

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

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