

<b>Application No</b>	<b>S/38787</b>
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<b>Application Type</b>	Outline
<b>Proposal &amp; Location</b>	CONSTRUCTION OF TWO DETACHED, TWO STOREY HOUSES AT FORMER BOWLS & SOCIAL CLUB, 38 LADY STREET, KIDWELLY, SA17 4UD

<b>Applicant(s)</b>	EDWARDS PROPERTIES - DELYTH AND WYN EDWARDS, TY BRYNBEDW, CYNHEIDRE, LLANELLI, SA15 5YF
<b>Agent</b>	
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Kidwelly
<b>Date of validation</b>	30/04/2019

## Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties.

## Site

The site is the car park of the Bowls and Social Club, Lady Street, Kidwelly. The site is the car park to a commercial premises, so has historically been open to the public with space for up to approximately 20 cars.

The club has been closed for some time and is currently vacant having been bought by a small local developer. The Club has a flat at first floor, however it is understood that an application to change the use of the rest of the building to residential is imminent.

The parking area is to the South East of the Club and is within an area characterised by long burgage plots. The shortest rear garden backing onto the site to the South East is approximately 30m in length. It is noted that the houses backing onto the site have a collection of outbuildings and glass houses between the dwellings and the existing car park so the views are obscured.

## **Proposal**

The application seeks outline permission to establish the principle of two dwellings to the rear of the Bowls & Social Club. The indicative plan shows two detached dwellings with rear gardens of approximately 18m and parking to the front forming a courtyard with the parking for the rest of the site. The Club is understood to be subject to an imminent change of use application so without prejudice to the application, it will potentially have a reduced parking requirement.

The applicants have submitted a unilateral undertaking setting out the affordable housing contribution.

## **Planning Site History**

S/32540	Proposed single storey kitchen extension, minor alterations to existing toilet facilities and bar area and refurbishment of ground floor Full planning permission	01 October 2015
S/30840	Change of use to restaurant to sell hot food and alcohol (there is already a drinks licence) Full planning permission	27 October 2014
GW/02128	Proposed cellar and function room extension Full planning permission 2002	25 September
D5/10883	Change of use to social and bowls club Full planning permission	03 October 1988
D5/8256	Flat extension to existing premises Full planning refused	28 March 1985
D5/7377	Projecting sign Full planning permission	27 October 1983
D5/6960	Amusement centre Full planning permission	19 May 1983
D5/4047	Dwelling house and garage Full planning refused	25 June 1979
D5/3641	Dwelling house and garage Full planning refused	15 March 1979
D5/1741	Change of use of former workingmen's club to hairdressing salon and clothes shop Full planning permission	26 July 1976

D5/1146 Change of use from car park to mushroom growing  
Outline planning permission

20 October 1975

## Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

SP1	Sustainable Places and Spaces
GP1	Sustainability and High Quality Design
<b>Error! Reference source not found.</b>	Development Limits
<b>Error! Reference source not found.</b>	Housing within Development Limits
<b>Error! Reference source not found.</b>	Affordable Housing
<b>Error! Reference source not found.</b> Considerations	Location of Development- Transport
<b>Error! Reference source not found.</b> Considerations	Highways in Developments- Design

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Head of Transportation & Highways** – Has queried the use of the Club if planning is granted for the car park and where future parking would be situated. A final response is awaited.

**Head of Public Protection** - No observations received to date.

**Kidwelly Town Council** – Has no objection to the proposal.

**Local Member(s)** - Councillor J Gilasbey is a member of the Planning Committee and has made no prior comment.

**Dwr Cymru/Welsh Water** – Has no objection to the proposed development.

All representations can be viewed in full on our [website](#).

## Summary of Public Representations

The application was the subject of notification by way of neighbouring letters/site notice/publication in the local newspaper.

2No. representations were received objecting and the matters raised are summarised as follows:

- Loss of amenity through overbearance.
- Devaluation of property.
- Loss of view of the castle.

All representations can be viewed in full on our [website](#).

## Appraisal

### Loss of Amenity

There is concern that the properties on an elevated site to the rear of the club would have an adverse impact on the amenity of neighbouring properties. It is however noted that the area is the car park of a commercial premises, so there could be comings and goings and public presence within close proximity to the boundaries. The presence of houses would be a permanent feature and there could be overlooking of garden areas from bedroom windows, however the neighbouring properties have rear gardens in excess of 30m with outbuildings including a large glass house present. It is likely that the separation distance between the new houses and neighbouring houses would be in excess of 40m and obscured by existing outbuildings. This is not considered likely to result in an unacceptable loss of amenity through overbearance.

The boundary to the East of the access road is currently open so there could be loss of amenity through the coming and going of residents, however as noted elsewhere in this report, the site is currently a car park, so the residential use is likely to have less traffic movements than the existing commercial usage. If boundary reinforcement is deemed necessary, a means of enclosure up to 2m would not require planning permission.

### Car Parking

The Head of Transport has queried the future use of the Club and where parking would be situated moving forward. It should be noted that the rest of the site does not form part of this proposal, however it is understood that an application for residential use is imminent. The merits of any redevelopment will be considered through the separate application, however a parking plan for the Club has been submitted. It is noted that even if the residential redevelopment of the Club does not take place, the site is in an urban setting with other establishments which do not have the benefit of parking so the reduction in car parking would not be critical.

Other Matters e.g. loss of view and devaluation are not material planning considerations.

## Planning Obligations

A Unilateral Undertaking has been submitted to secure an affordable housing contribution in accordance with Policy and Supplementary Planning Guidance.

## **Well-being of Future Generations (Wales) Act 2015**

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **Conclusion**

After careful consideration of the scheme as submitted it is concluded on balance that the re-use of the Club car park for residential purposes would be a beneficial re-use of a disused parcel of land for residential purposes. The site is large enough to accommodate two dwellings and the separation distances between the houses and the surrounding properties is such that it is not likely to have an unacceptable adverse impact. The access currently serves a commercial car park so the residential use is likely to be less intensive. Whilst there are two objections, it is considered on balance that the proposal is in accordance with the above policies.

## **RECOMMENDATION – APPROVAL**

## **Conditions**

- 1 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.
- 2 The permission now granted is an outline permission only, within the meaning of the Town and Country Planning (General Development Procedure) Order 1995.

- 3 Development shall not commence until detailed plans of the layout, appearance and landscaping of the development, together with the means of access thereto, have been submitted to and been approved in writing by the Local Planning Authority.
- 4 The land subject to this permission is as identified on the 1:500 scale Site Plan dated 11<sup>th</sup> July 2019.
- 5 Any reserved matters application shall include a scheme of parking and turning facilities within the site dedicated to serve the proposal. The approved scheme is to be fully implemented prior to commencement of any other part of the development and thereafter shall be retained, unobstructed, in perpetuity. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 6 Any gates shall be set back a minimum of 5m from the back edge of the pavement.

## **Reasons**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 The application is in outline only.
- 3-4 In the interests of visual amenity in accordance with Policy GP1.
- 5-6 In the interests of highway safety in accordance with Policy TR2 & TR3.

## **Notes/Informatics**

- 1 Please note that this permission 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 permission 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 commencement if 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 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)).
- 3 The applicant/developer's attention is drawn to the legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of an affordable housing contribution of £51.35 per square metre internal floor area.

