

*Ardal  
Gorllewin/  
Area West*

**ADRODDIAD PENNAETH  
CYNLLUNIO,  
CYFARWYDDIAETH YR AMGYLCHEDD**

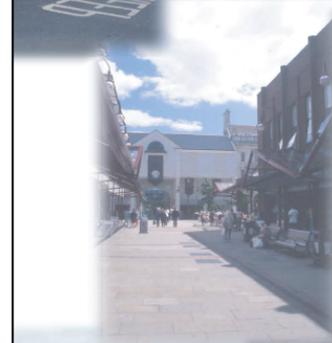
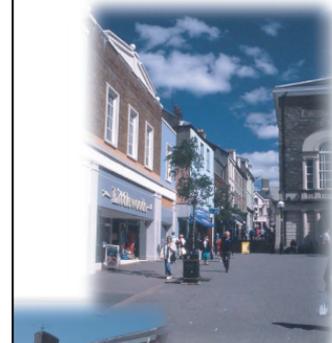
**REPORT OF THE  
HEAD OF PLANNING,  
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO  
CYNGOR SIR CAERFYRDDIN/**

**TO CARMARTHENSHIRE COUNTY  
COUNCIL'S PLANNING COMMITTEE**

**AR 21 MAWRTH 2017  
ON 21 MARCH 2017**

***I'W BENDERFYNU/  
FOR DECISION***



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>21 MARCH 2017</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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<b>W/34227</b>	<b>1. Change of Use and alterations to redundant buildings attached to Bishop's Palace 2. External repairs to the lodge 3. Restoration of the walled garden 4. Reconstruction of garden folly 5. Erection of woodland shelter 6. Walled garden and pleasure garden restoration 7. Car park improvements 8. Creation of footpath around Bishops Meadow at Carmarthen Museum, High Street, Abergwili, Carmarthen, SA31 2JG</b>
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<b>REF.</b>	<b>APPLICATIONS RECOMMENDED FOR REFUSAL</b>
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**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>W/34226</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	1. CHANGE OF USE AND ALTERATIONS TO REDUNDANT BUILDINGS ATTACHED TO BISHOP'S PALACE 2. EXTERNAL REPAIRS TO THE LODGE 3. RESTORATION OF THE WALLED GARDEN 4. RECONSTRUCTION OF GARDEN FOLLY 5. ERECTION OF WOODLAND SHELTER 6. WALLED GARDEN AND PLEASURE GARDEN RESTORATION 7. CAR PARK IMPROVEMENTS 8. CREATION OF FOOTPATH AROUND BISHOPS MEADOW AT CARMARTHEN MUSEUM, HIGH STREET, ABERGWILI, CARMARTHEN, SA31 2JG

<b>Applicant(s)</b>	TYWI GATEWAY TRUST, C/O BRYNBEDW, CWMANN, LAMPETER, SA48 8HQ
<b>Agent</b>	ACANTHUS HOLDEN ARCHITECTS - MR PETER HOLDEN, WATERMAN'S LANE, THE GREEN, PEMBROKE, PEMBROKESHIRE, SA71 4NU
<b>Case Officer</b>	Stuart Willis
<b>Ward</b>	Abergwili
<b>Date of validation</b>	29/07/2016

## CONSULTATIONS

**Head of Transport** – Following the removal of the proposed alterations to the parking area at the front of the site which were initially proposed they now have no observations to make on the proposal.

**Abergwili Community Council** – Has stated they have no objections to the proposal.

**Local Member** – County Councillor P Palmer has not commented to date.

**Cadw** – Has raised no objection to the proposal.

They have commented that all of the proposed works would take place within the registered historic park and garden known as Bishop's Palace, Abergwili PGW (Dy) 59 (Cam).

They acknowledge the aim of proposed development is to restore the historic park and garden whilst providing appropriate visitor facilities. They comment that considerable

historical research has been carried out and the proposed development follows the historic layout of the park and garden. They comment that the only non-historic alterations (apart from the disabled car parking bays) are the addition of a woodland shelter at the eastern end of the park and the creation of a footpath around the Bishop's Meadow. They feel the woodland shelter will be a small wooden structure and will be in keeping with the proposed setting in the historic garden.

No footpaths are shown on historic maps in the area of the Bishop's Meadow; however in two locations the site of historic steps leading down into the area have been identified. Historically therefore the Bishop's Meadow has been an area for informal walks in their opinion. The proposed footpath will be formed by reinforcing the existing grass thus maintaining it as an "informal" walk. There will be a necessity to construct three bridges over existing water courses and ramps down from the garden. These will be constructed in a relatively simple form and formalise the footpath route, but Cadw consider that their overall impact on the historic park will be very slight.

They conclude that the proposed development will restore a registered historic park and garden in a sympathetic manner following where possible the historic layout. The addition of the footpath through the Bishop's Meadow will add new structures into the historic park which will, in their opinion, have a very slight impact, but Cadw consider that this is outweighed by the benefit of the restoration of the historic park and garden

**Dyfed Archaeological Trust** – Has raised no objection to the proposal. They have recommended a condition regarding the implementation of a programme of archaeological work in accordance with a written scheme of investigation.

**Public Protection Division** – Has responded stating it is not considered that the proposed development will have a significant adverse impact on air quality. A condition is recommended in relation to a scheme to manage dust during construction works.

**Natural Resources Wales** – Initially had concerns regarding the scheme.

Survey work submitted with the application identified bats at the site. NRW have commented that the presence of six Greater horseshoe bats is of particular importance.

The report submitted outlined some of the mitigation measures that could be employed but they felt it fell short of presenting a detailed bat mitigation plan specific to this site. They requested that a detailed bat mitigation plan, including architectural drawings showing the mitigation be provided, prior to determination.

Subsequently amended/further details were submitted and we are awaiting NRW's response.

In relation to flooding they have stated that the site lies totally within zone C2. NRW classify the development as less vulnerable development due to the fact there will be no residential use. NRW accept that the building exists and that the proposals will not add to the existing flood risk or increase the risk to life. They therefore have no objection to the development but comment that the applicant needs to be made aware of the flood risk. They recommend the proposed construction materials take into account flooding and incorporate flood resilience measures for the extensions. They also comment that a flood management plan should be produced including an evacuation plan.

Provided the implementation of recommendations as listed in section 5 of the Water Vole and Otter Survey (by Habitat Matters Ltd, dated April 2016) and in section 2.4.2 and 3.2 of the Habitat Management Plan (by Habitat Matters Ltd, dated June 2016), NRW are satisfied that the proposal will not have a significant impact on the Afon Tywi SAC & SSSI features, nor the Bishops Pond SSSI features. These recommendations include no public access to the island, locating access route away from otter activity areas, keeping dogs on leads within the meadow and otter sensitive areas, and also discouraging visitors from feeding the ducks and other wildlife on the pond to prevent nutrient build up.

In relation to landscape impacts they comment the site lies within the Twyi Valley Landscape of Outstanding Historic Interest, which is included in the Register of Landscapes of Historic Interest in Wales. The site includes the Bishop's Palace Registered Park and includes three listed buildings/structures: The Bishop's Palace (Museum), Lodge and Garden Walls of the walled garden. Much of the pleasure gardens lie within an area of Ancient Woodland.

They welcome proposals to repair and restore historic buildings and garden features and to restore the pleasure gardens associated with the Bishop's Palace. They feel the proposals would help to conserve these features and their association with the neighbouring park and historic landscape. NRW feel the proposals should be beneficial to the understanding and appreciation of the gardens, park and historic landscape and are supported. They recommend careful consideration should be given to the detailing of hard materials and suggested seeking advice regarding the landscape scheme.

**Trunk Roads Agency** – Has stated they feel the proposal would have no significant impacts on the A40 trunk road roundabout junction and have no objection.

**Dwr Cymru/Welsh Water** – Has stated there are no public sewers mapped within the museum grounds and that they are served by private drainage which is connected to the public system from a terminal pumping station. They also understand that the proposal makes no material change to the flows presently discharged indirectly to the public sewerage system in terms of its volume or type.

**Land Drainage Section** – Has raised no objection to the proposal.

They have commented that as the proposed works do not change the use of the land they have no adverse comments to make and agree with the FCA report. A flood defence consent will be required for the installation and construction of bridge / ramp 01. They also advise that the management of the site draw up a flood management plan to be enacted in the event of a flood to ensure public safety.

**Neighbours/Public** - The application has been publicised by the erection of site notices near the site and in the local press with no responses being received to date other than Carmarthen Civic Society. They have commented that CCC and the Welsh Historic Gardens Trust should be commended for the proposal and that the proposal would be beneficial in terms of the economy also.

## **RELEVANT PLANNING HISTORY**

W/22689      Conversion and the change of use  
of existing storage facilities/outbuildings into  
learning centre, cafeteria and toilet facilities together

	with ancillary site and drainage works Full planning permission	22 July 2010
D4/11308	Temporary siting of a portakabin Full planning permission	1 March 1984
D4/5916	Renovation and restoration of outbuildings (phase 111)	
W/02601	Provision of lift ramped access and parking for the disabled Full planning permission 28 July 1999	
W/02599	Provision of lift ramped access and parking for the disabled Listed building consent	6 April 2001
D4/2488	- change of use into county museum	
D4/2420	C/u of former bishops palace to county museum and recreational area Full planning permission	31 March 1996
D4/1371	Alterations to existing building Full planning permission	17 April 1975

## **APPRAISAL**

**The application is presented to the Planning Committee as Carmarthenshire County Council have an interested in the site in terms of land ownership.**

## **THE SITE**

The application site comprises a property and other buildings and land associated with it known Old Palace (formerly the Bishop's Palace). The site houses the Carmarthen Museum and is located at the east end of the village of Abwergwili. The site is located to the south of the A40T. There are properties at the western end of the extensive grounds of the site. To the southern side of the site is open countryside. The site is accessed off a road leading east to the south of the trunk road. This then turns south in to the site where there is a parking area. The main building is located to the south of the car park with further smaller buildings around it, including near the northern boundary with High Street, Abergwili. There is a watercourse that runs through the site at the edge of the grounds currently in use with the museum and Bishops Pond to the east.

The site is located outside of the settlement limits of Abergwili as delineated by the Carmarthenshire LDP and within a Special Landscape Area. The site is also within a C2 flood zone. The site is located approximately 550m from the Afon Tywi Special Area of Conservation (SAC) and associated SSSI. The site is within the grade II registered historic park and garden at Bishops Palace, Abergwili. The site is within the Twyi Valley Landscape of Outstanding Historic Interest which is included in the Register of Landscapes of Historic Interest in Wales. The site includes three listed buildings/structures; The Bishop's Palace (Museum), Lodge and Garden Walls of the walled garden.

The Bishops Palace was founded by Bishop Barlow of St David's, appointed in 1536, who adapted a former college as his residence. Later, Bishop Laud (bishop 1621-6) built a chapel, consecrated in 1625, while a survey of 1713 indicates that buildings were ranged around a quadrangle in a cloister-type plan. The palace was substantially rebuilt in Elizabethan style by Bishop Jenkinson (1825-40) but was mostly destroyed by a fire in 1902. It was rebuilt in 1903-7 by W D Caroe, architect, closely following the former plan and detail. The chapel was consecrated in 1925. It remained an Episcopal residence until 1972, since when it has been converted to a museum.

It has been listed for its special historic interest and for its architectural interest as a largely unaltered Edwardian Bishop's Palace, with fine chapel interior.

A service yard on the NW side of the palace has buildings arranged around it with pebble-dashed walls. It is entered through replaced doors on the N side, in an L-shaped wall attached to the entrance range. The buildings include, on the E side, a dairy and larder with louvered openings.

The palace and grounds were acquired by Carmarthenshire County Council in the 1970's and converted into the County Museum and a public park. The Palace is set in grounds, which lie adjacent to the Great Meadow and Bishop's Pond, part of the floodplain of the river Tywi. The grounds, or park, measure 3.75ha, and the total area is 10ha. The whole site area is owned by Carmarthenshire County Council, with the exception of the walled garden and the Great Meadow Glebe, which are retained by The Representative Body of the Church in Wales. The southern half of the Bishop's Pond and island fall outside County Council ownership, belonging to the Beynons of Glantowy Fawr Farm.

The Lodge is a picturesque single storey lodge of pebble dashed walls and slate roof with central pebble dashed stack with 2 octagonal shafts. The roof is hipped to the polygonal front. And carried on wooden posts, while the rear is half-hipped and has trefoiled barge boards. Windows have latticework glazing bars and simple hood moulds. The front has a central 3 light window, with blind windows to adjacent cants. Further to L is a 2 light window and then a door with diagonal boarding. On the R side is an added brick porch with boarded door. Towards the rear, where the wall is stepped out to the eaves line on both sides, is a 2 light window on the R side and single light window to the L.

