

**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 9 MAWRTH 2017  
ON 9 MARCH 2017**

**I'W BENDERFYNU/  
FOR DECISION**

*Ardal  
Dwyrain/  
Area East*



**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>9 MARCH 2017</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>E/33595</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CONVERSION OF A WATER STORAGE TANK AND THE PLANT SHED TO A HOLIDAY LET AT LAND AT BRYNGIOALLT, FELINGWM, CARMARTHEN, SA32 7PX

<b>Applicant(s)</b>	MR DEIAN OWEN, 10 CLOS GER Y BRYN, TIRCOED, SWANSEA, SA4 9IL
<b>Agent</b>	NICOLE JONES ARCHITECTS - NICOLE JONES, 6 MYRDDIN CRESCENT, CARMARTHEN, SA31 1DX
<b>Case Officer</b>	Ceri Davies
<b>Ward</b>	Llanegwad
<b>Date of validation</b>	05/04/2016

## CONSULTATIONS

**Planning Ecologist** – Has advised on the existence of bats and nesting birds and the requirements of the Habitats Regulations 1994 and the Wildlife and Countryside Act 1981.

**Llanegwad Community Council** – Has objected to this application citing a number of concerns addressed in the Officer's appraisal.

**Local Member** – County Councillor Mansel Charles is a member of the Planning Committee and has made no prior comment.

**Natural Resources Wales** – Has not commented on this application to date

**Dwr Cymru Welsh Water** – Has advised on disposal of foul water.

**Neighbours/Public** – One neighbour was notified on receipt of this application; two letters of representation have been submitted to date; the concerns raised are addressed in the Officer's appraisal.

## RELEVANT PLANNING HISTORY

There is no relevant planning history

## APPRAISAL

## **THE SITE**

The application site consists of a redundant water treatment site near a residential property, Bryngoiallt, an isolated site, approximately 2km north-west of the village of Felingwm Uchaf and 1.8km south-east of Horeb. The site occupies an elevated position which affords extensive views over the Cothi Valley and further afield; the land immediately south and east of the application site is predominantly woodland, whilst the land to the north and west is predominantly pastureland associated with various farmsteads.

Access to the site is derived off an unmade access track which serves both the water treatment plant and Bryngoiallt; the said access comes off an unclassified road (U5570) which links a number of farmsteads between Felingwm Uchaf and Horeb.

The site includes an underground water tank and a single storey shed above ground, constructed of concrete panels with a shallow roof pitch; the shed sits within an extensive grassed area which is bounded by mature hedgerows and trees. Immediately north east of the application site is the residential curtilage associated with the adjacent property, Bryngoiallt; the said curtilage appears to have been extended over the years and wraps around the southern perimeter of the application site.

## **THE PROPOSAL**

The application seeks full consent for the conversion of the water storage tank and the plant shed to a holiday let. As part of the overall proposal the above ground shed is to be totally re-built with a link attached connecting the above and underground elements. The proposal involves extensive ground clearance works whereby the actual underground water tank which at present is totally obscured will be exposed along its southern, eastern and western elevations, the roof will be grassed over. New fenestration and door openings will be inserted into the water tank as part of the conversion works. Provision will also be made for vehicular access and parking along with a patio area.

## **POLICY CONTEXT**

The relevant planning policies in this instance are Policies TSM4 and H5 of the Carmarthenshire Local Development Plan which state:-

### **Policy TSM4 Visitor Accommodation**

Proposals for new build serviced or self catering holiday accommodation will be permitted within the development limits of defined settlements (Policy SP3) where it accords with the relevant criterion under Policy SP15. Outside the development limits of defined settlements (Policy SP3) proposals for permanent serviced or self catering visitor accommodation will be permitted where it consists of the re-use and adaptation (including conversion) of existing buildings and complies with criteria d) and e) set out in Policy H5.

