

<b>Application No</b>	<b>W/38447</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CHANGE OF USE OF GROUND FLOOR FROM DWELLING (C3) TO MIXED USE COFFEE SHOP (A1/A3) AND ADDITION OF PITCHED ROOF TO REAR DETACHED GARAGE AND ADDITION OF VELUX WINDOWS TO THE ROOF OF THE MAIN DWELLING (RESUBMISSION OF W/37493) AT CROFT HOUSE, LLANSTEFFAN, CARMARTHEN, SA33 5LW

<b>Applicant(s)</b>	MR S REES, CROFT HOUSE, THE GREEN, LLANSTEFFAN, CARMARTHEN, SA33 5LW
<b>Agent</b>	SGW PLANNING - MR MARK SHREVES, 58 WALTER ROAD, SWANSEA, SA1 5PZ
<b>Case Officer</b>	Paul Roberts
<b>Ward</b>	Llansteffan
<b>Date of validation</b>	18/02/2019

## CONSULTATIONS

**Head of Public Protection and Housing** – Has raised no objection to the application.

**Llansteffan and Llanybri Community Council** – Has not commented on the application to date.

**Local Member** - County Councillor C Jones is a member of the Planning Committee and has made no prior comment.

**Neighbours/Public** – The application has been publicised with the posting of a site notice within the vicinity of the site and the publication of a notice in the local newspaper. In response, some 50 letters of objection and 9 letters of support have been received from neighbouring residents and interested parties. The objections are summarised below:-

- The external cladding is the subject of an enforcement notice.
- There are already two well established food places situated on the green and there isn't enough trade for a third.
- Another coffee shop would be detrimental to the existing beach shop and tea room while also affecting the local shop and licensed premises in Llansteffan.

- The proposed new roof of the garage would be an eyesore, look out of place and result in a loss of light and overshadowing of the adjoining property and its rear ground floor window which is set at a lower level.
- Loss of privacy to neighbours.
- The garage roof would be harmful to the appearance of the conservation area being prominent from the Croft path leading down from Llansteffan Castle which forms part of the Wales Coastal Path.
- The garage would be imposing and overly dominant compared to other existing garages.
- The garage height would be doubled from 2.5 to 5 metres high.
- The footprint of the garage has already been doubled.
- The garage roof would be prominent from the footpath.
- The presence of rubbish/clutter at the side and rear of the building.
- The pitched roof will allow the garage to be turned into a dwelling.
- The property was recently on the market and the applicant may intend to sell the property with planning permission for a café.
- Question whether the ownership of the property stated in the application is correct.
- Llansteffan would become over commercialised.
- The Planning Authority's original decision to refuse the garage was the correct one and the respondents' disagree with the Planning Inspector's subsequent decision that the new garage roof would be acceptable and not overly dominant.
- The proposal will be in conflict with LDP and national planning policies in that the business will not be sustainable all year round and affect the viability of similar existing food and drink businesses and potentially result in job losses.

The 9 letters of support raise the following issues:-

- The proposal will provide greater consumer choice.
- The proposal will provide investment in the area and boost the economy.
- The cladding is in keeping with the area.
- There will be no loss of a dwelling.
- There are ample parking spaces.

- The proposal will complement existing businesses.
- The development will promote and encourage tourism.
- Neighbouring properties have large rear extensions that will be visible above the new garage roof.
- Concerns regarding the change of use of the garage to a dwelling are not relevant to the application.
- There are larger garages in Llansteffan.

## RELEVANT PLANNING HISTORY

The following previous applications are of relevance to the proposal:-

W/ENF/07126	Enforcement Notice requiring the removal of unauthorised cladding installed to the front and side elevation of the house without planning permission Issued Appeal dismissed	20 November 2018 3 April 2019
W/37493	Change of use of ground floor from dwelling (C3) to mixed use coffee shop (A1/A3) including front external alterations Full planning refused Appeal dismissed	23 August 2018 14 December 2018
W/27608	Ground floor extension to rear of existing dwelling plus addition of dormer window to first floor rear bathroom Full planning permission	06 March 2013

## APPRAISAL

### THE SITE

The application site consists of a semi-detached two storey dwelling house located on the south western end of a row of existing properties that front onto the River Towy and its estuary in Llansteffan. The wider row of properties consists of a mix of detached, semi-detached and terraced properties of varying styles being of a two and three storey design. The properties front onto the green riverside area adjacent to the beach which is known as 'The Green'. There is a large car park to the front of the dwelling and neighbouring properties which includes a number of timber clad hot and cold food structures.