The Garden Walls are high and constructed of rubble stone enclosing a garden approximately 60 X 50m. Facing the East side of the churchyard it has a plain coping and is approximately 2.5m high. At the N end it is stepped and incorporates an inserted doorway with freestone surround and round brick head. The door has vertical ribs and lead to a path to the former palace. The S return is battered at the base.

The buildings are independently Grade II listed buildings.

Within the curtilage is a ha-ha which constructed of stone. In addition, a walled garden which is constructed also of stone. These structures form part of the listing as consequence of the definition of a listed building under Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Garden and Park is registered as Grade II.

## THE PROPOSAL

The application seeks full planning permission for a number of works and alterations to the buildings and within the grounds of the site. The works include the following:

- change of use and alterations to redundant buildings attached to bishop's palace
- external repairs to the lodge
- restoration of the walled garden
- reconstruction of garden folly
- erection of woodland shelter
- walled garden and pleasure garden restoration
- car park improvements
- creation of footpath around bishops meadow

A visitor centre is proposed in one of the redundant building attached to the main building. Internally it is proposed for the building to be converted to create facilities including meeting rooms, toilet provision, cafe area, kitchen, activity and bike facilities. One of the buildings on the west side of the courtyard will be converted into an activity room with the removal of the internal walls.

The proposal includes works to create an internal courtyard which is to be roofed to provide a sheltered eating and socializing/corralling area known "as a 'Winter Garden'. To the north of the group of buildings there is a modern (blockwork) garage, which is it proposed would be demolished to expose the original courtyard wall. Externally the modern sand cement renders would be replaced with lime mortar pointing, shelter coats and lime washes. Roofs would be repaired with existing aluminium rainwater goods repaired or replaced to match.

There is an existing lodge building located at the northern end of the site adjacent to High Street and used to mark the entrance to the site. Currently used for museum storage purposes, it is proposed to externally repair it. Potentially the lodge would be linked to the new Tywi Cycle route. Initially it is proposed that the canopy columns are renewed along with the windows and render. The work would be carried out using traditional materials and techniques.

The Bishop's Walled Garden is to be restored and become a public accessible area devoted to education and instruction. The wall heads are to be consolidated using lime mortar and the grounds will be hand cleared and replanted. In the long term the application indicates it is hoped that one of the glasshouses could be rebuilt, following an extensive archaeological excavation of the area however this is not included in this application.

A "Ha-Ha" is proposed to the south edge of the Pleasure Garden. It is proposed to repair/rebuild this. The works will include the removal of imbedded trees, the consolidation of the wall heads, and the rebuilding of collapsed sections using salvaged stone bedded in lime mortar.

A small gardener's cottage (The Bothy) to the immediate north of the walled garden is partially ruined but retains enough evidence of its construction and use to warrant a 'forensic' restoration similar to what might be expected at St Fagan's Museum. The first phase is said to be limited to the renewal of the roof, windows and doors and the repointing of the external walls all carried out using similar materials and traditional

construction techniques. The compound area adjoining is to be re-roofed in slate with a new door and window, for use as a garden equipment store.

Improvements and extension of the footpath around Bishops Meadow is proposed. A circuit route is proposed around the circumference of the meadow. The link to the meadow from the Pleasure Garden requires a wheelchair accessible ramp in steel and timber. The circuit path will in reinforced grass with board walks across drainage gullies. This would involve works across the watercourse in areas currently not publicly accessible.

2 new structures are proposed in the Pleasure Garden with Facilitating access and encouraging learning are fundamental to the purpose of the development. At the eastern most end of the site and overlooking the Bishops Pond it is proposed to construct a timber (in the round) shelter to provide interpretation facilities. In the middle of the garden it is proposed to rebuild a timber 'folly' to provide interpretation of the historic garden. The design is based on the photographic images that exist of a similar Victorian shelter.

The proposal also includes various alterations to the internal parking arrangements within the site. A transport assessment was submitted with the application. Landscaping of the site is also detailed as part of the opening up of the gardens. A tree survey was submitted as part of the application. As the site lies within a C2 flood zone the application was accompanied by a Flood Consequence Assessment. Due to the nature of the works and designations near, at the site a Habitat Management Plan has also been provided. During the course of the application amended details were submitted in relation to bat mitigation measures.

## **PLANNING POLICY**

In the context of the current development control policy framework the site is located outside the defined development limits as contained in the adopted Carmarthenshire Local Development Plan Adopted December 2014.

Policy GP1 of the Local Development Plan (LDP) sets out the general requirements of the Local Planning Authority to ensure sustainability and high quality design through new development. In particular, that "it 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", "it would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community", "an appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality", and "it protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment".

Policy TR3 Highways in Developments - Design Considerations outlines a number of matters to be considered included suitable access and parking and to ensure highway safety is not adversely affected for users of the roads/streets.

SP1 Sustainable Places and Spaces outlines a number of criteria including requiring proposals to respect, reflect and, wherever possible, enhance local character and distinctiveness and create safe, attractive and accessible environments.

SP9 relates to Transportation and relates to a number of factors and considerations concerning travel, location of developments and provision of appropriate on site facilities.

SP14 Protection and Enhancement of the Natural Environment states development should reflect the need to protect, and wherever possible enhance the County's natural environment.

SP15 relates to Tourism and the Visitor Economy. This states that proposals for tourism related developments and for appropriate extensions to existing facilities will be supported where they are in accordance with the locational hierarchy set out in i, ii & iii below and are acceptable in terms of scale, type of development, siting and general impact:

- i. Within the development limits of Growth Areas and Service Centres - major tourism proposals, including high level traffic generators;
- ii. Within the development limits of Local Service Centres and Sustainable Communities – smaller scale proposals which reflect the character of the area which are appropriate in terms of size, scale and impact;
- iii. Open Countryside – small scale location specific developments that must satisfy policy TSM3, except where they are subject to the provisions of TSM2 and/or TSM5.

Extensions to existing facilities should be subordinate in scale and function to the existing facility and proposals that constitute substantive extensions should be construed as new development.

SP16 Community Facilities, states the LDP will support the provision of new facilities, along with the protection and enhancement of existing facilities, in accordance with the settlement framework and based upon evidence of need.

Policy EQ4 Biodiversity states proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation.

Policy EQ5 Corridors, Networks and Features of Distinctiveness requires proposals for development which would not adversely affect those features which contribute local distinctiveness/qualities of the County, and to the management and/or development of ecological networks (wildlife corridor networks), accessible green corridors and their continuity and integrity will be permitted.

EQ6 relates to Special Landscape Area. It states that proposals for development which enhance or improve the Special Landscape Areas through their design, appearance and landscape schemes will be permitted (subject to the policies and proposals of this Plan).

Policy EP1 is Water Quality and Resources. This states that proposals for development will be permitted where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters. Proposals will, where appropriate, be expected to contribute towards improvements to water quality. Watercourses will be safeguarded through biodiversity/ecological buffer zones/corridors to protect aspects such as riparian habitats and species; water quality and provide for flood plain capacity. Proposals will be permitted where they do not have an adverse impact on the nature conservation, fisheries, public access or water related recreation use of the rivers in the County.

TSM5 Major Tourism proposals in the Open Countryside states that proposals for large scale attractions/facilities in the open countryside; including appropriate extensions to

existing facilities, will be approved where they meet certain criteria. This includes being compatible in terms of location, siting, design and scale; having satisfactory access to the primary and core highway network, and not resulting in traffic generation to the detriment (capacity) of the local transport network and are serviceable by public transport, walking and cycling ;and being economically viable propositions that contribute towards enhancing the diversity, quality and economic sustainability of the County's tourism offer thus leading to demonstrable economic benefit; and, where appropriate, the development will increase the vitality, sustainability and environmental quality of the site; will not materially and adversely impact upon the social, cultural, economic and environmental qualities and characteristics of the site and/or County; and it has been demonstrated that there is no suitable site available within the development limits of a defined settlement (policy SP3) and that the countryside location is essential with the proposal highly dependent upon the attributes of the site.

SP13 of the Local Development Plan of the Built and Historic Environment states proposals should preserve or enhance the built and historic environment of the County, it's cultural, townscape and landscape assets and where appropriate, their setting. Proposals relating to the following will be considered in accordance with national guidance and legislation.

- Sites and features of recognised Historical and Cultural Importance;
- Listed Buildings and their setting;
- Scheduled Ancient Monuments and other sites of recognised archaeological importance

Proposals will be expected to promote high quality design and that reinforces local character and respects and enhances the local setting and the cultural and historic qualities of the plan area.

Policy EQ1 of the LDP "Protection of Buildings, Landscapes and Features of Historic Importance" states that for development affecting landscapes, townscapes buildings and sites or features of historic or archaeological 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 will only be permitted where it preserves or enhances the built and historic environment.

Section 16 (2) & 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 6.1.1 of the Welsh Government's policy document 'Planning Policy Wales' (January 2016) sets out the Government's objective of ensuring that the character of the historic building is safeguarded from alterations, extensions or demolition that would compromise a building's special architectural and historic interest.

Paragraph 12 of Welsh Office Circular 61/96 states that new uses may be the key to the preservation of a building.

Paragraph 66 of Welsh Office Circular 61/96 states once a building has been listed under Section 1 of the Act, Section 7 provides that consent is normally required for its demolition, in whole part, and for any works of alteration or extension which would affect its character

as a building of special architectural or historic interest. It is a criminal offence to carry out such works without consent.

Paragraph 68 of Welsh Office Circular 61/96 states that whilst the listing of a building should not be seen as a bar to all future change, the starting point for the exercise for the exercise of listed building control is the statutory regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses.

Paragraph 69 of Welsh Office Circular 61/96 states that applicants will need to show why works which affect the character of a listed building are desirable or necessary. They must provide the local planning authority with full information, to enable them to assess the likely impact of their proposals on the special architectural or historic interest of the building and on its setting.

Paragraph 71 of Welsh Office Circular 61/96 states the grading of a building in the statutory lists is clearly a material consideration for the exercise of listed building control. But it must be emphasised that the statutory controls apply equally to all listed buildings irrespective of what grade; and since Grade II includes some 90% of all listed buildings, representing a major element in the historic quality of towns, villages, and country side, failure to give careful scrutiny to proposals for alteration or demolition could lead widespread damage to the historic environment.

Paragraph 80 of the Circular states that owners of listed buildings should be encouraged to seek expert advice on the best way to carry out works to their listed buildings.

Paragraph 94 of the Circular states that many listed buildings are already in well-established uses, and any changes need be considered only in this context. But where new uses are proposed, it is important to balance the effect of any changes on the special interest of the listed building against the viability of any proposed use and of alternative, and possibly less damaging, uses. In judging the effect of any alteration or extension it is essential to have assessed the elements that make up its special interest. They may comprise obvious visual features and the technological interest of the surviving structure and surfaces.

Paragraph 95 of the Welsh Office Circular 61/96 states that many listed buildings can sustain a degree of sensitive alteration, but that it needs to be borne in mind that minor works of indifferent quality, which may seem individually of little importance, can cumulatively be very destructive of a building's special interest.

Paragraph 96 of Welsh Office Circular 61/96 states that listing grade is a material consideration. Many Grade II listed buildings are humble, once common building types which have been listed precisely because they are relatively unaltered example of their sort. They can have their special interest ruined by unsuitable alteration or extension.

Paragraph 97 of Welsh Office Circular 61/96 states that achieving a proper balance between the special interest of a listed building and proposals for alterations or extensions is demanding and should always be based on specialist expertise.

Paragraph 1 of Annex D to Welsh Office Circular 61/96 states that for advice on repairs the attention of local planning authorities is drawn to *The Repair of Historic Buildings: Advice on Principles and Methods*.

Paragraph 2 of Annex D to Welsh Office Circular 61/96 states that the foremost principle which should guide works to historic buildings is conserve as found. Successful conservation lies in the maintenance and like-for-like repair of the existing fabric including the replacement of features and details.

Paragraph 3 of Annex D to Welsh Office Circular 61/96 states each type of historic building has its own characteristics, which are usually related to its former function and these should be respected when proposals for alteration or change of use are put forward. Marks of special interest appropriate to a particular building type are not restricted to external elements, but may include anything from orientation, plan, or arrangement of window openings to small internal fittings. Local Planning Authorities should attempt to retain characteristics of distinct building types of buildings.

