

**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 15 TACHWEDD 2018  
ON 15 NOVEMBER 2018**

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

***Ardal  
Gorllewin/  
Area West***



**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>15 NOVEMBER 2018</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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<b>W/37518</b>	<b>Variation of Condition 2 of W/35339 to amend height of house to enable attic space to be used as a snooker room for personal use at plot adjoining, Cwm Parc, Peniel, Carmarthen, SA32 7HT</b>
<b>W/37871</b>	<b>Erection of blue plaque on front facade to commemorate Alice Abadam (1856 -1940) at Porth Angel, 26 Picton Terrace, Carmarthen, SA31 3BX</b>

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL
W/35898	Construction of commercial garage/workshop for Sarnau Motors at field adj. Hafod Bakery, Llysonnen Road, Bancyfelin, Carmarthen
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<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>
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<b>Application No</b>	<b>W/37518</b>
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<b>Application Type</b>	Variation of Planning Condition(s)
<b>Proposal &amp; Location</b>	VARIATION OF CONDITION 2 OF W/35339 TO AMEND HEIGHT OF HOUSE TO ENABLE ATTIC SPACE TO BE USED AS A SNOOKER ROOM FOR PERSONAL USE AT PLOT ADJOINING, CWM PARC, PENIEL, CARMARTHEN, SA32 7HT

<b>Applicant(s)</b>	MR WYN THOMAS, 3 CLOS Y FFYNNON, WELLFIELD ROAD, CARMARTHEN, SA31 1DU
<b>Agent</b>	HAROLD METCALFE PARTNERSHIP - CERI EVANS, 32 SPILMAN ST, CARMARTHEN, SA31 1LQ
<b>Case Officer</b>	Ceri Davies
<b>Ward</b>	Abergwili
<b>Date of validation</b>	12/07/2018

## CONSULTATIONS

**Abergwili Community Council** – Has objected to this application and the following planning material considerations made by the Community Council are noted:-

- Non-compliance with approved plans;
- Concerns over the significant increased height of the house to accommodate a third floor snooker room, which was not included in the first application;
- Numerous changes in the number, size and positions of windows and an additional door;
- Non-compliance issues noted suggest a negative effect on the neighbourhood;
- The increased height of the house has an adverse visual impact in that its present height currently dominates and overlooks the landscape and surrounding residential properties.

**Local Member** – County Councillor Dorian Williams asked for this planning application to be considered by the Planning Committee and has made the following representations:-

- Non-compliance with approved plans;
- Significant concerns over increased height;
- Numerous changes to number, size and positions of windows;
- Negative effect on local amenity.

**Neighbours/Public** – Neighbouring properties were made aware of this application by the erection of a site notice near the entrance to the site. To date 11 emails/letters of representation have been submitted from objectors making mention of the following concerns:-

- Scale/size of the dwelling as built;
- Increase in overall height of dwelling;
- Visual impact of the dwelling as built on the immediate and wider locality;
- Negative impact on adjacent properties;
- Over-bearance;
- Over-looking & loss of privacy;
- Contravention of approved plans i.e. scale/height/fenestration;
- Removal of trees;
- Lack of enforcement action by the Local Planning Authority;
- Loss of view.

## **RELEVANT PLANNING HISTORY**

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

W/35339	Construction of a dwelling and garage Full planning permission	24 May 2017
W/17138	1 dwelling house & garage Reserved Matters granted	24 October 2007
W/11224	Residential development – 1 plot Outline planning permission	30 January 2006

## **APPRAISAL**

**This application is being reported to committee at the written request of the local member for the Abergwili ward. The request has been accompanied by material planning reasons. This application has been submitted following an enforcement investigation undertaken by the Authority's Enforcement Section.**

## **THE SITE**

The application site consists of a dwelling currently under construction on a building plot on the northern outskirts of the village of Peniel, just north of Peniel House Care Home. The site lies approximately 200 metres west of the A485 trunk road. The plot lies to the rear of a number of residential properties fronting onto Trefynys Road which is an unclassified road (U2097) that links the villages of Peniel and Bronwydd. Access to the application site is gained via a single width track directly off Trefynys Road.

The residential properties in close proximity include Brynhawddgar which is a two storey detached dwelling; the garden area associated with Brynhawddgar backs onto the application site; the property also consists of quite a substantial structure at the rear which is currently utilised as an ancillary form of accommodation. Brynhawddgar lies immediately west of the access road serving the application site. The property to the east of the said access is also a two storey detached property known as Cwm Parc Farm; the said property has recently been sub-divided into two residential units, again the garden area associated

with Cwm Parc Farm back onto the application site however there is a large former agricultural outbuilding at the rear boundary. To the north-east of the application site are the complex of buildings associated with Coombe Park Stables; whilst to the south-east is the aforementioned Peniel House Care Home. The land to the north and west of the application site consists of pastureland.

The dwelling in question is substantially completed; the external shell of the house including the roof has been constructed, the external walls have been partly rendered, however it was noted at the time of the last site inspection that the majority of the external blockwork remains exposed. Internally, the majority of walls/partitions have been plastered and works have started on the first electrical fix. Scaffolding around the house remains in situ.