The application property has a traditional balanced front façade with vertically proportioned windows and doorway. Its elevations consist of a blue painted rough rendered finish with the upper half of the front and side elevations having previously been clad with white timber boarding. A small lean-to extension has also been added to the side of the original dwelling whose front elevation is set back behind that of the main house. The rear of the

dwelling is characterised by a lean-to projection that extends into the rear garden space and has a 'cat-slide' style roof.

The property has a modest size curtilage that includes a landscaped front garden and a detached garage to the rear that has a low monopitch roof. Part of the elevations of the garage have been clad in timber to match those of the dwelling. The garage is served by an access lane that extends from the roadway fronting the dwelling. The lane also provides rear access to the garages and parking facilities located at the rear of neighbouring houses as well as a number of separate adjacent properties. It also serves an area of public open space and recreational facilities along with the nearby Sunrise Bay Caravan Park which is located to the north of the site. Llansteffan Castle occupies an elevated position to the south west of 'The Green' and there is a public footpath leading to the same close to the site.

The site forms the end dwelling of a row of some 40 properties that front onto 'The Green' and neighbouring car park. They are located within the wider Llansteffan conservation area which includes the majority of the built form of the settlement as well as the castle and its wider setting. The character of the immediate area derives from the generally uniform appearance of the dwellings facing the estuary with their traditional design and appearance consisting of balanced front facades with symmetrically positioned windows as well as bay window features. The traditional painted render finish of the dwellings and slate clad roofs contribute positively to the character of the street scene and wider conservation area. Whilst most of the properties have retained their original traditional façade, a small number of properties within the vicinity of the site have been the subject of alteration. These include the adjoining property which has been changed to a shop and tea room.

## **THE PROPOSAL**

The application seeks full planning permission for the change of use of the ground floor of the dwelling to a mixed use coffee shop (A1/A3), the addition of a pitched roof to the rear detached garage and the addition of velux windows to the roof of the main dwelling.

The details submitted show the ground floor of the property consisting of a seating and serving area with a kitchen facility to the rear. The front and rear curtilages of the property are also shown to have external seating areas. The first floor of the property is to be retained as residential use with a further lounge area being created in the attic space which will involve the insertion of two velux windows to the front and rear roof spaces. Other than these windows, the proposal will involve no external alterations to the house.

The existing monopitch roof of the garage is to be replaced by a pitched roof bringing its overall height to approximately 4.3 metres above the adjacent access lane. The rear curtilage of the property is set at a lower level than the lane whereby the ridge of the garage will extend to 5.3 metres in height from this lower level. The garage is to be retained for domestic purposes and the existing external cladding on its walling is to be replaced by a panted roughcast finish.

The proposal is a resubmission of a previous application for the same development albeit the previous application included external alterations to the front of the dwelling in changing its use. These included alterations to its front windows and the addition of a first floor balcony feature while the new roof of the garage was to also to have a higher pitch and ridge height of 5 metres above the access lane. Planning application W/37493 refers.

The previous application was refused by officers in August of last year on the basis that the external changes to the front of the dwelling would be harmful to the original character and appearance of the dwelling and wider conservation area. The reasons for refusal also related to the scale and massing of the new pitched roof of the garage in that it would result in an incongruous and overly dominant structure that would detract from the character and appearance of the property and the conservation area.

The applicant's subsequent appeal was dismissed by the Planning Inspector who concurred with officers' decision that the changes to the front of the dwelling would be harmful to its appearance in the conservation area. However, in dismissing the appeal the Inspector opined that the new roof to the garage would not be seen as overly dominant in visual terms nor materially harm the character and appearance of the property or conservation area. This element of the proposal was therefore deemed to be acceptable.

The application has been accompanied by a bat survey report which confirms that there are no signs of bats within the application property.