Paragraph 6 of Annex D to Welsh Office Circular 61/96 states that alterations should be based on a proper understanding of the structure, and that old work should not be sacrificed merely to accommodate the new.

### **THIRD PARTY REPRESENTATIONS**

There have been no adverse representations received to date. The application is only before the Planning Committee due to the Authority's interest in the land. The representation from Carmarthen Civic Society has been positive.

There have also been no objections from statutory consultees. NRW had initially raised concerns over the level of information concerning bat mitigation however there has subsequently been dialogue with them resulting in updated/amended details having been provided. They are yet to respond formally on the amended details. The Planning Ecologist has raised no objection and will be carrying out a Test of Likely Significant Effect (TLSE) regarding possible impacts of the proposed development. The recommendation is subject to the results of the TLSE and the formal response from NRW regarding bat mitigation. The Conservation Officer has confirmed that he is satisfied with the amended bat mitigation works in terms of their impact on the Listed Building Consent submission.

The site is within a flood zone however as NRW state is a low vulnerability use. The site is also already in use as a museum. While the proposal does provide additional facilities and extend the grounds with public access this is an existing site, no concerns have been raised by the Land Drainage Section or Public Protection Division.

The site is within the grade II registered historic park and garden at Bishops Palace, Abergwili. The site is within the Twyi Valley Landscape of Outstanding Historic Interest which is included in the Register of Landscapes of Historic Interest in Wales. The site includes three listed buildings/structures; The Bishop's Palace (Museum), Lodge and Garden Walls of the walled garden. Therefore the location is sensitive in terms of the historic environment. No objections have been received from Cadw or Dyfed Archaeological Trust on the proposals and it is seen that the scheme would provide improvements to the area as a whole. There is a listed building consent submission with the Authority which has been recommended for approval. The proposal aims to restore building/structures on site and those that are new are considered appropriate in terms of their design, scale and character.

No objections or concerns have been raised over highways considerations from either the Head of Transport or the Trunk Roads Agency. There are no significant alterations to the parking and the access is not to be affected. Comments have been made regarding works near to trees and conditions are suggested in relation to this.

In terms of impacts on amenity the proposals are generally located away from adjacent buildings. It is felt that based on the existing use of the site and the scale of the works proposed that there would not be any significant impacts in terms of amenity.

There are works to various landscape features and the site is within a Special Landscape Area. The Landscape Officer has commented that the proposal delivers landscape enhancement and therefore is considered appropriate. Conditions are recommended in relation to a landscape scheme and the protection of trees where works are proposed in close proximity to them.

The site is not located within the development limits of Abergwili however it is long established facility. The site is in close proximity to the development limits and located near to transport links. The proposal aims to increase/upgrade facilities at the site increase public access to the grounds and extend those.

## **CONCLUSION**

After careful consideration of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that on balance the proposal is acceptable.

As such the application is put forward with a recommendation of approval subject to the following conditions and to the receipt of responses from NRW and the Planning Ecologist.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out strictly in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
  - 1:100 scale Ground Floor Plan (P100G)
  - 1:100 scale East Elevation (P200D)
  - 1:100 and 1:10 scale Bat Mitigation Details (P502B)
  - 1:100 and 1:10 scale Bat Mitigation Details (P503B)
  - Conservation and Bat Report

received 20<sup>th</sup> February 2017

- 1:500 scale Pleasure Garden Masterplan (P002 Rev E)
- 1:500 scale Planting Masterplan (P004 Rev B)

received on 30<sup>th</sup> August 2016

- 1:500 scale Roof Plan (S011)
- 1:100 scale Phase 1 Lodge External Repairs (P110)
- 1:500 scale Meadow Masterplan (P003)
- 1:100 scale Ground Floor Plan (P100)
- 1:100 scale Roof Plan (P101)
- 1:100 scale East Elevation (P200)
- 1:100 scale North Elevation (P201)
- 1:100 scale West Elevation (P203)
- 1:100 scale Phase 1 Bothy External Repairs (P120)
- 1:5, 1:2 and 1:1 scale Proposed Sash Window Details (P500) and Main Entrance Joinery Details (P501)
- 1:500 scale Planting Masterplan (P004)
- 1:100 scale Mower Storage (P170)
- 1:100 scale Phase 1 Woodland Vista External Repairs (P140)
- 1:100 scale South Elevation (P202)
- 1:100 scale Phase 1 Garden Folly External Repairs (P130)
- 1:10,000 Location Plan (S001)
- 1:100 scale Section A-A (P300)
- 1:500 scale Topographical (S010)
- Survey for Water Vole and Otter
- Habitat Management Plan

received 2<sup>nd</sup> August 2016

- 3 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
- 4 No development shall commence until a scheme for the control of noise and dust shall be submitted to and approved by the Local Planning Authority. The scheme shall comply with the guidance found in the BS5228: Noise Vibration and Control on Construction and Open Sites. Upon commencement of the development, work shall be carried out in accordance with the approved scheme.
- 5 The approved Detailed Landscape Design Scheme, as defined in the 1:500 scale Planting Masterplan (P004 Rev B) received on 30<sup>th</sup> August 2016 and the Landscape Appendix within the Landscape Consideration received on 2<sup>nd</sup> August 2016 shall be fully implemented in the first available planting and seeding seasons following the commencement of development. Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved Detailed Landscape Design Scheme which, within the lifetime of the approved development are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.
- 6 Prior to the commencement of any works associated with the development [including site vegetation clearance, demolition of existing structures, excavation, heavy machinery entering site or the on-site storage of materials] the following shall be submitted and agreed in writing by the Local Planning Authority: -

- i] Arboricultural Impact Assessment [AIA] relating to all trees, groups of trees, and hedges within or on the site boundary; and all trees outside the site boundary within a distance of up to 12 times their stem diameter, shall be undertaken, to BS5837.
- ii] Tree Protection Plan [TPP] to BS5837 and fully informed by the AIA.
- iii] Arboricultural Method Statement [AMS] to BS5837 and fully informed by the AIA. The AMS shall include a programme for the monitoring and reporting of all works to the Local Planning Authority by a competent arboriculturist appointed by the developer

The approved TPP shall be fully implemented, prior to the commencement of any works associated with the development and thereafter be maintained in its entirety, throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site.

All measures identified within the AMS shall be undertaken as approved.

## **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.
- 3 To protect historic environment interests whilst enabling development.
- 4 To prevent disturbance and impacts on amenity from construction works.
- 5 To ensure that the development effectively delivers the policy objectives of the approved Landscape Design Scheme.
- 6 To ensure appropriate protection/retention for landscape features.

## **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 proposed development complies with Policy GP1, TR3, SP14, SP15, SP16, EQ4, EQ5, EP1, TSM5, EQ1, SP13 of the Carmarthenshire Local Development Plan, 2014 (LDP) in that it is not considered that the proposal would have a significant impact on the amenity of adjacent land uses, properties, residents or the community. Appropriate access can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality. An appropriate access and parking provision can be achieved at the site. The proposal is an extension of an existing tourism/community facility. The site is located close to settlement limits and due to the scale and nature of the development, as well as the existing facilities could not be easily provided within a settlement. The site has good transport links and is accessible by non-car modes of transport. The works are not considered to create significant harm to the listed building or character and

appearance of the Registered Historic Park and Gardens. The proposal is within a Special Landscape Area and proposes enhancements to the area. The proposal would provide additional community, recreation and tourist facilities.

- Subject to conditions the development would not have an adverse impact on species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation. Appropriate mitigation, management and enhancement can also be achieved. Subject to conditions appropriate retention, protection and/or compensation for loss of features can also be achieved. The proposal would not lead to a deterioration of either the water environment and/or the quality of controlled waters.
- It is also considered the proposal meets the 3 tests in relation to protected species in that there is 'no satisfactory alternative', and that 'the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'. It is also considered that it is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- It is considered that the proposed development complies with S.66 of the Listed Buildings and Conservation Areas Act which requires special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. In that it is not considered the development has any significant detrimental impacts on the setting of the listed building.

## NOTES

- 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)).

<b>Application No</b>	<b>W/34227</b>
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<b>Application Type</b>	Listed Building
<b>Proposal &amp; Location</b>	1. CHANGE OF USE AND ALTERATIONS TO REDUNDANT BUILDINGS ATTACHED TO BISHOP'S PALACE 2. EXTERNAL REPAIRS TO THE LODGE 3. RESTORATION OF THE WALLED GARDEN 4. RECONSTRUCTION OF GARDEN FOLLY 5. ERECTION OF WOODLAND SHELTER 6. WALLED GARDEN AND PLEASURE GARDEN RESTORATION 7. CAR PARK IMPROVEMENTS 8. CREATION OF FOOTPATH AROUND BISHOPS MEADOW AT CARMARTHEN MUSEUM, HIGH STREET, ABERGWILI, CARMARTHEN, SA31 2JG

<b>Applicant(s)</b>	TYWI GATEWAY TRUST, C/O BRYNBEDW, CWMANN, LAMPETER, SA48 8HQ
<b>Agent</b>	ACANTHUS HOLDEN ARCHITECTS - MR PETER HOLDEN, WATERMAN'S LANE, THE GREEN, PEMBROKE, PEMBROKESHIRE, SA71 4NU
<b>Case Officer</b>	Stuart Willis
<b>Ward</b>	Abergwili
<b>Date of validation</b>	29/07/2016

## CONSULTATIONS

**Abergwili Community Council** – Has stated they have no objections to the proposal.

**Local Member** – County Councillor P Palmer has not commented to date.

**Neighbours/Public** - The application has been publicised by the erection of sites notice near the site and in the local press with no responses being received to date other than Carmarthen Civic Society. They have commented that CCC and the Welsh Historic Gardens Trust should be commended for the proposal and that the proposal would be beneficial in terms of the economy also.

W/22689 Conversion and the change of use of existing storage facilities/outbuildings into learning centre, cafeteria and toilet facilities together with ancillary site and drainage works  
Full planning permission

22 July 2010

D4/11308	Temporary siting of a portakabin Full planning permission Full planning permission 1 March 1984	
D4/5916	Renovation and restoration of outbuildings (phase 111)	
W/02601	Provision of lift ramped access and parking for the disabled Full planning permission	28 July 1999
W/02599	Provision of lift ramped access and parking for the disabled Listed building consent	6 April 2001
D4/2488	Change of Use into county museum	
D4/2420	c/u of former bishops palace to county museum and recreational area Full planning permission	31 March 1996
D4/1371	Alterations to existing building Full planning permission	17 April 1975

## **APPRAISAL**

**The application is presented to the Planning Committee as Carmarthenshire County Council have an interested in the site in terms of land ownership.**

## **THE SITE**

The application site comprises a property and other buildings and land associated with it known Old Palace (formerly the Bishop's Palace). The site houses the Carmarthen Museum and is located at the east end of the village of Abwergwili. The site is located to the south of the A40T. There are properties at the western end of the extensive grounds of the site. To the southern side of the site is open countryside. The site is accessed off a road leading east to the south of the trunk road. This then turns south in to the site where there is a parking area. The main building is located to the south of the car park with further smaller buildings around it, including near the northern boundary with High Street, Abergwili. There is a watercourse that runs through the site at the edge of the grounds currently in use with the museum and Bishops Pond to the east.

The site is located outside of the settlement limits of Abergwili as delineated by the Carmarthenshire LDP and within a Special Landscape Area. The site is also within a C2 flood zone. The site is located approximately 550m from the Afon Tywi Special Area of Conservation (SAC) and associated SSSI. The site is within the grade II registered historic park and garden at Bishops Palace, Abergwili. The site is within the Twyi Valley Landscape of Outstanding Historic Interest which is included in the Register of Landscapes of Historic Interest in Wales. The site includes three listed buildings/structures; The Bishop's Palace (Museum), Lodge and Garden Walls of the walled garden.

The Bishops Palace was founded by Bishop Barlow of St David's, appointed in 1536, who adapted a former college as his residence. Later, Bishop Laud (bishop 1621-6) built a chapel, consecrated in 1625, while a survey of 1713 indicates that buildings were ranged around a quadrangle in a cloister-type plan. The palace was substantially rebuilt in Elizabethan style by Bishop Jenkinson (1825-40) but was mostly destroyed by a fire in 1902. It was rebuilt in 1903-7 by W D Caroe, architect, closely following the former plan and detail. The chapel was consecrated in 1925. It remained an Episcopal residence until 1972, since when it has been converted to a museum.

It has been listed for its special historic interest and for its architectural interest as a largely unaltered Edwardian Bishop's Palace, with fine chapel interior.

