

**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 15 MAI 2018
ON 15 MAY 2018**

**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:	15 MAY 2018
REPORT OF:	HEAD OF PLANNING

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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	S/36946
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Application Type	Outline
Proposal & Location	CONSTRUCTION OF ONE DETACHED DWELLING AT LAND AT 61 PWLL ROAD, PWLL, LLANELLI, SA15 4BD

Applicant(s)	MRS PAMELA GRAY, 61 PWLL ROAD, LLANELLI, SA15 4BD
Agent	MRS ALISON GOWER, 9 MAENOL GLASFRYN, LLANGENNECH, LLANELLI, SA14 8SJ
Case Officer	Paul Roberts
Ward	Hengoed
Date of validation	15/03/2018

CONSULTATIONS

Llanelli Rural Council – Have objected to the application on the following grounds:-

1. The proposed development will over develop the site in an area which has seen an intensification of housing development in back gardens.
2. The site has very little amenity space which would be detrimental to the general enjoyment of the proposed dwelling.
3. The proposed access emerging on to Tyle Catherine will be detrimental to highway safety.

Local Member - County Councillors Susan Phillips has not commented on the application to date, while Cllr Penny Edwards is a member of the Planning Committee.

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

Neighbours/Public – The application has been publicised with the posting of two site notices within the vicinity of the site. In response, two letters of objection have been received which raise the following issues of concerns:

- The proposal will overdevelop the site.
- The proposal is near a mine shaft which may extend under the site.
- The dwelling would have very little amenity space which would be detrimental to the enjoyment of its occupiers.
- The access will not have sufficient visibility along the roadway and the access along Elgin Road is already congested.
- Impact upon the privacy of neighbouring properties.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

APPRAISAL

THE SITE

The application site consists of a rectangular shaped parcel of land located on the western side of Tyle Catherine in Pwll. It forms part of the sloping rear garden of the existing property of 61 Pwll Road which is set below the site and adjacent to the junction of Tyle Catherine with Pwll Road.

The site has a width and depth of 22 and 18.5 metres respectively and consists of a lawned area. It slopes down gradually towards its southern boundary which is currently undefined. The site's road frontage is characterised by an established hedgerow that also extends along its northern boundary and separates the land from the curtilages of two neighbouring semi-detached properties that front towards and overlook the site. The site's rear boundary consists of timber fencing which separates it from the rear garden of the adjacent property of Pwll Road.

The site is located in a primarily residential area consisting of a mix of detached and semi-detached properties. The neighbouring properties of Pwll Road and Elgin Road have long rear gardens while two new detached properties have been built on the opposite side of Tyle Catherine in recent years.

THE PROPOSAL

The application seeks outline permission for the construction of a detached dwelling together with associated works. All detailed matters have been reserved for future consideration and, as such, the application seeks to establish the principle of developing a dwelling on the site.

The application has been accompanied by an indicative site layout plan and cross sectional drawing which seek to demonstrate how the land could be developed in an acceptable manner. The layout shows the dwelling being located in the northern half of the site and orientated in a southerly direction to take advantage of the southerly aspect and sea views from the site. The layout makes provision for amenity and parking areas within the curtilage of the dwelling with access being achieved via new driveway egressing onto Tyle Catherine. The ground levels of the development are shown to reflect the prevailing levels of the site.

PLANNING POLICY

In the context of the current development control policy framework the site is located within the defined development limits of Pwll as contained in the adopted Local Development Plan. Reference is drawn to the following policies of the Plan.

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.

NEIGHBOURS/PUBLIC REPRESENTATION

Two letters of objection have been received in respect of the application while Llanelli Rural Council have also raised concerns in respect of the proposal. The issues raised are addressed below.