Finally, members will have noted from the planning history above that the application property has recently been the subject of enforcement action whereby officers issued an Enforcement Notice requiring the removal of the existing timber cladding that has been installed on the upper parts of the front and side elevations of the dwelling without planning permission. The notice was issued on the basis of the visual harm of the cladding upon the character and appearance of the dwelling and uniform quality and finishes of existing properties in the conservation area. The applicant's subsequent appeal against the issuing of the notice was dismissed by the Planning Inspector and the cladding must therefore be removed from the property.

## **PLANNING POLICY**

### Local Development Plan (LDP)

The application site is located within the development limits of Llansteffan as defined in the LDP. Llansteffan is designated as a sustainable community (SC16) in the Plan under Policy SP3 while the site also falls within the Llansteffan Conservation Area as designated in Plan.

Policy SP15 relates to tourism and the visitor economy and permits proposals for tourism related developments where they are located within the development limits of local service centres and sustainable communities and of a small scale that reflect the character of the area and are appropriate in terms of size, scale and impact.

Policy GP1 is a general policy which, amongst others, 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. 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 EQ1 relates to the protection of buildings, landscapes and features of historic importance. The policy will only permit proposals for development affecting landscapes, townscapes, buildings and sites or features of historic interest, which by virtue of their historic importance, character or significance within a group of features make an important contribution to the local character and the interests of the area, where they preserve or enhance the built and historic environment. In a similar vein, Policy SP13 of the Plan requires that development proposals should preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets and, where appropriate, their setting.

### National Planning Policy

The above policies are reinforced by the policy objectives contained in in Planning Policy Wales (Edition 10), December 2018.

In connection with tourism proposals, paragraph 5.5.1 highlights their importance to economic prosperity and job creation in many parts of Wales. Paragraph 5.5.2 states that the planning system encourages tourism where it contributes to, amongst others, economic development, conservation and regeneration while recognising the needs of visitors and local communities.

With regard to the historic environment, paragraph 6.1.5 states that ‘the planning system must take into account the Welsh Government’s objectives to protect, conserve, promote and enhance the historic environment as a resource for the well-being of present and future generations’. Paragraph 6.1.6 goes on to set out the Welsh Government’s specific objectives for the historic environment which, amongst others, seek to ‘preserve or enhance the character or appearance of conservation areas, whilst at the same time helping them remain vibrant and prosperous’. This objective reflects that of The Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that special attention shall be paid to the desirability of preserving and enhancing the character or appearance of conservation areas.

In addition, paragraph 6.1.14 requires that ‘there should be a general presumption in favour of the preservation or enhancement of the character or appearance of a conservation area or its setting’. Moreover, paragraph 6.1.15 advises that that ‘there is a strong presumption against the granting of planning permission for developments, including advertisements, which damage the character or appearance of a conservation area or its setting to an unacceptable level’.

Paragraphs 6.1 and 6.2 of Planning Policy Wales Technical Advice Note 24: The Historic Environment (May 2017) also draw reference to the policy objective of preserving and enhancing the character and appearance of conservation areas.

### **THIRD PARTY REPRESENTATIONS**

As noted above, the application has attracted considerable objection from local residents and interested parties. The grounds of objection are appraised below.

A common ground for concern amongst respondents is the scale and massing of the proposed new pitched roof to the existing detached garage and its harmful impact upon the character and appearance of the conservation area. Many are of the perception that it

would be visually prominent while resulting in the loss of light and overshadowing of the adjoining property.

As noted in the appraisal above, the previous application was refused on the basis of the harmful impact of the proposed changes to the main dwelling as well as the scale and massing of the proposed new roof of the garage. The size of the new garage roof was considered to excessive within the context of its surroundings and would result in incongruous and overly dominant structure that would be harmful to the character and appearance of the property and the conservation area.

Notwithstanding officers' decision, the Planning Inspector presiding over the appeal opined that the new roof would not be overly dominant in visual terms but instead reflect adjacent developments to the rear of nearby properties where there are a range of garages and outbuildings some of which are considered to be of the same broad scale and massing to that proposed. The Inspector concluded that the garage roof would not therefore detract from the existing property while its location behind the dwelling would also mean it would not alter or harm the existing character or appearance of the conservation area.