### **Policy H5 Adaptation and Re-use of Rural Buildings for Residential Use**

Proposals for the conversion and re-use of buildings in rural areas outside the Development Limits of a defined settlement (Policy SP3) for residential purposes will only be permitted where:

- a) The authority is satisfied that every reasonable endeavour has been made to secure an alternative business use and the application is supported by a statement of evidence to the Council's satisfaction of appropriate efforts that have been undertaken to achieve this;
- b) Any residential use would be a subordinate element associated with a wider scheme for business re-use; or,
- c) The residential use contributes to the provision of affordable housing to meet a genuine identified local need (as defined within the Glossary of Terms) and provided that:
  - i) The benefits of the initial affordability will be retained for all subsequent occupants;
  - ii) It is of a scale compatible with an affordable dwelling and would be available to low or moderate income groups.

Proposals will also be required to demonstrate that the following criteria can be met:

- d) The building is structurally sound, substantially intact and is of sufficient size to accommodate the proposed use without extensive alteration, extension or re-construction;
- e) The building demonstrates and retains sufficient quality of architectural features and traditional materials with no significant

### **THIRD PARTY REPRESENTATIONS**

Llanegwad Community Council has objected to the application on the following grounds:

- Conversion to holiday let is financially unviable
- It will potentially become a permanent residential dwelling
- Access issues with the adjacent neighbour could lead to friction/dispute
- The loss of the water storage tank will have an impact on the village of Felingwm
- Ground works will impact the water course

Two letters of objection have been submitted to date, one from a farmer, whose farm is in Horeb, but he farms land adjacent to the application site; the other objectors are the occupiers of the adjacent dwelling, Bryngoyallt. A site meeting has also been held with the occupiers of Bryngoyallt.

Concerns raised are summarised as follows:

- Unsuitable site within a rural/farming community
- Inappropriate tourism use in the open countryside
- Detrimental Impact on the privacy/amenity of the occupiers of Bryngoyallt.
- General disturbance for the occupiers of Bryngoyallt
- Noise pollution for the occupiers of Bryngoyallt
- Traffic increase/unsuitable access road
- Inadequate parking
- Installation of a septic tank
- Impact on security for the occupiers of Bryngoyallt
- Impact on health for the occupiers of Bryngoyallt

Of the aforementioned list of concerns/objections, Members are reminded that the Authority will only consider matters which are deemed planning related material considerations for the purposes of this application.

## **APPRAISAL**

With regard to the above objections, it should be noted that both Policy TSM4 and H5 allow for the re-use and adaption of redundant buildings in the open countryside; the said policies are aimed at allowing the re-adaption of buildings where appropriate, which in turn reduces the need/demand for new development in the open countryside.

It is acknowledged in this instance that this proposal is somewhat unique in that it involves the adaption of an underground water tank rather than a conversion of a redundant agricultural outbuilding which tends to be the norm for proposals considered against Policies TSM4 and H5 of the Local Plan, however it is important to note that there is no stipulation within either policy that restricts conversion proposals to certain types of structures. The text of the policy actually states that the adaption/re-use of buildings within the plan area will be allowed subject to various stipulations. Whilst this above-ground building is not of any great architectural merit, as it was merely designed as a functional building, it is acknowledged that the said building is an ancillary building in that the main structure in this instance is the underground water tank. It is further acknowledged that this proposal by its very nature is unlikely to adhere strictly to the full criteria of Policy H5 on the basis that it involves an underground tank.

In terms of the concerns raised by the community council, Members are advised that matters raised in relation to financial viability of the holiday use, potential permanent residential use and potential friction with the adjacent neighbour are not material planning considerations for the purposes of this application. In terms of the concerns over loss of the water storage tank and potential impact on the water course, Members are advised that further to DCWW's consultation response and further to a site inspection, it was evident that there continues to be operating apparatus throughout the site. Clarification has therefore been sought from DCWW as to whether or not there are any easements in place and/or any restrictions in terms of building within certain distances to the operating apparatus.

In response, DCWW has provided the authority with a revised water map extract showing the removal of a supply pipe through the centre of the site as it is no longer there. DCWW has confirmed that this is the most up-to-date record they have of their apparatus on site. The plan indicates active pipes linking active apparatus along the northern end of the application site and inactive pipes linking inactive apparatus around the underground water tank and associated ancillary building. The authority is therefore satisfied that based on DCWW's advice it is physically possible for the applicant to develop this site in lieu of the pipes/apparatus at this location. Furthermore, as the tank is no longer in use, there are no issues regarding water supply for the wider area.