A service yard on the NW side of the palace has buildings arranged around it with pebble-dashed walls. It is entered through replaced doors on the N side, in an L-shaped wall attached to the entrance range. The buildings include, on the E side, a dairy and larder with louvered openings.

The palace and grounds were acquired by Carmarthenshire County Council in the 1970's and converted into the County Museum and a public park. The Palace is set in grounds, which lie adjacent to the Great Meadow and Bishop's Pond, part of the floodplain of the river Tywi. The grounds, or park, measure 3.75ha, and the total area is 10ha. The whole site area is owned by Carmarthenshire County Council, with the exception of the walled garden and the Great Meadow Glebe, which are retained by The Representative Body of the Church in Wales. The southern half of the Bishop's Pond and island fall outside County Council ownership, belonging to the Beynons of Glantowy Fawr Farm.

The Lodge is a picturesque single storey lodge of pebble dashed walls and slate roof with central pebble dashed stack with 2 octagonal shafts. The roof is hipped to the polygonal front. And carried on wooden posts, while the rear is half-hipped and has trefoiled barge boards. Windows have latticework glazing bars and simple hood moulds. The front has a central 3 light window, with blind windows to adjacent cants. Further to L is a 2 light window and then a door with diagonal boarding. On the R side is an added brick porch with boarded door. Towards the rear, where the wall is stepped out to the eaves line on both sides, is a 2 light window on the R side and single light window to the L.

The Garden Walls are high and constructed of rubble stone enclosing a garden approximately 60 X 50m. Facing the East side of the churchyard it has a plain coping and is approximately 2.5m high. At the N end it is stepped and incorporates an inserted doorway with freestone surround and round brick head. The door has vertical ribs and lead to a path to the former palace. The S return is battered at the base.

The buildings are independently Grade II listed buildings.

Within the curtilage is a ha-ha which constructed of stone. In addition, a walled garden which is constructed also of stone. These structures form part of the listing as consequence of the definition of a listed building under Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Garden and Park is registered as Grade II.

## **THE PROPOSAL**

The applicant proposes to improve Carmarthen Museum facilities and Garden for staff and visitors. The application proposes a number of works which include construction of new structures in the Garden, alterations, reinstatement, repairs and demolition. The former Bishops Palace would not be affected by the proposed works.

Further details of the works have been provided in the report for the full planning application W/34227 also before Planning Committee.

## **STATUTORY DUTIES, GOVERNMENT POLICIES & ADVICE, COUNTY COUNCIL POLICIES**

Section 16 (2) & 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act places a statutory duty on local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

Paragraph 6.1.1 of the Welsh Government's policy document 'Planning Policy Wales' (January 2016) sets out the Government's objective of ensuring that the character of the historic building is safeguarded from alterations, extensions or demolition that would compromise a building's special architectural and historic interest.

Paragraph 12 of Welsh Office Circular 61/96 states that new uses may be the key to the preservation of a building.

Paragraph 69 of Welsh Office Circular 61/96 states that applicants will need to show why works which affect the character are desirable or necessary. They must provide the local planning authority with full information, to enable them to assess the likely impact of their proposals on the special architectural or historic interest of the building and on its setting.

Paragraph 94 of Welsh Office Circular states that many listed buildings are in well established uses, and any changes need to be considered in this context. But where new uses are proposed, it is important to balance the effect of any changes on the special interest of a listed building against the viability of any proposed use and of alternative, and possibly less damaging uses. In judging the effect of any alteration it is essential to have assessed the elements that make up the special interest of the building.

Paragraph 95 of Welsh Office Circular 61/96 states that many listed buildings can sustain a degree of sensitive alteration or extension to accommodate continuing or new uses.

Paragraph 124 Office Circular 61/96 states in exercising their responsibility for the safety of buildings under building regulations and fire legislation, local authorities should deal sympathetically with propose for repair and conversion.

Paragraph 2 of Annex D to Welsh Office Circular 61/96 states that the foremost principle which should guide works to historic buildings is conserve as found, and that successful conservation lies in the maintenance and like for like repair of the fabric.

Paragraph 3 of Annex D to Welsh Office Circular 61/96 states that each historic building has its own characteristics, which are usually related to its original function and these, should be respected when proposals for alteration or change of use are put forward.

Paragraph 6 of Annex D to Welsh Office Circular 61/96 states that alterations should be based on a proper understanding of the structure.

Appendix to Annex D of Welsh Office Circular 61/96 (f) 1 states that listed building consent must be obtained for all internal alterations to listed building of whatever grade which affect the character of the building as a listed structure. Internal planning of interest should be respected and left unaltered as far as possible.

Appendix to Annex D of Welsh Office Circular 61/96 (f) 2 states that new partitions should be kept to a minimum.

SP13 of the Local Development Plan of the Built and Historic Environment states proposals should preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets and where appropriate, their setting. Proposals relating to the following will be considered in accordance with national guidance and legislation.

- Sites and features of recognised Historical and Cultural Importance;
- Listed Buildings and their setting;
- Scheduled Ancient Monuments and other sites of recognised archaeological importance

Proposals will be expected to promote high quality design and that reinforces local character and respects and enhances the local setting and the cultural and historic qualities of the plan area.

### **THIRD PARTY REPRESENTATIONS**

There have been no adverse representations received to date. The application is only before the Planning Committee due to the Authority's interest in the land. The representation from Carmarthen Civic Society has been positive.

There have also been no objections from statutory consultees.

The Conservation Officer has provided a response recommending approval of the Listed Building Consent and has made the following comments:

“The applicant proposes to improve Carmarthen Museum facilities and Garden for staff and visitors. The application proposes a number of works which include construction of new structures in the Garden, alterations, reinstatement, repairs and demolition.

The proposed works are focussed on a number of buildings which are independently listed or form part of the listing of the former Bishops Palace as being attached or pre-1<sup>st</sup> July 1948 structures (Section 1 (5) of the Planning (Listed Buildings and Conservation Areas) Act 1990). These include:

- Buildings attached to the former Bishop's Palace

- The Lodge
- The Bothy
- Walled Garden
- Ha-ha

The proposed works are predominately for repairs and consists of re-pointing, attention to roofs and windows which are to be undertaken using traditional methods and materials.

Alterations are proposed and in relation to the buildings attached to the former Bishops Palace these include a glazed roof to the courtyard, internal refurbishment, new windows and doors and a lime-wash finish. The purpose of the proposals are to create a café and activity centre. Despite the works affecting the existing character of the buildings given that these have been subject to alteration there would be no undesirable affect.

Other alterations would consists of a ramp to the ha-ha and the proposals would slightly compromise the character and setting of the structure. However, the purpose of the ramp is accepted and to limit the harm it is to be located at the far end of the structure and is easily reversible without detriment to the structure.

Reinstatement would include doors, windows, roof to The Bothy and gates in various locations in the gardens.

The proposed developments in the Gardens which are subject to Planning Permission include a mower shed and a Garden View which would not preserve the character and setting of the areas which they are located. However, would not in the opinion of the Officer have an undesirable affect.

The proposed demolition of the garage is welcomed as it will beneficial in improving the character and appearance of the listed building.

In light of the Statutory and Non-Statutory frameworks for the historic built environment the proposals are welcomed by the Officer as the works should ensure that the condition and appearance of the buildings are significantly improved. New uses will be provided to redundant buildings which are in-keeping with the uses of the buildings. Other proposals would improve the Garden. Therefore, overall benefiting the Museum by having suitable facilities for a public attraction and will help assure a sound future.

The proposals have been submitted as a consequence of improving the facilities at the Museum Facilities including the Park and Garden. The proposed works encompass a number of buildings. Predominately these are for repairs and these are to be undertaken in a sympathetic manner. Alterations are to areas where there would be no undesirable affect or are reversible. Reinstatement of missing elements include roofs, windows and doors.

Other proposals subject to planning permission would in the opinion of the Officer have no undesirable affect.

In light of the Statutory and Non-Statutory frameworks the proposals should ensure that the condition and appearance of the buildings are significantly improved. New uses will be provided to redundant buildings which are in-keeping with the uses of the buildings. Other proposals would improve the Garden. Therefore, overall benefiting the Museum by having suitable facilities for a public attraction and will help assure a sound future.”

Following the submission of amended plans concerning bat mitigation the Conservation Officer has confirmed these details are acceptable in this instance and do not alter this recommendation.

## **CONCLUSION**

After careful consideration of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that on balance the proposal is acceptable.

As such the application is put forward with a recommendation of approval subject to the following conditions.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

1. The works hereby granted consent shall be commenced before the expiration of five years from the date of this permission.
2. The development shall be carried out strictly in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
  - 1:100 scale Ground Floor Plan (P100G)
  - 1:100 scale East Elevation (P200D)
  - 1:100 and 1:10 scale Bat Mitigation Details (P502B)
  - 1:100 and 1:10 scale Bat Mitigation Details (P503B)
  - Conservation and Bat Report

received 20<sup>th</sup> February 2017

- 1:500 scale Pleasure Garden Masterplan (P002 Rev E)
- 1:500 scale Planting Masterplan (P004 Rev B)

received on 30<sup>th</sup> August 2016

- 1:500 scale Roof Plan (S011)
- 1:100 scale Phase 1 Lodge External Repairs (P110)
- 1:500 scale Meadow Masterplan (P003)
- 1:100 scale Ground Floor Plan (P100)
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- 1:100 scale West Elevation (P203)
- 1:100 scale Phase 1 Bothy External Repairs (P120)
- 1:5, 1:2 and 1:1 scale Proposed Sash Window Details (P500) and Main Entrance Joinery Details (P501)
- 1:500 scale Planting Masterplan (P004)
- 1:100 scale Mower Storage (P170)
- 1:100 scale Phase 1 Woodland Vista External Repairs (P140)

- 1:100 scale South Elevation (P202)
- 1:100 scale Phase 1 Garden Folly External Repairs (P130)
- 1:10,000 Location Plan (S001)
- 1:100 scale Section A-A (P300)
- 1:500 scale Topographical (S010)
- Survey for Water Vole and Otter
- Habitat Management Plan

received 2<sup>nd</sup> August 2016

- 3 Repairs shall be undertaken on a strictly like-for-like basis using traditional methods and materials. If works other than repairs are proposed; for example replacement, stripping of roof or hacking off of finishes then a full detailed condition report with photographs shall be submitted to the Local Planning Authority for an assessment. The report shall highlight the associated problems, extent of those problems, what consideration has been given to repair, why it is not possible to repair before works other than repair is proposed. No works shall commence on works other than repair (unless approved in the Drawings) until written confirmation has been given that the works are acceptable.
- 4 Where structural alterations are proposed a report undertaken by a qualified structural engineer shall be submitted to the Local Planning Authority for an assessment. The report shall highlight that the proposals are feasible, there would be no undesirable effect on the structure and that no stringent methods of strengthening are required. No works shall commence on the structural alterations until written confirmation has been given by the Local Planning Authority that the works are acceptable.
- 5 Where new doors are proposed (Bothy) elevation & section drawings Scale 1:10 shall be submitted to the Local Planning Authority for an assessment. The drawing shall highlight construction, materials and finishes. No works shall commence on the manufacture of the door until written confirmation by the Local Planning Authority has been given that the doors are acceptable.
- 6 Where new windows are proposed (Bothy) elevation & section drawing Scale 1:10 shall be submitted to the Local Planning Authority for an assessment. The drawing shall highlight construction, materials and finishes. No works shall commence on the manufacture of the windows until written confirmation has been given by the Local Planning Authority that the windows are acceptable.
- 7 Where the ramped is proposed elevation and section drawing Scale 1:20 or equivalent shall be submitted to the Local Planning Authority for an assessment. The drawing shall highlight the construction, materials and finishes. No works shall commence on it manufacture until written confirmation has been given by the Local Planning Authority that the works are acceptable.
- 8 Where new gates are proposed elevation & section drawings Scale 1:10 shall be submitted to the Local Planning Authority for an assessment. The drawings shall highlight construction, materials and finish. No works shall commence on the manufacture of the gates until written confirmation has been given by the Local Planning Authority that the works are acceptable.

- 9 Where it is proposed to apply lime-wash finish to the Lodge this shall be revised to match the existing render finish but lime-based.
- 10 Where it is proposed to reinstate steps to the ha-ha the stone proposed shall be based on examples of other steps to the ha-ha.