## **THE PROPOSAL**

This application is retrospective in nature and seeks to Vary Condition No. 2 attached to full planning permission W/35539 to retain the dwelling as built in its amended form. The main alterations include the increase in ridge and eaves height of the dwelling; other amendments are predominantly to the fenestration which involves the insertion of additional windows and roof-lights on various elevations as well as changes to the actual sizes of various windows.

## **PLANNING POLICY**

The principle of residential development at this location has been firmly established through the granting of the previous W/35339 planning permission back in May 2017. The development plan for the purposes of Section 38 (6) of the Planning and Compulsory Purchase Act (2004) is the Carmarthenshire LDP, adopted back in December 2014, with regard to which, Policies H2 and GP1 are particularly relevant.

Policy H2 of the Carmarthenshire LDP allows for new housing development within Development Limits.

Policy GP1 of the Carmarthenshire LDP sets out the general criteria for all types of new development proposals in the plan area.

## **THIRD PARTY REPRESENTATIONS**

To date 11 emails/letters of representation have been submitted from objectors making mention of the following concerns:-

The main areas of concern are summarised as follows:-

- Scale/size of the dwelling as built;
- Increase in overall height of dwelling;
- Visual impact of the dwelling as built on the immediate and wider locality;
- Negative impact on adjacent properties;
- Over-bearance;
- Over-looking & loss of privacy;
- Contravention of approved plans i.e. scale/height/fenestration;
- Removal of trees;
- Lack of enforcement action by the Local Planning Authority;
- Loss of view.



## CONCLUSION

With regard to the concerns raised by objectors, in the first instance it is acknowledged by the Authority that the dwelling as built is higher than that previously approved under the original planning permission, W/33539. The increase in height is clearly evident from site inspections undertaken by the Authority, together with the revised plans submitted by the agent/applicant and photographic evidence submitted by objectors. Furthermore, it is clear that as well as the increase in ridge and eaves height, the fenestration has been altered, this includes primarily the insertion of additional windows and roof-lights on various elevations as well as changes to the actual sizes of various windows.

The overriding concern of neighbours is the increase in height and the visual harm that has been caused by increasing the overall height and mass of the dwelling. As this application is retrospective in nature it has allowed the authority to gauge the visual impact of the development as built on not only adjacent properties but on the wider locality.

Establishing the precise increase in height remains somewhat inconclusive as it is clear that the site has been extensively cleared and ground levels have changed to facilitate the development, hence original ground levels cannot be firmly established owing to the extent of site clearance works that have occurred to date. Based on the submitted plans and crude measurements taken by officers on site, the authority is satisfied that the height of the dwelling has been raised by at least 0.6 metres and potentially 1.0 to 1.2 metres.

From the plans submitted, what we do know is that the ridge height of the dwelling approved under the original planning permission was 8.72 metres and the eaves height was 5.06 metres; those measurements based on the finished floor levels (FFL) of 117.40 OD. In contrast the plans submitted as part of this application show a ridge height of 9.25 metres and a eaves height of 6.1 metres, again these measurements are based on the finished floor levels (FFL) of 117.40 OD. Manual measurements taken by officers show the ridge height to be 9.61 metres and the eaves height to be 6.61 metres, however these measurements were not based on finished floor levels but rather on existing ground levels immediately adjacent to the dwelling house. Whilst certain third parties consider the height increase to be as much as 1.5 metres, no clarification has been provided as to what these measurements are based on i.e. finished floor levels or existing ground levels. Notwithstanding the aforementioned, it cannot be disputed that the height of this dwelling has now increased between 0.6 and 1.0 metres.

What the Authority has to consider in this instance is whether or not the nature of the alterations made to the approved plans, in particular the increased height, will have a significant detrimental impact on the immediate or wider locality and to such an extent as to warrant refusal; this on the basis that the development is now considered unacceptable and is at odds with relevant local plan policy. In assessing this alteration, it is considered that whilst the increase in height does make the dwelling more visually prominent for the occupiers of Bryn Hawddgar and Cwm Parc Farm, the separation distance between the new dwelling and those properties does not lead to an unacceptable loss of light or over-shadowing. It is considered the development in its amended form does not have an unacceptable over-bearing effect on Bryn Hawddgar or Cwm Parc Farm, again by virtue of the separation distance and the presence of substantial outbuildings within the gardens of both Bryn Hawddgar and Cwm Parc Farm. The said outbuildings clearly act as a screen for the occupiers of the aforementioned properties and whilst it is acknowledged that the increased ridge height of the new dwelling makes it more visible and prominent when viewed

from the Bryn Hawddgar and Cwm Parc Farm, it does not lead to unacceptable over-bearance.

It is noted that the dwelling as built is significantly higher than the two existing dwellings to the south, namely, Bryn Hawddgar and Cwm Parc Farm, however it is also noted that the dwelling as built is actually lower than the nearby Peniel House Care Home which is a substantial building, hence whilst there is no denying that this development has a visual impact, that impact is localised and does not have a wider adverse impact.