In terms of the concerns raised in relation to the appropriateness of such tourism/holiday use in the open countryside, Local Plan policies clearly support and encourage such uses, particularly where they involve adaption of existing buildings/structures.

With regard to the objection received from the occupiers of the adjacent property, the authority has scrutinised the concerns raised by the said occupiers very closely and have also met with the occupiers at Bryngoyallt to fully evaluate the potential impact of the proposal on their property. It is noted that the dwelling is 24 metres north-east of the application site and 33 metres away from the actual water tank itself; however it was also noted at the time of the site inspection that the water tank/shed is not visible from the dwelling by virtue of the presence of mature trees between the application site and

Bryngoyallt. As such, it is considered the conversion/adaption of the water tank will not impact on the dwelling itself.

It is accepted that by developing this site, the peace and tranquillity, referred to by the occupiers of Bryngoyallt will be disturbed, what the authority has to determine whether or not the extent of that disturbance warrants refusal.

The introduction of the holiday use will lead to additional traffic movements, however the proposal makes adequate provision within the application site for parking and turning areas which will allow vehicles to enter and leave in a forward gear, hence it is considered the additional movements will not have an unacceptable impact on the adjacent occupiers. The entrance to Bryngoyallt is approximately 20 metres north-east of the entrance to the application site, hence no actual traffic will go beyond the application site. Furthermore, the level of traffic envisaged will not be to a level that cannot be accommodated within the surrounding road network hence highway safety will not be detrimentally affected by this development.

In terms of concerns over loss of privacy/overlooking, it is noted that the immediate garden/private amenity space associated with Bryngoyallt is the piece of land to the south and east of the dwelling. The authority's photographic records show the residential curtilage has been extended in a south western direction and has absorbed the land to the south of the application site. The land in question though now forming part of the extended residential curtilage of Bryngoyallt, is not deemed to be the immediate garden area, hence the authority considers the objections over loss of privacy and overlooking cannot be sustained in this instance. Members are advised that planning permission. The presence of trees/mature hedgerows will ensure that there is no direct over-looking or loss of privacy whatsoever in regard to the immediate garden area associated with Bryngoyallt.

Other issues raised such as impact on security and health are not deemed material planning considerations; the installation of the septic tank will be controlled via Building Control Regulations and any excessive noise issues will be enforced against under more appropriate legislation contained in the Environmental Protection Act.

It is not envisaged that allowing this permission will result in a precedent for similar developments as such proposals are quite rare in the county area. The authority acknowledges that certain criterion stipulated by Policy H5 cannot be achieved owing to the nature of the structure, however, the water tank itself is definitely structurally sound and substantially intact, furthermore, it is deemed of sufficient size to accommodate the holiday use without extensive re-construction. The ground works to expose the water tank are not deemed excessive; the justification for the installation of windows/door openings is accepted due to the lack of any natural lighting at present.

Whilst it is acknowledged that the above ground building is to be totally demolished and rebuilt, this is deemed to be the ancillary structure as the main element of this proposal is the water tank itself. Notwithstanding the aforementioned, the replacement structure be it with a minimal increase in size/mass and an increase in the roof pitch, will replicate the existing building in terms of shape and form; furthermore will occupy the same footprint. The Bat/Owl survey has concluded that there are no bats present at this site.

Criterion a) of Policy H5 is satisfied in that the proposal to utilise the building for holiday rental demonstrates that the business re-use of the building is viable and appropriate at this location. In view of the above, it is considered the proposal complies with the general criteria

as set out in the aforementioned LDP policies, the application is therefore put forward with a favourable recommendation.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 The development hereby permitted shall be commenced before the expiration of two years from the date of this permission.
- 2 The approved development relates to the following plans and documents and works should be carried out strictly in accordance with them unless amended by any other condition:
  - Location Plan – 1:1250 scale
  - Block Plan 1:500 scale
  - Existing Sections & Plans – 1:100 scale  
Received on 20<sup>th</sup> March 2016
  - Proposed Floor Plans – 1:100 scale
  - Proposed Elevations – 1:100 scale  
Received on 26<sup>th</sup> July 2016
- 3 The premises shall be used for holiday accommodation and for no other purpose (including any purpose in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that order with or without modification), no development within Schedule 2, Part 1, Classes A, B, C, D, E, G, shall be carried out within the curtilage of the dwelling hereby approved (other than those expressly authorised by this permission) without the prior written permission of the Local Planning Authority.
- 5 Where any species listed under Schedules 2 or 4 of the Conservation (Natural Habitats, etc) Regulations 1994 is present on the site in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the Local Planning Authority.
- 6 The parking spaces and layout shown on the plans herewith approved shall be provided to the written approval of the Local Planning Authority prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only.