## **REASONS**

1. To comply with Section 18 of The Planning (Listed Buildings and Conservation Areas) Act 1990.
2. To ensure that only the approved works are carried out.
- 3-10 To have special regard to the desirability of preserving the building in respect of Section 16 (2) of The Planning (Listed Buildings and Conservation Areas) Act 1990.

## **REASONS FOR GRANTING PLANNING PERMISSION**

In having special regard to the desirability of preserving the listed building or any features of special architectural or historic interest which it possesses, as required by the statutory duty under section 16 (2) & 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Authority finds that the works should ensure that the condition and appearance of the buildings are significantly improved. New uses will be provided to redundant buildings which are in-keeping with the uses of the buildings. Other proposals would improve the Garden. Therefore, overall benefiting the Museum by having suitable facilities for a public attraction and will help assure a sound future.

## **NOTES**

- 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)).

<b>Application No</b>	<b>W/34854</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	NEW FOUR BEDROOM DWELLING AT PLOT AT TREVAUGHAN LODGE, WHITLAND, SA34 0QP

<b>Applicant(s)</b>	CELTIC HOMES AND BUILDERS LIMITED - MR N JOLLEY, 3 RHYDFELIN, MILL LANE, NARBERTH, SA67 8QW
<b>Agent</b>	STEVE HOLE ARCHITECTS LLP - MR STEVE HOLE, 33 HIGH STREET, NARBERTH, SA67 7AS
<b>Case Officer</b>	Helen Rice
<b>Ward</b>	Whitland
<b>Date of validation</b>	14/12/2016

## CONSULTATIONS

**Whitland Town Council** – Object to the development on grounds that they believe the development will impact further on future flooding events in the town and particularly along Velfrey Road.

**Local Member** – Cllr S Allen has informed the Case Officer that she wishes to address the committee.

**Head of Transport** – Whilst objections to the scheme were initially raised on grounds of creating two separate accesses on the road, over-provision of car parking and insufficient visibility from the accesses, following the receipt of amended details for the proposals these objections were overcome, subject to the imposition of conditions relating to the provision of an appropriate access, parking, turning areas and adequate visibility.

**Land Drainage** – Has confirmed that they are satisfied with the surface water drainage proposals.

**Natural Resources Wales** – Following review of the submitted information and clarification of certain aspects, NRW offer No objections to the proposal on the basis of the submitted Flood Consequences Assessment (FCA) which confirms following further assessments and modelling that, despite being identified within the C2 flood zone of the adjacent Afon Cwm-Waun-Gron, the site would be located outside the flood zones and therefore the development would comply with A1.14 of TAN15. NRW advise that the access road into the site and the wider Trevaughan Lodge Road development is liable to flood with depths reaching 0.45m with velocities exceeding 0.45m/s. Furthermore, as the

development lies adjacent to the Afon Cwm-Waun-Gron, which is classified as a Main River, a Flood Risk Activity Permit would be separately required from NRW. They also confirm that they are satisfied from a biodiversity perspective that adequate buffer zones of 3m and 7m from the watercourse are illustrated as part of the development.

**Dwr Cymru/Welsh Water** – No objections to the development.

**Third Parties** – The application was the subject of notification by way of a site notice. 2no. representations were received as a result, both objecting to the development as follows:

- The area is prone to flooding from the stream that runs behind the land and development of the land will increase the flooding threat to adjacent properties and properties along Velfrey Road and Glendale Terrace;
- The area is prone to flash flooding affecting the field on the opposite bank of the river, properties along Glendale Terrace and the garden areas of 31 – 36 Trevaughan Lodge Road;
- The proposed dwelling would be liable to flood being extremely close to the stream;
- Any new dwelling on the land would be difficult to insure;
- The sewers have not been adopted in Trevaughan Lodge Road;
- NRW require access to the site to undertake works to the watercourse to prevent movement and further flooding;
- Developments on the Riverlea site would lead to further flooding;
- Off-road car parking is required.

## **RELEVANT PLANNING HISTORY**

W/02418	Siting of residential development – Outline planning refused	17 June 1999
D4/18548	Construction of ten houses Reserved matters granted	31 March 1996
D4/14125	Siting of housing estate for thirty three houses Outline planning permission	28 May 1987
D4/8110	Siting of residential development Refusal	16 April 1981
D4/3949	Residential development Refusal	9 January 1978

## **APPRAISAL**

### **SUBJECT TO SECTION 106 AGREEMENT**

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties and the recommendation is one of approval subject to a section 106 agreement and conditions.

## THE SITE

The application site lies within an established residential area within the settlement of Trevaughan to the south of Whitland. Trevaughan Lodge Road comprises a cul-de-sac development of 36 units comprising a mix of detached and semi-detached primarily two storey residential properties that were originally granted planning permission in the late 1980s. The application site itself is a vacant parcel of land located on the western side of the outside bend of the access road into the wider estate in between Nos. 35 and 36 Trevaughan Lodge Road. The site is bordered to the west by the Afon Cwm-Waun-Gron, to the east by the pavement alongside the estate access road and by the boundaries of the adjacent properties to the north and south. The site comprises unmanaged grassland with trees along the watercourse edge. The site is currently fenced off with a locked metal gate and thus there is no public access.

## THE PROPOSAL

The proposal seeks planning permission for the erection of a detached two storey four bedrooled property and detached garage orientated with its side elevation onto the road and thus its principal elevation facing south. Access to the site would be provided to the south of the proposed principal elevation along with a hardstanding courtyard area between the dwelling and the garage creating a parking and turning area. The property is proposed to be finished in facing brickwork, uPVC windows and doors and slate/fibre cement slates. Due to the proximity of the dwelling to the watercourse a 3m buffer zone from the back of the river is included that will be delineated by a 600mm fence. No development is to be allowed in this area including its use as a garden area and is rather to be left as natural corridor habitat. A 7m buffer zone is also included to delineate land within the proposed garden space that is to remain development free, other than for small areas of the proposed dwelling and garage as proposed. No further structures or buildings would be allowed in this area but it will form part of the garden area for the property. The majority of existing trees are to be retained with the exception of two willows which are proposed to be felled.

The application is supported by a Flood Consequences Assessment (FCA) that concludes whilst a thin band of the site along the watercourse edge would be affected both in a 1 in 100 year event and 1 in 1000 year event, the remaining development site where the dwelling is to be located would remain flood free and therefore is located within Zone A of the Development Advice Maps for Welsh Government's Technical Advice Note 15 (TAN15): Development and Flood Risk (2004). The 1 in 100 year flood level is approximately 19.0mAOD whereas the average ground level of the site is 19.16mAOD. The FCA recommends that finished floor levels should be set no less than 300mm above average site level i.e. at 19.46mAOD. The FCA does acknowledge that the existing estate road is liable to flood up to a depth of 0.45m and at a velocity of 0.45l/s. Furthermore, the FCA concludes that surface water run off can be discharged to the Afon Cwm-Gwaun-Gron without exacerbating flooding elsewhere.

The submitted Ecological Assessment for the site does not highlight any particular concerns and generally supports the provision of the buffer zones provided that they are protected during the construction phase and subsequently physically delineated on the land as indicated on the proposed plans. Recommendations for biodiversity enhancements are suggested such as bat and bird boxes along with appropriate timings of works to avoid disturbance to birds and enhancement areas for potential reptiles/amphibians.

## PLANNING POLICY

This application has been considered against relevant policies of the Carmarthenshire Local Development Plan (Adopted December 2014) ('the LDP') and other relevant Welsh Government Guidance. The application site lies within the settlement of Whitland as defined by the LDP and the following policies are of key relevance to the proposal:

**Policy SP1 Sustainable Places and Spaces** stipulates that proposals for development will be supported where they reflect sustainable development and design principles by concentrating developments within defined settlements, making efficient use of previously developed land, ensuring developments positively integrate with the community and reflect local character and distinctiveness whilst creating safe, attractive and accessible environments that promote active transport infrastructure

**Policy SP3 Sustainable Distribution Settlement Framework** seeks to concentrate development in sustainable locations within existing defined settlements such as identified growth areas, service centres, local service centres and other defined sustainable communities.

**Policy H2 Housing within Development Limits** stipulates that housing developments within existing settlements will be permitted provided that they are in accordance with the principles of the Plan's strategy, its policies and proposals.

**Policy AH1 Affordable Housing** states that a contribution towards affordable housing will be required for the net creation of one dwelling and for developments falling below the threshold of 5 dwellings a financial contribution is sought. This is equivalent to £77.58 per sqm of the internal floorspace of the proposed dwelling in this particular area. Such a contribution would be secured by way of a Legal Agreement that must be completed by all interested parties prior to the issuing of a decision in the event that a positive recommendation is put forward.

**Policy GP1 Sustainability and High Quality Design** is an overarching policy that seeks to achieve sustainable and high quality developments throughout the County that respect the existing character and appearance of the area in terms of siting, appearance, scale, height, massing, detailing, landscaping, materials and the amenity of local residents and other users and wider community.

**Policy TR3 Highways in Developments – Design Considerations** relates to the highway design and layout considerations of developments and states that proposals which do not generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted.

**Policy EQ1 Water Quality and Resources** states that watercourses will be safeguarded through biodiversity/ecological buffer zones /corridors to protect aspects such as riparian habitats and species, water quality and provide for floodplain capacity.

**Policy EQ4 Biodiversity** states that proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation (i.e. NERC & Local BAP, and other sites protected under European or UK legislation), will not be permitted unless satisfactory mitigation is proposed, and where exceptional circumstances where the reasons for

development outweigh the need to safeguard biodiversity and where alternative habitat provision can be made. Furthermore, **Policy EQ5 Corridors, Networks and Features of Distinctiveness** seeks to ensure that existing ecological networks, including wildlife corridor networks are retained and appropriately managed.

Other Welsh Government Guidance of particular relevance include:

Technical Advice Note 15 (TAN15): Development and Flood Risk (2004)

### **THIRD PARTY REPRESENTATIONS**

The key issue raised by third parties generally refers to flood risk, which by reason of the site's proximity to the adjacent watercourse is fully understood alongside evidence of historic flood events in the area. This matter has been addressed by the applicant through the submission of an FCA which has concluded that the majority of the application site lies outside the floodzone and that the proposed development itself would not exacerbate flooding elsewhere. These conclusions have been accepted by NRW who do not raise any objections to the development itself.

However, it is acknowledged that the existing estate access road, due to local ground level changes is at risk from flooding. TAN15 is the fundamental policy background against which developments which may be affected by flooding are assessed against. Section A.1.15 of the document provides indicative guidance on what is considered tolerable conditions in terms of flood depths and velocity for different types of developments. Whilst it is recognised that the depth of flood on the estate road is within the guidelines, the velocity of the flood exceeds the guideline.

However, given that NRW, along with colleagues within the Council's Land Drainage department, are satisfied that the proposed development itself would not exacerbate the existing flooding situation, it is not considered that the velocity of flood flows within the existing estate road which serves the remaining dwellings on the estate is not a reason for refusing this application. However, it is considered necessary to impose a condition requiring the submission of a Flood Management Plan prior to the commencement of development to ensure that both during the construction and operational phase, adequate measures are in place to ensure that occupiers of the site are aware of the potential for flooding and that adequate measures can be put in place in the interests of safety.

In terms of concerns raised regarding access to the watercourse, the site at present is locked and thus there is no public access. NRW's flood risk analysis team are aware of the application and raised no objections. Nevertheless, a separate flood risk permit will be required from NRW prior to development taking place.

The proposed development includes the provision of off-street parking and matters raised regarding drainage ownership are civil matters. Similarly concerns raised regarding house insurance is a matter for the applicant and is not a material planning consideration.

### **CONCLUSION**

The proposed development is considered acceptable in principle given its location within an established residential area within the defined settlement of Whitland. Whilst the design and orientation of the dwelling would differ from other properties within the estate, the overall appearance and relationship with the street scene would reflect no. 36 Trevaughan

Lodge Road to the north east. The overall scale of the property reflects existing detached dwellings within the site and therefore, it is not considered that the proposed development would have a detrimental impact upon the character and appearance of the area. Sufficient distances between the property and neighbouring dwellings is maintained so as to avoid an unacceptable impact upon residential amenity.

Flood Risk and drainage implications of the site are acknowledged but, having regard to the submitted FCA and comments received from NRW, the Council's Land Drainage Team and Dwr Cymru, it is felt that these issues are satisfactorily addressed to the point that a positive recommendation can be put forward. The FCA has demonstrated that the majority of the site, and certainly the proposed dwelling itself, lies outside the current flood zone and that the proposed development itself would not, according to the technical assessments, exacerbate flooding elsewhere. Issues regarding the flooding of the estate road remain unchanged from the existing and is an issue shared by the existing residents of the estate. The assessments put forward and agreed by NRW indicate that the development would not exacerbate the current situation. Nevertheless, a condition is recommended to require the submission of a Flood Management Plan prior to the commencement of development to ensure that adequate mitigation measures are in place in the event of a flood affecting the estate road both during the construction and operational phases of the development.