Turning firstly to the concerns that the proposal will result in the overdevelopment of the site, despite the openness of the application site the surrounding areas of Tyle Catherine and Elgin Road have a built up appearance with houses being closely related to the generally narrow road network. The generous proportions of the site allow for the siting of a dwelling that would be consistent with this prevailing pattern of development while allowing generous gaps to the neighbouring properties either side. Adequate provision can be made for a garden and off road parking area within the curtilage of the dwelling while its elevated position relative to the properties fronting Pwll Road would not be unusual or incongruous

within the surrounding context. For these reasons, the proposal would not result in the overdevelopment of the site or be harmful to the character and appearance of the surrounding area and is therefore considered to be in compliance with the objectives of policies GP1, GP2 and H2 of the LDP.

It is of note that officers have previously refused permission for a detached dwelling on a smaller parcel of land located to the north of the application site adjacent to the junction of Elgin Road with Tyle Catherine. Planning permission was subsequently granted at appeal where the Inspector concluded the development of the site would not be harmful to the character and appearance of the locality. Planning application S/22648 refers.

As to the impact on the amenity of neighbouring properties, the careful placement and design of the dwelling would allow sufficient separating distances to neighbouring properties either side of the site so as to safeguard against any unacceptable impacts upon existing living standards. Similarly, the placement and orientation of windows could be appropriately designed to ensure that any overlooking would not be intrusive or harmful while suitable boundary treatments along the boundaries of the site would limit the overlooking between neighbouring gardens. The proposal is therefore in accord with the requirements of policies GP1 of the LDP in terms of its impact upon neighbouring properties and their occupiers.

Turning to the perceived highway impact of the development, the site's central location along Tyle Catherine combined with the straight alignment of the road will allow for the creation of a safe access to the development. Tyle Catherine is a one-way road with vehicles travelling in a southerly direction down the hill towards the site and given the alignment of the road and low speed of vehicles existing the junction with Elgin Road, officer's are satisfied a new access can be provided that would afford sufficient visibility towards oncoming traffic. Furthermore, the vehicular movements likely to be generated by an additional dwelling will not be of such a level that they could not be safely accommodated by the existing road network. The proposal therefore meets the requirements of policy TR3 of the LDP.

Finally, concerns regarding the presence of a nearby mineshaft upon the development are misjudged in that the site is located outside the high risk development area as defined by the Coal Authority.

CONCLUSIONS

On balance, and after careful examination of the site and its surrounding environs, together with the representations received to date, the principle of the residential development of the site is considered to be acceptable and 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 new dwelling 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 permission now granted is an outline permission only, within the meaning of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.
- 2 The permission hereby granted relates to the land defined by the 1:1250 scale location plan received on 9 March 2018.
- 3 Application for approval of reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development must be commenced not later than whichever is the later of the following:-
 - a) the expiration of five years from the date of this outline planning permission;
 - b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.
- 4 Development shall not commence until detailed plans of appearance; landscaping; layout; and scale of each building stated in the application, together with the means of access thereto, have been submitted, and received the written approval of the Local Planning Authority.
- 5 Cross sections taken through the site detailing the finished floor and ridge levels of the proposed dwelling in relation to the existing ground levels of the site and those of adjacent properties shall be submitted as part of any reserved matters application.
- 6 Development shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of the dwelling.
- 7 Prior to the commencement of the development hereby approved details of 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 occupation of the dwelling.

REASONS

- 1 The application is in outline only.

- 2 For the avoidance of doubt as to the extent of this permission.
- 3 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 4 In order to ensure a satisfactory layout of the site and in the interest of visual amenities.
- 5 In the interest of visual amenities.
- 6 To ensure the installation of an appropriate drainage scheme and to prevent pollution of the environment
- 7 In the interest of visual amenities and safeguard the amenity of adjacent occupiers.

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposal complies with Policies H2 of the Local Development Plan in that it is located within the development limits of Llanelli and will be in scale and compatible with the surrounding area.
- 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 properties;
- The proposal complies with Policy AH1 of the LDP in that the applicant/developer will contribute towards community benefits as part of the development.
- The proposal complies with Policy TRS3 of the LDP in that it will be served by suitable access and parking provision and the traffic generated by the proposed development will not adversely affect highway safety or residential 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 £53.35 per square metre of internal floor space of the proposed dwelling towards the provision of affordable housing.