### **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of visual amenity. (Policy H5 of the LDP)
- 3 For the avoidance of doubt as to the extent of this consent and in the interest of ensuring that the proposal does not allow for conversion to residential use without consideration within a further planning application.  
(Policy TSM4 of the LDP)
- 4 To prevent over-development of the site (Policy H5 of the LDP)
- 5 In the interests of protecting wildlife and to ensure that the development does not adversely affect a European Protected Species. (Policy SP14 of the LDP)
- 6 In the interest of highway safety (Policy SP9 of the LDP)

## **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 development accords with Policy H5 of the LDP in that the building is suitable for conversion without substantial alterations. The alterations / modifications have been carefully designed to integrate with the buildings architectural integrity and do not detract from the character of the building. It is considered the building is substantially intact and capable of conversion; the building is of a traditional rural character and its future can best be secured through appropriate conversion.

## **NOTE**

- 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

<b>Application No</b>	<b>E/34720</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	8 NO SEMI DETACHED HOUSES WITHIN AN EXISTING SITE AT LAND AT MAESPIODE, LLANDYBIE, AMMANFORD, SA18 3YS

<b>Applicant(s)</b>	HEAD OF PUBLIC PROTECTION & HOUSING -ROBIN STAINES, 3 SPILMAN STREET, CARMARTHEN, SA31 1HQ
<b>Agent</b>	CCC - MR HYWEL HARRIES, BLOCK 3, PARC MYRDDIN, CARMARTHEN, SA31 1HQ
<b>Case Officer</b>	Andrew Francis
<b>Ward</b>	Llandybie
<b>Date of validation</b>	17/11/2016

## CONSULTATIONS

**Head of Transport** – Has no objections, recommends the imposition of planning conditions.

**Natural Resources Wales** – No observations have been received to date.

**Dwr Cymru Welsh Water** – Originally raised concerns with the proposal stating they were unhappy with more surface water being drained into the public sewer and require that this is treated via a SUDS system or alternative that does not impact upon the existing public sewer. An amended surface water drainage scheme has been submitted and further comments are awaited.

**Llandybie Community Council** – has no objections to the proposal though request that there should be adequate parking of vehicles provided for the new dwellings as there is a current lack of parking on the Maespiode.

**Local Members** – County Councillor A W Jones is a member of the Planning Committee and has therefore made no prior comment, County Councillor W R A Davies has not commented to date.

**Neighbours/Public** – The application was advertised by means of a Site Notice. As a result, seven letters of objection have been received from six separate addresses.

The points of objection are summarised as follows:

- Why is the green being used to build on? There are bigger and better suited areas to build on and the green is integral to the quiet nature of the estate and is a well-used play area.
- The green space has all the drainage pipes and soakaway for the estate. Where is all the water generated from the new houses going to go to now?
- There are council owned properties that are empty and not maintained. Why build more?
- More houses will increase the parking problems on the site. There is already a problem with refuse lorries.
- The proposal will reduce privacy for the occupiers of the existing dwellings.
- The development will result in a tree that was planted by former Councillor Brenda Penlan being removed.

In addition to the above points, the following non material concerns were also raised:

- The proposal will devalue existing properties.
- The development will obstruct the view for some properties.

## **RELEVANT PLANNING HISTORY**

No relevant planning history.

## **APPRAISAL**

**This is an application in which Carmarthenshire County Council has an interest either as applicant/agent, or in terms of land or property ownership.**

## **THE SITE**

The application site consists of a rectangular area of currently grassed land situated on the existing Maespiode residential estate, Llandybie. The site is entered via junction off the western flank of Blaenau Road via fairly narrow site roads which also lead to the now closed Glanmarlais care facility.