Notwithstanding the Inspector's acceptance of the proposed alterations to the garage, the applicant has reduced the pitch of the garage roof as part this subsequent application which has resulted in a reduction in its ridge height from 5 metres to 4.3 metres. This has significantly reduced the scale and massing of the roof to the extent that it will not be discordant with the character and appearance of the application property, neighbouring garages and outbuildings, and the wider conservation area. It will be significantly lower in height than the existing dwelling and its modest scale and separating distance to the rear elevation and windows of the adjoining property will safeguard against any unacceptable amenity impacts by way of loss of light and overshadowing. The proposed alterations to the garage therefore comply with policies GP1, EQ1 and SP3 in terms of its likely visual and residential amenity impacts.

A further common ground of objection is the perceived impact of the proposal upon existing established businesses in Llansteffan with many suggesting that a further coffee shop would be detrimental to existing food and drink premises as well as the local shop. Competition and the impact of the development upon existing businesses and commercial interests is not a planning consideration and cannot therefore be given weight in the determination of the application. As to the suggestion that Llansteffan would become over commercialised as a result of the proposal, the creation of a small coffee shop will not cause any material harm to the character of the settlement.

Matters relating to the current presence of rubbish and clutter to the side of the property are not relevant to the application as are concerns regarding the ownership of the property. In connection with the latter, the applicant has confirmed his ownership of the application property.

The respondents' concerns that the garage will eventually be turned into a separate dwelling are also not relevant to the application. Any such proposal would, in itself, require planning permission.

## **CONCLUSION**

After careful examination of the site and its surrounding environs, together with the representations received to date, the proposed development is considered to be

acceptable and in compliance with the policy objectives of the Authority's LDP as well as those of national planning policy.

The design of the scheme has been amended to address the reasons for refusal of the previous application whereby there will be no physical alterations to the external appearance of the dwelling with the exception of the insertion of the velux windows to the front and rear roof planes. The proposal will not therefore detract from the general uniformity of appearance of dwellings fronting onto 'The Green' or cause any visual harm to the wider conservation area. Similarly, the reduced height and massing of the garage roof will mean that it will not appear as an overly dominant structure nor detract from the character and appearance of the host property or conservation area.

The site is located within the development limits of Llansteffan and the modest scale of the coffee shop will be in keeping with the character of the area and that of the neighbouring tea room and shop. Moreover, it will not unacceptably harm the living conditions of adjacent occupiers and will be served by adequate car parking facilities in the public car park fronting 'The Green'. The proposal will provide a new tourist facility that will be well related to and within walking distance of nearby attractions such as the beach and castle while also being located on the route of the Wales Coastal Path which passes the front of the property. It will also provide economic benefits to the area with the creation of additional employment opportunities while also assisting in attracting visitors and tourists.

Furthermore, there are no sustained highway or ecological objections to the development and the Head of Public Protection has raised no objection from an amenity perspective. The proposal is therefore in compliance with the objectives of Policies GP1, SP15, EQ1 and SP13 of the LDP in terms of its scale and impact upon the surrounding area including the conservation area. It is also in accord with the requirements of national planning policy in that it will not cause unacceptable harm to the character and appearance of the conservation area or its setting while also contributing to economic prosperity in the area by way of job creation.

The application is therefore put forward with a favourable recommendation.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 The development shall begin no later than five 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 and information:-
  - Location and site plans (GA/01 A) received on 12 February 2019;
  - Existing and proposed first floor and attic plans (GA/03) received on 20 December 2018;
  - Existing and proposed section A-A (GA/07) received on 20 December 2018;
  - Garage – proposed plans and elevations (Garage 02B) received on 10 May 2019;
  - Proposed floor plan (GA/05B) received on 23 April 2019;
  - Proposed elevations (GA/06E) received on 23 April 2019;
  - Velux Conservation Rooflight specification received on 20 February 2019.

- 3 The use hereby approved shall not be carried out outside the hours of 08:00 and 18:00 Monday to Saturday and 09:00 and 17:00 on Sundays.

## **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 safeguarding residential amenity. (Policies GP1 and SP15)

## **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](http://www.carmarthenshire.gov.uk)).