Whilst initial concerns were raised regarding highway safety, following amendments to the layout, including the deletion of a proposed secondary access point and car parking area, these concerns have been satisfactorily addressed subject to the imposition of conditions.

The proposal includes an appropriate response to the site's location adjacent to the watercourse with the provision of a fenced off no development or use 3m buffer zone and a no development 7m buffer zone to enable the biodiversity corridor to be maintained in its natural state and to avoid the erection of any further built form within 7m of the watercourse that could potentially disturb biodiversity. Various enhancement and mitigation measures are also proposed.

The proposal does attract the requirement for a contribution towards affordable housing, which in this location is equivalent to £77.58 per sqm of the internal floorspace. The applicant has confirmed that they are willing to enter into such an agreement pending confirmation that the recommendation to approve the development is agreed.

The application is therefore recommended for approval subject to the completion of a Unilateral Undertaking to secure a financial contribution towards affordable housing and subject to the conditions indicated below.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
  - 1:1250 scale Location Plan received 9 November 2016

- 1:200 scale Proposed Site Layout Plan (1817/02A) received 2 February 2017
- 1:100 and 1:50 scale Proposed Floor Plans and Elevations (1817/03A) received 9 March 2017
- Flood Consequences Assessment by Flood Risk Consultancy Limited (Report no. 2014-150-A) dated 5 December 2016 (excluding Appendix B)
- Ecological Assessment by One Planet Works (Report no. BS-044-061216) dated 8 December 2016 (excluding Appendix B)
- Tree Survey by Tree Solutions received 9 November 2016

- 3 Prior to the commencement of any other works, the 3m buffer zone from the top of the river bank along the entire western boundary of the development site shall be permanently fenced off by a 600mm fence as illustrated on the Proposed Site Layout Plan hereby approved. The 3m buffer zone shall remain undisturbed and free from any development and disturbance, including amenity space, footpaths or storage, during both the construction and operational phases of the development.
- 4 Prior to the commencement of development, a Flood Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall have regard to the findings of the Flood Consequences Assessment by Flood Risk Consultancy and include measures to ensure the safety of occupiers of the site during both the construction and operational phase of the development. The development shall be carried out in accordance with the approved details.
- 5 The new vehicular access shall be laid out and constructed strictly in accordance with Typical Layout No. 1 (specification for which is attached to this planning permission), prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.
- 6 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 7 Notwithstanding the details included on the submission documents, prior to their installation details and/or samples of the finishes and materials to be used on the external surfaces of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 8 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, amending and re-enacting that Order), no development of the types described in Schedule 2, Part 1, Classes A, D, E, and F other than that hereby approved, shall be carried out without the written permission of the Local Planning Authority.
- 9 The 7m buffer zone area located beyond the 3m buffer zone area as illustrated on the approved Proposed Site Layout Plan, shall remain free from any operational development other than that hereby approved.

- 10 The detached garage shall only be used for the purposes of parking in association with the dwelling hereby approved. The garage shall not at any time be converted into habitable accommodation.
- 11 The finished floor level of the dwelling hereby approved shall be set at 19.46mAOD.
- 12 Any access gates shall be set back a minimum distance of 5.0 metres from the highway boundary, and shall open inwards into the site only.

## **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.
- 3 In the interests of biodiversity
- 4 To ensure that adequate measures are in place in the event of a flood for the safety of occupiers and to reduce burden on emergency services.
- 5-6 In the interest of highway safety.
- 7 In the interests of visual amenity.
- 8 In the interests of visual amenity, flood risk and biodiversity.
- 9 In the interests of biodiversity.
- 10 To clarify the nature and extent of the development hereby approved.
- 11 To ensure that sufficient freeboard is maintained over and above current flood levels in the interest of safety of future occupiers.
- 12 In the interests of highway safety.

## **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.

- It is considered that the proposed development complies with Policies SP1, SP3, GP1, H2, AH1, EQ1, EQ4, EQ5 and TR3 of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') and Technical Advice Note 15 : Development and Flood Risk in that the site lies within the defined settlement of Whitland and thus residential development of the site is acceptable in principle. The proposed development is of a scale, design, appearance and siting that would not have a detrimental impact upon the character and appearance of the surrounding area. Sufficient distances, local topographical changes, building orientation, landscaping and privacy measures ensure that potential impacts upon neighbouring

amenity are minimised and adequate mitigation and enhancement measures are proposed to avoid potential impacts on biodiversity and existing trees. Sufficient assessments have been made to demonstrate that the property would not be at risk from flooding and would not exacerbate flooding elsewhere. The development would not have a detrimental impact on highway safety and a financial contribution towards affordable housing is secured by way of a Legal Agreement.

## NOTES

- 1 This permission is granted subject to a Legal Agreement for a financial contribution towards affordable housing provision.
- 2 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

- 3 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))

<b>Application No</b>	<b>W/35177</b>
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<b>Application Type</b>	Variation of Planning Condition(s)
<b>Proposal &amp; Location</b>	VARIATION OF CONDITION 2 OF PLANNING PERMISSION W/32611 (GRANTED 10/11/2015) TO ALLOW A DARKER BLUE COLOUR FOR EXTERNAL CLADDING MATERIALS AT 3 WAYSIDE, FERRY POINT, FERRY POINT ROAD, LLANSTEFFAN, CARMARTHEN, SA33 5EX

<b>Applicant(s)</b>	MRS IMOGEN CLOUT, 327 FULWOOD ROAD, SHEFFIELD, YORKSHIRE, S10 3BJ,
<b>Agent</b>	HAROLD METCALFE PARTNERSHIP - CERI EVANS, 32 SPILMAN ST, CARMARTHEN, SA31 1LQ
<b>Case Officer</b>	Stuart Willis
<b>Ward</b>	Llansteffan
<b>Date of validation</b>	23/02/2017

## CONSULTATIONS

**Llanstaffen and Llanybri Community Council** – Has not responded to date.

**Local Member** - County Councillor D B Davies is the vice-chair of the Planning Committee and has not made any prior comment.

**Neighbours/ Public** - The application has been publicised by the posting of a site notice and 2 responses have been received to date raising the following:

- Colour completely out of character for the area
- Majority of the 20 Chalets on site are Green or Brown, which is more in keeping to this Historical site
- Original colour was much lighter blue and blended in with the other chalets
- As it sits right in the middle and in the front of a cluster of chalets, your eye is drawn to it

## **RELEVANT PLANNING HISTORY**

The following planning application has previously been submitted on the application site:-

W/32611	Demolition of existing chalet and construction of new chalet on similar footprint Full planning permission	10 November 2015
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## **APPRAISAL**

**The application is as a result of investigations by the Planning Enforcement Team.**

## **THE SITE**

The application site is recently constructed chalet that is located within a series of units known as Ferry Point. Full planning permission for the construction of a replacement chalet was granted in 2015. The replacement showed one larger bedroom rather than the two previous small bedrooms, a living area and a bathroom within a slightly larger structure within the same sized curtilage. The area around the site has a number of holiday chalets / dwellings that have been built, replaced and refurbished over a number of years. The former chalet was a permanently constructed chalet of timber framed walls clad in corrugated metal sheeted cladding under a steel cladding roof. The site is located in an isolated position outside development limits near Llansteffan. The site is accessed off a narrow track leading from Ferry Point where there are a cluster of chalets. The chalets are well screened from most views outside of the immediate area.

## **THE PROPOSAL**

The application seeks to vary the original planning permission granted under W/32611. The approved plans referred to in condition 2 of the planning permission were annotated indicating that the external finishes would be plastic coated metal sheets of "Wedgewood Blue" and similar roof material coloured "Goosewing grey". The proposal seeks to vary the external materials of the walls. These are to be amended to a Kingspan Plastic Coated Metal Sheets coloured Sargasso. The application is retrospective as the building and materials are already in place.

## **PLANNING POLICY**

In the context of the current development control policy framework the site is located inside the defined development limits as contained in the adopted Carmarthenshire Local Development Plan Adopted December 2014.

Policy GP1 of the Local Development Plan (LDP) sets out the general requirements of the Local Planning Authority to ensure sustainability and high quality design through new development. In particular, that "it 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", "it would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community"

## **THIRD PARTY REPRESENTATIONS**

There has been 2 adverse representations received to date. The only alteration from the original approval relates to the external colour of the building. The objections received have related to the change in colour. The objectors feel that the colour used is not appropriate and that it does not fit with, or compliment, the character of the area. The previous and proposed colours are both blue although different shades. The colour used is a darker blue.

The chalets in the cluster are not of consistent appearance or colour. The previous building was green coloured and the approval was for a blue coloured replacement. While the blue colours used may not be found elsewhere in the cluster it is not felt that it is harmful to the character of the area. It should also be noted that there were no restrictions preventing the painting of the property and therefore the external appearance could have been altered at a later time.

## **CONCLUSION**

After careful consideration of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that on balance the proposal is acceptable.

As such the application is put forward with a recommendation of approval subject to the following conditions.

The consultation period expires on 22<sup>nd</sup> March and therefore a resolution for approval subject to no new material grounds being raised is sought.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

1. Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 10<sup>th</sup> May 2016.
2. The development hereby permitted shall be carried out in accordance with the following schedule of plans and documents, unless amended by any following conditions:-
  - 1:1250 & 1:500 scale Location and Block Plans, drawing number C/4486/1, received 6th August 2015;
  - 1:100 & 1:50 scale Existing Floor Plan and Elevations, drawing number C/4486/2, received 6th August 2015;
  - 1:100 scale Proposed Floor Plan, Elevations and Sections, drawing number C/4486/3, received 6th August 2015 except that the external walls shall be Kingspan Plastic Coated Metal Sheets coloured Sargasso
  - Design and Access Statement received 6th August 2015;
  - Justification Statement received 28th August 2015.

## **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt and to ensure that the development is implemented in accordance with the approved plans.

## **REASONS FOR GRANTING PLANNING PERMISSION**

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

- The proposal complies with Policy GP1 of the adopted LDP in that the proposals would be in keeping with the character of the area and would not adversely impact on the amenity of adjacent land uses, properties, residents or the community.

## **NOTES**

- 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.

**APPLICATIONS RECOMMENDED FOR REFUSAL**

<b>Application No</b>	<b>W/35171</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	ERECTION OF A LOG CABIN ADJACENT TO EXISTING BUILDINGS. FURTHER ACCOMMODATION IS REQUIRED FOR THE EXISTING HOLIDAY BUSINESS TO CATER FOR ADDITIONAL CAPACITY. THE ACCOMMODATION WILL BE ACCESSIBLE FOR WHEELCHAIR USERS AND THE LESS ABLE, THIS IS TO SUPPORT OUR BUSINESS MODEL TO PROVIDE HIGH QUALITY ACCESSIBLE ACCOMMODATION, WHICH IS DEFICIENT IN THIS AREA AT CREIGIAU BACH, LLANGAIN, CARMARTHEN, CARMARTHENSHIRE, SA33 5AY

<b>Applicant(s)</b>	MR DAVID VICKRIDGE, CREIGIAU BACH, LLANGAIN, CARMARTHEN, SA335AY
<b>Case Officer</b>	Stuart Willis
<b>Ward</b>	Llansteffan
<b>Date of validation</b>	23/02/2017

## CONSULTATIONS

**Llangynog Community Council** – Has not commented to date

**Local Member** - County Councillor D B Davies is the vice-Chair of the Planning Committee and has requested that the application be presented to the Planning Committee.

His reason for requesting the application to be placed before the Planning Committee is that the applicants' son, who has a disability, currently attends college studying travel and tourism. This proposal helps to protect and grow this opportunity for him with sustainable employment, and should be approved under the current tourism policy, as set out in the Local Development Plan.

**Neighbours/Public** - The application has been publicised by the posting of Site Notices with no responses having been received to date.