Of the thirty six residential units addressed as Maespiode, twenty eight are situated in a 'U' shape around the green area forms the application site. The application site has historically been used as a recreation area for these dwellings and also accommodates the existing dwellings soakaways. The application site and existing residential units are elevated slightly from the road area.

The application site measures 65 metres in length by 34.5 metres in depth

## **THE PROPOSAL**

The application seeks full planning permission for the development of a 4 pairs of two bedroom semi-detached dwellings built by the Local Authority to be offered as affordable social housing.

Each of the dwellings are situated fronting onto the Maespiode site road, with two parking spaces provided to the front of each dwelling on what currently is the slope leading up to the flat grassed area.

Two specific house types are proposed, though each are identical in size and internal layout, the differences being with the external finishes. Each dwelling provides two bedrooms and a bathroom on the first floor with a living room, kitchen/dining area, WC/wetroom and hallway on the ground floor. Each pair of dwellings measure 12.29 metres in width by 8.8 metres in depth.

In terms of external finish House Type A is to have fully face brick elevations with concrete roof tiles, photovoltaic solar panels on the south facing roof slopes and uPVC windows, doors and other external finishes. House Type B provides visual relief by providing a face brick ground floor level elevations with rendered first floor level elevations. 4 of each house type are proposed.

Due to the uniform nature of the site each dwelling provides a rear garden of approximately 14.5 metres.

Originally the scheme described that the surface water as being directed into the existing combined sewer. However, Dwr Cymru Welsh Water raised concerns regarding this and as such an alternative method of surface water drainage has been submitted utilizing an attenuated soakaway which is currently being considered by Dwr Cymru Welsh Water.

## **PLANNING POLICY**

The application site lies within the settlement development limits for Llandybie, as defined in the Carmarthenshire Local Development Plan. As such, policies GP1, GP4, H2, TR2 and TR3 apply.

Policy GP1 states that in this instance the development should conform with and enhance the character and appearance of the area, utilise appropriate materials and should not have a significant impact on the amenity of adjacent land uses, properties, residents or the community. The proposed development should be appropriate to the scale of the site and helps to create attractive and safe public places, which has an appropriate access which does not give rise to any parking or highway safety concerns and has regard for the for the satisfactory generation, treatment and disposal of both surface and foul water.

Typically, policy GP3 states that where necessary, developers will be required to enter into planning obligations to secure contributions to fund improvements needed arising from the new development. In implementing this policy, schemes will be assessed on a case by case basis. However, as this is a Council application the Authority cannot enter into an agreement with itself.

Policy GP4 requires that new development will be permitted where the infrastructure is adequate to meet the needs of the development. Where new or improved infrastructure is required, development will be permitted where it can be demonstrated that this infrastructure will be provided or where the required work is funded or contributed to by the developer.

Policy H2 states that proposals for housing developments on unallocated sites within development limits will be permitted provided they are in accordance with the principles of the Plan's strategy and its policies and proposals.

Policy TR2 considers proposals which have the potential for significant trip generation and will be permitted where it is located in a manner consistent with the Plan's strategic objectives, policies and proposals, is accessible to non car modes of transport and provision is made for non-car modes of transport and those with mobility difficulties.

Policy TR3 in this instance requires that the development has appropriate parking and servicing space in accordance with required difficulties, an appropriate access reflective of the relevant class of road and speed limit and suitable drainage systems that dispose of surface water from the highway. 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 residents will be permitted, as will proposals which will not result in offsite congestion where the road network capacity is sufficient.

### **THIRD PARTY REPRESENTATIONS**

Following the consultation process, which included the erection of a Site Notice, seven letters of objection from six separate addresses has been received. The points of objection received are summarised and discussed below:

- Why is the green being used to build on? There are bigger and better suited areas to build on and the green is integral to the quiet nature of the estate and is a well used play area.

With regards to this initial point, the application site, Maespiode is a majority council owned estate. The green area is a vacant area which can be used to provide extra social housing which is needed within the Llandybie area. However, the loss of the green area will undoubtedly result in a loss of an important amenity area that currently serves all the residential units, particularly for the children. In this instance, the balance has to be struck with retaining a small but important piece of land to be used for amenity against the provision of land for 8 new social houses.

