received to date, it is agreed that the parking area as evident on site would have a detrimental impact on the houses in Erw Non. However, the impact would be mitigated if a 1.8m solid fence was erected to enclose the parking area when viewed from the rear. It is noted that prior to the work on the extended parking area, there was a fence around the original parking, and this should be replaced and extended to surround the extended parking area. With appropriate fencing, it is considered that the proposal would be acceptable.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans dated 20 June 2017.
  - 1:1000 scale Block Plan
  - 1:100 scale Site Plan
- 3 Other than required for access and visibility, a solid 1.8m high fence shall be erected around the parking area measured from the finished floor level of the parking places and this shall be retained in perpetuity. The fence shall be erected within 3 months of the date of this permission,
- 4 Notwithstanding Condition 3 above, there shall be no built development over 0.9m in height within 2.4m of the highway.

### **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2&3 In the interests of visual amenity.
- 4 In the interests of highway safety.

### **REASONS FOR GRANTING PLANNING PERMISSION**

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

It is considered that the proposal complies with Policy GP1 of the LDP in that it is appropriate in terms of scale and design, and will not cause unacceptable loss of amenity to neighbouring uses.

### **NOTES**

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

In addition, any Conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers')

responsibility to ensure that the terms of all Conditions are met in full at the appropriate time (as outlined in the specific condition).

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

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

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