## RELEVANT PLANNING HISTORY

The following previous applications have been received on the application site:-

W/34798	This proposal is for the erection of a log cabin adjacent to existing buildings at Creigiau Bach. Additional accommodation is required for the existing holiday business to cater for additional capacity. The accommodation will be accessible for wheelchair users and the less able, this is to support our business model to provide high quality accessible accommodation, which is deficient in this area Full planning refused	24 January 2017
W/28191	Replacement of existing storage shed with new timber framed storage shed Full planning permission	6 June 2013
W/27973	Proposed cluster of ponds for biodiversity and in connection with existing holiday let Full planning permission	20 May 2013
W/23842	Construction of extension to replace former barn/piggery to form self catering holiday accommodation Full planning permission	15 February 2011
W/23035	Construction of extension to replace former barn/piggery to form self-catering holiday accommodation Full planning refused Appeal withdrawn	7 July 2010 3 March 2011
W/16418	Extension of existing dwelling rearward and to the side. Also reconnect cowshed to rear of property and extend to form a holiday self catering unit Full planning permission	19 July 2007
D4/21033	Change of use of outbuilding to residential unit Full planning permission	11 June 1991
D4/20280	Siting of retirement bungalow Outline planning refused	12 December 1990

## APPRAISAL

### THE SITE

The application site consists of dwelling and other buildings set approximately 2km south west of the village of Llangain. The site is accessed by way of a small country lane off the

B4312 road between Carmarthen and Llansteffan. The country lane leaves the B4312 in the vicinity of Llangain heading for Llangynog, and Creigiau Bach being some 100 metres along the track.

The site is located outside the development limits. An application was approved in 2007 to extend the dwelling and outbuildings and convert the existing structures in to holiday accommodation and as part of the existing dwelling (W/16418). There was also a new build 2 storey extension to the rear and side of the existing dwelling. During the course of construction works associated with the development the buildings to be converted collapsed. Subsequently an application was approved by Planning Committee in 2011 for the rebuilt development. Further permission have been given at the site for the use of ponds in association with the holiday let and also for a replacement shed.

An application for a 2 storey log cabin was refused at Planning Committee earlier this year. The refusal reasons related to sustainability and also the design/scale of the proposed cabin.

## **THE PROPOSAL**

The application seeks full planning permission for the erection of a log cabin. The cabin would be to the rear of timber shed recently constructed. There would be an extended track to access the new cabin.

The application is largely the same as the previous submission including the supporting details referred to below. The application has been amended to alter the design and scale of the proposal cabin itself.

The cabin is located 25m from the timber shed which is the nearest building and 47m from the existing holiday let. The structure would have timber walls with a largely glazed southern elevation. The roof would be covered with slate. It would be single storey and have 2 bedrooms. The building measures 9.7m by 10.7m at its maximum. The cabin would be 5.4m in height.

The application indicates that the new cabin would be additional accommodation in connection with the existing holiday business to cater for additional capacity. The accommodation is said to be accessible for wheelchair users and the less able, which the applicant states is the current business model with the one existing holiday let on site and ponds/recreation area.

The application indicates that the additional capacity will create further work for family members and help to augment an existing family enterprise. Reference is made to sustainable tourism, contributing to economic development, conservation and rural diversification.

The issues of sustainability was raised in the pre-application advice and were also part of the refusal reasons of the previous application due to the location of the site. Following the previous refusal the Development management Officer met the applicant to discuss possible options. A revised design was tabled which is the one that has been submitted. It was indicated that in principle the amended design was acceptable. The issue of sustainability however still remained.

The application makes reference to sustainability as before. It states that the applicant currently commutes to work elsewhere and the additional unit would enable them to work from home instead. The applicant feels this would outweigh any sustainability issues regarding travel/transport for those occupying the unit. The employment of a disabled family member is also referred to. Part of the business model is to accommodate people of different physical abilities. The applicant states that by the nature of their disability, travel to and from our accommodation is via private transport is inevitable. It is also stated that due to the size of the accommodation where private transport is used vehicles are generally fully occupied. The applicant also feels that facilities on site such as the gardens reduces the need for occupants to make day trips.

In relation to sustainability of the building they state that the building will be double glazed and fully insulated for conservation up to and beyond the required standard. Reference is also made to fallen wood for burning and the potential for PV electric panels to be placed on the roofs, although this is not shown on the plans of the cabin. Foul waste will be dealt with by the existing 'Bio-disc' mini sewage plant. Rain water is to be discharge in to the existing soakaway on the perimeter of the field.

The submission makes reference to what the applicant feels is a "comparable" planning application. This was for a single log cabin at Sylen Lake where policy EMP3 was referred to. Letters of support have also been provided with the application.

## **PLANNING POLICY**

In the context of the current development control policy framework the site is located outside the defined development limits as contained in the adopted Carmarthenshire Local Development Plan Adopted December 2014.

LDP Policy TSM1 is relevant to the proposal. This relates to Static Caravan and Chalet Sites and states that proposals for new static caravan and chalet sites will only be permitted within the Development Limits of a defined settlement (Policy SP3).

It also refers to proposals for the enhancement and extension of existing static and chalet sites stating they will only be permitted where the development will increase the vitality, sustainability and environmental quality of the site, it will not result in an unacceptable increase in the density of units and/or the overall scale of the site, it enhances the surrounding landscape and townscape and it provides (where appropriate) for the significant improvement of the overall quality, appearance and setting of the site.

Policy TSM4 Visitor Accommodation is relevant. This states that 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 GP1 of the Local Development Plan (LDP) sets out the general requirements of the Local Planning Authority to ensure sustainability and high quality design through new development. In particular, that "*it 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”, “it would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community” and “an appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality”.*

Policy TR3 Highways in Developments - Design Considerations outlines a number of matters to be considered included suitable access and parking and to ensure highway safety is not adversely affected for users of the roads/streets.

Policy SP1 Sustainable Places and Spaces states that proposals for development will be supported where they reflect sustainable development and design principles. This relates to a number of factors including by distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements; promoting, where appropriate, the efficient use of land including previously developed sites; integrating with the local community, taking account of character and amenity as well as cultural and linguistic considerations; respecting, reflecting and, wherever possible, enhancing local character and distinctiveness; creating safe, attractive and accessible environments which contribute to people’s health and wellbeing and adhere to urban design best practice; promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling; utilising sustainable construction methods where feasible; improving social and economic wellbeing; and protect and enhance the area’s biodiversity value and where appropriate, seek to integrate nature conservation into new development.

Policy SP2 Climate Change states that development proposals which respond to, are resilient to, adapt to and minimise for the causes and impacts of climate change will be supported. In particular proposals will be supported where they: adhere to the waste hierarchy and in particular the minimisation of waste; promote the efficient consumption of resources (including water); reflect sustainable transport principles and minimise the need to travel, particularly by private motor car; avoid, or where appropriate, minimise the risk of flooding including the incorporation of measures such as SUDS and flood resilient design; promote the energy hierarchy by reducing energy demand, promoting energy efficiency and increasing the supply of renewable energy; and incorporate appropriate climate responsive design solutions including orientation, layout, density and low carbon solutions (including design and construction methods) and utilise sustainable construction methods where feasible.

Policy SP3 Sustainable Distribution – Settlement Framework states that the provision for growth and development will be at sustainable locations in accordance with the Settlement Framework identified in the LDP.

Policy SP15 Tourism and the Visitor Economy states that proposals for tourism related developments and for appropriate extensions to existing facilities will be supported where they are in accordance with the locational hierarchy set out in the policy and are acceptable in terms of scale, type of development, siting and general impact:

- i. Within the development limits of Growth Areas and Service Centres - major tourism proposals, including high level traffic generators;

- ii. Within the development limits of Local Service Centres and Sustainable Communities – smaller scale proposals which reflect the character of the area which are appropriate in terms of size, scale and impact;
- iii. Open Countryside – small scale location specific developments that must satisfy policy TSM3, except where they are subject to the provisions of TSM2 and/or TSM5.

Extensions to existing facilities should be subordinate in scale and function to the existing facility and proposals that constitute substantive extensions should be construed as new development.

Policy TR3 Highways in Developments - Design Considerations states that the design and layout of all development proposals will, where appropriate, be required to include an integrated network of convenient and safe pedestrian and cycle routes (within and from the site) which promotes the interests of pedestrians, cyclists and public transport; suitable provision for access by public transport; appropriate parking and where applicable, servicing space in accordance with required standards; infrastructure and spaces allowing safe and easy access for those with mobility difficulties; required access standards reflective of the relevant Class of road and speed restrictions including visibility splays and design features and calming measures necessary to ensure highway safety and the ease of movement is maintained, and where required enhanced and provision for Sustainable Urban Drainage Systems to allow for the disposal of surface water run-off 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 amenity of residents will be permitted.

Proposals which will not result in offsite congestion in terms of parking or service provision or where the capacity of the network is sufficient to serve the development will be permitted. Developers may be required to facilitate appropriate works as part of the granting of any permission.

Policy EMP3 is “Employment – Extensions and Intensification”. This states that proposals for extensions and/or intensification of existing employment enterprises will be permitted provided that the development proposals are not likely to cause environmental damage or prejudice other redevelopment proposals, the proposal does not extend and/or intensify a use or activity that might result in adverse amenity issues, or may not be compatible, with neighbouring uses and that the development proposals are of an appropriate scale and form compatible with its location. Proposals for the expansion of existing rural enterprises will be supported subject to the above provisions and the policies and proposals of this Plan.

Technical Advice Note (TAN) 23: Economic Development (2014) is relevant as is Technical Advice Note (TAN) 14 : Tourism (1997) and Technical Advice Note (TAN) 6 : Planning for Sustainable Rural Communities.

In relation to Planning Policy Wales Chapter 11 (Tourism, Sport and Recreation), Chapter 7 (Economic Development) and Chapter 4 (Planning for Sustainability) are particularly relevant.

### **THIRD PARTY REPRESENTATIONS**

There have been no adverse representations received to date. The Local Member has requested the application be presented to the Planning Committee as the applicants' son, who has a disability, currently attends college studying travel and tourism. The Local Member feels this proposal helps to protect and grow this opportunity for him with sustainable employment, and should be approved under the current tourism policy, as set out in the Local Development Plan.

#### **Location of the site/sustainability**

The proposal was subject to pre-application advice before the original and this application where concerns were raised with the proposed development. The concerns centred on the location of the site being aware from any settlements and the sustainability issue this gives rise to.

The site is located outside of the development limits of any settlement. The distance from any services and facilities also a consideration. Llangain is the nearest settlement to the site which is approximately 2km from the site. There are some facilities in the settlement however these are limited to a public house. While there are recreation facilities in terms of the ponds/garden on site there are no other services or facilities. Therefore other than the possible future walkway or ponds it is likely that people would need to travel to access facilities. Members will be aware of a recent decision at Planning Committee relating to a RV site near Idole (W/33310). The application was refused due to the site not being considered to be in a sustainable location, not being accessible by foot and that it would be wholly dependent on motorised vehicles to access services and facilities. The roads at and near the site have no public footways either. The previous application refused earlier this year also included sustainability as a reason for refusal.

As has been referred to elsewhere there are no on site facilities for holiday makers and other than a public house no other facilities or services in the area. For example the nearest shops would be Llansteffan or Johnstown. It is acknowledged that the applicant aims to target those with disabilities and therefore this would be likely to require more journeys by vehicle than otherwise would be the case. However any planning permission will be for a holiday let and not specific to any particular users. Reference is made by the applicant to them being able to work from home rather than commute with the additional unit however again any permission would not be tied to particular members of staff.

The local member has referred to the applicant's son being employed at the site and the correlation with the course he is studying. The applicant has also referred to them being able to work from the site if this additional unit were approved. Further details are given later in the report regarding a breakdown of the employment. However the planning permission would not be specific to any particular employee and members of staff can change as can the ownership of the site.

The applicant feels that occupants are likely to travel in a single vehicle rather than multiple ones however again this is something that would not be able to be controlled by planning condition. Sustainability in terms of the building is referred to however this indicates that the building will be "up to and beyond" the required standards. No specific details are provided to show that the proposal would be significantly above the usual requirements.

There has been no change in relation to the above circumstances from the previous application which was refused on sustainability grounds.

### **Planning Policy Relevance**

The application has again referred to a decision at Sylen Lakes which they feel is comparable to the proposed scheme. The proposal was for a single log cabin and the approval made reference to Policy EMP3. This policy relates to the extension of existing employment enterprises. The LDP makes reference to what uses would fall use the “employment” category. The notes at 6.3.1 of the LDP state these are a “mix of B1, B2 and B8, and where appropriate, sui generis uses”.

The Sylen Lakes site has an extensive planning history. The site has fishing lakes and is a wedding venue and therefore there are existing commercial uses which are not related to the tourism policies of the LDP which make reference to accommodation. The proposed cabin at Sylen Lakes was linked to these other uses and to provide overnight accommodation which enhances these other elements of the business. It is also a former colliery site which has been restored with the lakes and has an aggregate business at the site as well. Therefore in that instance policy EMP3 “Employment – Extensions and Intensification” was considered the most relevant policy.