The land is understood to have been provided as an open space within a local authority housing estate, under housing legislation. The land is situated within the development limits for Llandybie and has not been allocated for any kind of recreational purposes within the Local Development Plan (LDP) which was adopted in December 2014. As such, this particular issue has essentially been examined within the LDP process. Within the LDP process it wasn't allocated as a recreational area but remained within the limits as white land.

There have been public calls to try and record the application site as a village green. It is understood that an application may be submitted in order to try and secure this. If this is the case, the village green application would have no particular bearing on the planning application in that planning permission could still be granted if Members were satisfied with the planning application. However, no works could start until any potential village green application had been determined. If village green status was granted, then the valid planning permission could not be commenced.

- The green space has all the drainage pipes and soakaway for the estate. Where is all the water generated from the new houses going to go to now?

The application initially showed the surface water from the development being directed to the existing combined sewer that serves the site. However, Dwr Cymru Welsh Water (DCWW) raised concerns with this solution stating that the application had not demonstrated that all alternative means of surface water disposal have been explored and was unviable in this instance. As such, an alternative means of surface water drainage was requested and has been submitted for comment by DCWW. This includes a formal soakaway system; at the time of writing the Authority is still awaiting further comments from DCWW in relation to the revised scheme.

- There are council owned properties that are empty and not maintained. Why build more?

This is an argument that is often raised when new houses are proposed but one which doesn't stand up to scrutiny. The Authority has an Affordable Homes Commitment which offers £60 million to provide up to 1000 new affordable units in the next 5 years. This will come through a mixture of new units and the purchase and renovation of existing housing stock. This is part of a bigger national initiative in which the Welsh Government have calculated that an additional 284,000 homes are needed in Wales between 2006 and 2026, with 101,000 of those being in the social housing sector. There is a long standing shortage of developing new homes and that demand is still outstripping supply.

Carmarthenshire, through the LDP and in particular it's Affordable Housing policies is seeking to do what it can to help to provide enough social housing on the sites it can support.

- More houses will increase the parking problems on the site. There is already a problem with refuse lorries.

With regard to this point, the Authority's Head of Transport has been consulted on this application who has considered the proposal carefully. In his response, no objections have been raised, instead recommending a series of conditions to be imposed on the development should it be approved. As such, it is considered that the existing site roads are considered to be adequate to accommodate the new development which also provides adequate parking to serve the new dwellings.

- The proposal will reduce privacy for the occupiers of the existing dwellings.

The provision of new dwellings on the site will inevitably lead to changes in the outlook and privacy levels currently enjoyed by the existing occupiers, the task is to ensure that the development does not demonstrably harm the privacy and amenity of the occupiers of the existing dwellings. Established planning standards utilise distances between facing windows to ensure that minimum privacy standards are maintained and that a distance of 21 metres should be achieved. In this instance, there is a minimum distance of 25 metres between the rear windows of the proposed dwellings and the front windows of the existing buildings, which extends to as much as 30 metres. With regards to side elevations, the standards aren't as established and there isn't the overlooking of windows to occur. In this instance there is a distance of approximately 12.5 metres between the side elevation of the proposed dwelling and the front of the existing dwelling on the western side of the site and approximately 11 metres between the dwellings on the eastern side of the site.

Taking the above into account, it is considered that the layout of the proposed development maintains acceptable levels of privacy for the occupiers of the existing units by virtue of the adequate separation distances achieved between the existing and proposed buildings.

- The development will result in a tree that was planted by former Councillor Brenda Penlan being removed.

In terms of amenity the tree referred to above is not considered to make a huge contribution however the Authority acknowledges its significance and for that purpose has suggested to the Head of Housing & Public Protection that measures be undertaken to translocate the tree to a more suitable location within the vicinity. An advisory note has been attached accordingly.

In addition to the above points, the following non material concerns were also raised:

- The proposal will devalue existing properties.
- The development will obstruct the view for some properties.

With regard to the above non material points, as Members will be aware, these cannot be taken into consideration when determining this planning application.

## **CONCLUSION**

Further to and alluded to the above discussion, a balance needs to be struck in terms of providing new social homes and making efficient use of land, whilst respecting the amenities and character of the area and the privacy of the occupants of nearby buildings.