This proposal is for a new log cabin. The existing permissions at the site are for a single holiday let conversion/rebuild and ponds associated with the holiday accommodation. It is not an extension to an existing static caravan or chalet site and as such policy TSM1 would not be considered to be the most relevant policy. The additional unit would be considered as new build accommodation in connection with the existing accommodation and policy TSM4 “Visitor Accommodation” is most relevant. This states that any self-catering or serviced accommodation should only be permitted in the open countryside where it relates to a conversion of an existing building. This proposal does not relate to any conversion. The log cabin is therefore contrary to TSM4 of the LDP. This policy seeks to restrict new build accommodation to within settlement limits where they would have better access to services and facilities and support the sustainable settlement framework of the LDP.

### **Economic Considerations**

The type and level of impact that the proposal would have on the economy are matters that need to be considered.

Chapter 7 of Planning Policy Wales applies and was revised to strengthen the emphasis given to economic considerations and also clarifies economic development as development of land and buildings for activities that generate wealth, jobs and incomes. Economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism, and public services. It is clear from this statement that the Welsh Government regards tourism as major contributor to the Welsh economy.

It stresses the need for local planning authorities to give increasing weight to job creation, PPW states in Chapter 7:

7.6.1 Local planning authorities should adopt a positive and constructive approach to applications for economic development. In determining applications for economic land

uses authorities should take account of the likely economic benefits of the development based on robust evidence. In assessing these benefits, key factors include:

- the numbers and types of jobs expected to be created or retained on the site;
- whether and how far the development will help redress economic disadvantage or support regeneration priorities, for example by enhancing employment opportunities or upgrading the environment;
- a consideration of the contribution to wider spatial strategies, for example for the growth or regeneration of certain areas.

Chapter 11 specifically looks at tourism, sport and recreation and is therefore also relevant to the considerations of this application.

It states that *“Tourism is vital to economic prosperity and job creation in many parts of Wales. It is a significant and growing source of employment and investment, based on the country’s cultural and environmental diversity. Tourism can be a catalyst for environmental protection, regeneration and improvement in both rural and urban areas”*. (11.1.1)

It goes on to say that *“Tourism involves a wide range of activities, facilities and types of development throughout Wales. The planning system should encourage sustainable tourism in ways which enable it to contribute to economic development, conservation, rural diversification, urban regeneration and social inclusion, recognising the needs of visitors and those of local communities. In addition to supporting the continued success of existing tourist areas, appropriate tourist-related commercial development in new destinations, including existing urban and industrial heritage areas, should be encouraged”*. (11.1.4)

In 11.1.7 PPW says that *“In rural areas, tourism-related development is an essential element in providing for a healthy, diverse, local and national economy. It can contribute to the provision and maintenance of facilities for local communities. Here too development should be sympathetic in nature and scale to the local environment and to the needs of visitors and the local community”*. And goes on at 11.1.9 to state that *“Development for tourism, sport and leisure uses should, where appropriate, be located on previously developed land. The sensitive refurbishment and re-use of historic buildings presents particular opportunities for tourism and leisure facilities”*.

TAN6 relates to sustainable rural communities and again is a consideration of the proposal. Paragraph 3.1.1 highlights that *“Strong rural economies are essential to support sustainable and vibrant rural communities. A strong rural economy can also help to promote social inclusion and provide the financial resources necessary to support local services and maintain attractive and diverse natural environments and landscapes”*.

It is not felt that the proposal complies with the relevant LDP policies. Therefore these concerns need to be balanced against any economic benefits of the development.

In updating economic development planning policy the Welsh Government recognised that there was also a requirement for a Technical Advice Note to provide further detail. TAN23 Economic Development was issued in 2014.

The TAN states that *“Where economic development would cause environmental or social harm which cannot be fully mitigated, careful consideration of the economic benefits will be*

*necessary. There will of course be occasions when social and environmental considerations will outweigh economic benefit. The decision in each case will depend on the specific circumstances and the planning authority's priorities". (2.1.2)*

*In relation to the rural economy the TAN says "There are two kinds of special contribution that are particularly relevant to rural development. Firstly, an economic development could make communities more sustainable, by improving the alignment of housing and jobs, encouraging people to work close to home. Secondly, the needs of established businesses or clusters may be very specific. When businesses expand or modernise, they may need to do so in situ; it may be highly inefficient or impracticable for them to relocate to a sequentially preferable site. Similarly new businesses aiming to join existing clusters may need to be close to existing businesses if they are to derive the benefits."*

The TAN requires local planning authorities to assess the economic benefit associated with allocating sites and determining planning applications for economic development. Where a planning authority is considering a site allocation or planning permission that could cause harm to social and environmental objectives the TAN proposes an approach where three questions that should be asked -

- Are there alternative sites for the proposal?
- How many direct jobs will result from the proposal?
- And would such a development make a special contribution to policy objectives?

in order to help balance the economic, social and environmental issues.

Alternatives: If the land is not made available (the site is not allocated, or the application is refused), is it likely that the equivalent demand could be met on a site where development would cause less harm, and if so where?

The TAN cites an example of where some existing firms may not be able to grow unless they are allowed to expand on their existing site, or close to it. Before concluding that 'there is no alternative' local planning authorities are encouraged to try to assess whether competing firms, serving the same markets, could generate the same development and jobs.

The site is located in rural Carmarthenshire. There are other tourist sites in the wider area. The application makes reference to the accommodation being suitable for disabled access and this being a feature of the site. The details provided by the applicant indicate that in terms of accommodation identified as suitable for wheel chair use the nearest are 2 and 7 miles from Carmarthen and the other 7 suitable properties are between 14 and 20 miles away. Any approval would be for holiday accommodation and it would not be possible to impose a condition limiting the use of the building to any specific occupants. In terms of overall tourism accommodation it is not felt that there is any specific shortage of such accommodation in the County. While it is the applicants desire to expand the existing site this does not imply that any extension is acceptable or that any economic benefits imply a development is appropriate. In relation to economic benefits the application indicates that facilities on site mean there would be little need for those staying at the site to visit other locations.

Jobs accommodated: How many direct jobs will be based at the site?

This provides a rough-and-ready measure of a development's contribution to the wider economy. Economic growth is worthwhile wherever it is located, and in the interests of economic growth the planning system should generally aim to provide land where there is demand for it. There may be good reasons why jobs in some places are even more worthwhile than in other places. The third test below deals with this.

Details were provided by the applicant in the previous application that the current duties for the applicant's son include:

- Grounds maintenance.
- Minor building maintenance and repair.
- Cleaning internally and externally.
- Introduction to customer interface/support.

These comprise 16hrs per week of work it is estimated. Further labour of approximately 10hrs per week is also said to be employed on site supplementing these activities.

It is indicated that there are currently 2 part time staff and that if approved the proposal would relate to 2 permanent staff and 1 part time.

The applicant indicates that the proposal gives them the opportunity to expand the business sufficiently so they will be fully employed in managing and having the time to promote the business.

Therefore while any employment is beneficial, the development would not provide significant increases in employment. Comments made by the local member refer to the personal circumstances of the applicant and their family. It should again be noted that the planning permission will be for the site and not relate to any individuals.

Any employment is welcomed however this needs to be balanced against any harm the development would cause. It is not felt that the proposal would provide significant benefits in terms of job creation to outweigh the harm. There has been no change in relation to this since the original submission and refusal at Planning Committee.

Special merit: Would the development make any special contribution to policy objectives?

Such policy contributions may relate to the objectives listed in PPW, or to more general policy objectives set out elsewhere in PPW and Chapter 11 of PPW is particularly relevant in this case

Tourism is an important element of the economy in Carmarthenshire however the site is not one that is unique. There is a single existing unit of accommodation on the site which was approved following the collapse of a previously approved barn conversion. The proposal is now for a log cabin as a second unit of accommodation. While economic development is an important consideration it is not felt that this scheme provides any significant or unique benefits or any justification for overriding the concerns raised here and in the previous application. Such proposals could be easily repeated elsewhere.

Therefore it is not felt that the refusal of the application would be to the detriment of the wider economy or tourism in the area.

## **Design and Appearance**

The previous proposal was for a 2 storey log cabin. The scale and design of the cabin formed part of the refusal reasons for the previous application. This resubmission has amended the design of the cabin. It has been reduced in height by approximately 1m and is now single storey. The footprint has increased however the appearance from 3 of the elevation is more in keeping with the other buildings on site. It is felt that the changes have addressed the previous concerns and that the amended design is not a matter to warrant refusal of the application.

## **Other Matters**

In relation to noise, impacts on amenity and traffic it is not felt that there are concerns. The site is located sufficient distance from any other properties that noise and disturbance should not be an issue. In terms of traffic while the location of the site and sustainability are concerns it is not felt that level of traffic would be detrimental to highway safety.

## **CONCLUSION**

After careful consideration of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that on balance the proposal is not acceptable.

As such the application is put forward with a recommendation of refusal for the following reasons.

## **RECOMMENDATION – REFUSAL**

### **REASONS**

- 1 The proposal is contrary to Policy TSM4 “Visitor Accommodation” of the Carmarthenshire Local Development Plan:-

#### **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.

In that:

- The proposal would go against the principle of distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements. The site is located outside of development limits and is distant from many services and facilities. Due to location

of the site and the nature of the route between the site and the nearest settlements, services and facilities the journeys to and from the site to would heavily reliant on private transport and therefore be unsustainable. The site is not in a sustainable location accessible by foot and would be wholly dependent on motorised vehicles to access services and facilities.

- 2 The proposal is contrary to Policy SP1 “Sustainable Places and Spaces” of the Carmarthenshire Local Development Plan:-

### **SP1 Sustainable Places and Spaces**

Proposals for development will be supported where they reflect sustainable development and design principles by:

- a. Distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements;
- b. Promoting, where appropriate, the efficient use of land including previously developed sites;
- c. Integrating with the local community, taking account of character and amenity as well as cultural and linguistic considerations;
- d. Respecting, reflecting and, wherever possible, enhancing local character and distinctiveness;
- e. Creating safe, attractive and accessible environments which contribute to people’s health and wellbeing and adhere to urban design best practice;
- f. Promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling;
- g. Utilising sustainable construction methods where feasible;
- h. Improving social and economic wellbeing;
- i. Protect and enhance the area’s biodiversity value and where appropriate, seek to integrate nature conservation into new development.

In that:

- The proposal would go against the principle of distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements. The site is located outside of development limits and is distant from many services and facilities. Due to location of the site and the nature of the route between the site and the nearest settlements, services and facilities the journeys to and from the site to would heavily reliant on private transport and therefore be unsustainable. The site is not in a sustainable location accessible by foot and would be wholly dependent on motorised vehicles to access services and facilities.

- 3 The proposal is contrary to Policy GP1 “Sustainability and High Quality Design” of the Carmarthenshire Local Development Plan:-

### **Policy GP1 Sustainability and High Quality Design**

Development proposals will be permitted where they accord with the following:

- a. It 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;
- b. It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;
- c. Utilises materials appropriate to the area within which it is located;
- d. It would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community;
- e. Includes an integrated mixture of uses appropriate to the scale of the development;
- f. It retains, and where appropriate incorporates important local features (including buildings, amenity areas, spaces, trees, woodlands and hedgerows) and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity;
- g. It achieves and creates attractive, safe places and public spaces, which ensures security through the ‘designing-out-crime’ principles of Secured by Design (including providing natural surveillance, visibility, well-lit environments and areas of public movement);
- h. An appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality;
- i. It protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment;
- j. It ensures or provides for, the satisfactory generation, treatment and disposal of both surface and foul water;
- k. It has regard to the generation, treatment and disposal of waste;
- l. It has regard for the safe, effective and efficient use of the transportation network;
- m. It provides an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all;

- n. It includes, where applicable, provision for the appropriate management and eradication of invasive species.

Proposals will also be considered in light of the policies and provisions of this Plan and National Policy (PPW: Edition 7 and TAN12: Design (2014)).

In that:

- The proposal would go against the principle of distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements. The site is located outside of development limits, and is distant from many services and facilities. Due to location of the site and the nature of the route between the site and the nearest settlements, services and facilities the journeys to and from the site to would heavily reliant on private transport and therefore be unsustainable. The site is not in a sustainable location accessible by foot and would be wholly dependent on motorised vehicles to access services and facilities.