In its favour, the application does make very efficient use of the land and does so in a way that is ultimately not detrimental to highway safety whilst the siting, scale and design of the proposal is considered to be acceptable in terms of its impact on the character and appearance of the area.

In terms of the impact of the new dwellings on the amenity of the neighbours, the relationship of the proposed new dwellings to the existing neighbouring dwellings and the occupiers of these buildings, it is considered that this development would not have a detrimental impact upon their privacy or amenity by virtue of the separation distances and the location of the fenestration proposed on the new units. This proposal provides eight affordable residential units in what is considered to be a sustainable and suitable location.

Therefore, on balance, it is considered that the proposal now complies with policies GP1, GP4, H2, TR2 and TR3 and as such, the proposal is recommended for approval.

## **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 above approved development relates to the following plans and documents and works should be carried out strictly in accordance with them unless amended by any of the following conditions:
- The 1:1250 and 1:500 scale Existing Location and Site Plans and Aerial View (8845-149-CCC-A-DR-01) received on the 11 November 2016,
  - The 1:500 and 1:200 scale Proposed Site Plan and Sections (8845-149-CCC-A-DR-02) received on the 11 November 2016,
  - The 1:200 scale amended Proposed Drainage Layout (P01) received on the 13 February 2017,
  - The 1:100 and 1:50 scale Proposed House Type A Plan, Elevations and Section (8845-149-CCC-A-DR-03),
  - The 1:100 and 1:50 scale Proposed House Type B Plan, Elevations and Section (8845-149-CCC-A-DR-04),
- 3 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development and any trees or plants which within a period of 5 years from the commencement of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variations and thereafter shall be retained in perpetuity.
- 4 There shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent carriageway crown, over the site's whole estate road frontage within 2.0 metres of the near edge of carriageway.
- 5 The parking spaces and layout shown on the plans herewith approved shall be provided to the written approval of the Local Planning Authority prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 6 The proposed car park area to the north east of the proposed development shall be provided prior to commencement of any other part of the development.
- 7 The parking spaces fronting the proposed dwellings shall be hard-surfaced for a minimum distance of 5.0 metres behind the edge of highway, in materials which shall be subject to prior written approval of the Local Planning Authority. The hard surfacing shall be fully carried out prior to any part of the development approved herewith being brought into use.
- 8 No development or site clearance shall take place until an appropriate and comprehensive Ecological Design Scheme, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall deliver detailed design proposals which effectively integrate appropriate site specific landscape, ecological and biodiversity objectives and functions. The scheme shall be in compliance with the principles of the landscape and ecological information submitted with the following approved application documents Section 6.2 of the submitted ecological assessment by Habitat Matters dated September 2016 and relevant guidance as provided by the Local Planning Authority.

## REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2-3 In the interest of visual amenity.
- 4-7 In the interest of highway safety.
- 8 To preserve the ecological interests of the site.

## REASONS FOR GRANTING PLANNING APPROVAL

In accordance with Article 3 of the Town and Country Planning (General Development Procedure) (Wales) (Amendment) Order 2004, the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan (comprising the Carmarthenshire Unitary Development Plan 2006) and material considerations do not indicate otherwise. The policies, which refer, are as follows:

- The proposed development accords with policy GP1 of the LDP in that the proposed development represents an acceptable form of development which is appropriate to the character and appearance of the surrounding area, is of an acceptable design and will not have an unacceptable impact upon the residential amenity of nearby properties and provides an acceptable access and parking facilities.
- The proposed development accords with policy H2 of the LDP in that the land is situated within the settlement limits for Llandybie and the proposal does not conflict with other policies within the plan.
- The proposed development accords with policies TR2 and TR3 of the LDP in that the proposed development is accessible from non-car modes of transport, located in a manner consistent with the plan's objectives, would not generate unacceptable levels of traffic on the surrounding road network, or harm highway safety whilst providing acceptable parking and service space to highway standards.

## NOTES

- 1 The above approved development relates to the following plans and documents and works should be carried out strictly in accordance with them unless amended by any of the following conditions:
- 2 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.

- 3 In relation to concerns raised by local residents, measures should be undertaken to ensure the tree, planted by former Councillor Brenda Penlan, is translocated to a more suitable location within the vicinity, prior to commencement of development
- 4 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))