The authority has to establish as to whether or not the house as built in its revised form is deemed excessive in height and mass for a stand-alone dwelling at this semi-rural location. In addressing concerns over visual impact, Policy GP1 stipulates that the siting and design of proposed developments should have full regard to the physical character and topography of the site by avoiding conspicuous locations on prominent skylines or ridges; avoiding locations that would have an adverse visual impact on landscapes and the general locality and ensuring the height of any new building is in scale with adjoining buildings.

For that purpose, in evaluating the policy requirements along with the concerns of neighbours and whilst also having the opportunity to gauge the visual impact of the dwelling as it is substantially complete, it is considered the dwelling in its revised form does not result in a development which is of an inappropriate scale and mass at this location. Whilst due regard has to be given to the two nearest dwellings which are of a modest scale and size, due regard also has to be given to the host building associated with Peniel House Care Home which is greater in height and mass. From the A485, the care home is readily visible as is the adjacent agricultural shed, as such, it is considered the dwelling as built, does not represent a visual intrusion at this location as it sits comfortably within the context of existing grouping of buildings at this location. Whilst the site does represent a semi-rural location, it does lie at the edge of the settlement and therefore sits comfortably within the edge of settlement built form associated with the village of Peniel. The dwelling therefore does not represent an inappropriate conspicuous form of development when viewed from the wider locality.

The Authority concludes that whilst the dwelling is large, it does not have a domineering effect on adjacent properties; furthermore, owing to the separation distance between the new dwelling and existing dwellings, it does not have an unacceptable over-bearing effect on adjacent properties.

It is argued by third parties that a three storey dwelling at this location appears at odds with the architectural integrity and general character of the immediate area; it is accepted that the village of Peniel is made up primarily of single and two storey dwellings. It is also acknowledged that the insertion of a gable window at second floor does render the dwelling three storey in nature. Members will be mindful that the conversion or adaption of attic spaces to facilitate additional habitable accommodation is common practise and represents sustainable or good use of under-utilised space. Indeed, more often or not an attic conversion, which does not include external alterations to the height of a roof can be undertaken without the need to apply for planning permission. It is acknowledged in this instance therefore that the applicant is entitled to utilise the large attic space to form additional habitable accommodation and there is of course logic in undertaking the works during the house-build rather than retrospectively. Notwithstanding the aforementioned, it is clear that to accommodate the use of the attic, the applicant has had to increase the ridge height to provide adequate head-room. It was noted from a closer site inspection that the nearby Peniel House Care Home has also made use of the third floor.

With regard to alterations to fenestration, owing to the separation distance between the new dwelling and existing dwellings, the Authority is satisfied that the insertion of additional windows in various elevations will not lead to an unacceptable level of overlooking or loss of privacy for the occupiers of adjacent residential properties. The insertion of three roof-lights in the front elevation roof could potentially lead to an element of overlooking, hence the authority deems it necessary to impose a condition ensuring these three roof-lights are non-opening windows and retained as such thereafter in perpetuity. This it is considered will serve to safeguard the privacy and amenity of nearby occupiers. In general, alterations to fenestration are considered to be cosmetic in nature and it is concluded that the insertion of additional windows along with the re-positioning, and re-sizing of various windows does not make this development unacceptable.

Third parties have raised concern over lack of enforcement action undertaken by the authority, however this application was submitted following an enforcement investigation. Whilst the applicant has continued with building works, any enforcement proceedings have been held in abeyance pending the outcome of this planning application.

Members will of course be mindful that concern over loss of view is not a sustainable material objection to a planning application.

In conclusion, having considered all the objections raised by third parties, due regard has to be given to the fact that planning permission has already been granted for a substantial dwelling at this location, hence it was deemed at the time of the granting of the original planning permission that the said dwelling was of a size, scale and design in-keeping with the character of the surrounding environs and did not have an adverse effect upon the amenities of adjoining land or properties.

Whilst the principle of the development cannot be re-visited at this juncture, the Authority has considered carefully the impact of the increase in the height, scale and mass of the dwelling at this location. In its consideration of this increase, the authority is satisfied that the visual impact on the wider area does not make this development unacceptable. In terms of policy consideration and following a closer site inspection, it is considered the scale of the building in its amended form is not unacceptable at this location; it is considered the dwelling in its amended form will not have a significant negative impact on the visual amenity of the wider area or the residential amenity of the nearest dwellings.

On balance, it is considered the increase in the height of the dwelling does not cause undue harm to the character and appearance of the surrounding locality to such an extent as to warrant refusal; in the absence of any other sustainable reason for refusal, it is considered the proposal accords with the general requirements of Policy GP1 of the Local Development Plan, as such, the application is put forward with a recommendation for approval.

## **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 12<sup>th</sup> July 2018.

- 2 The development shall be carried out in accordance with the following approved plans and documents:-
- Location Plan – 1:1250 scale received on 4<sup>th</sup> July 2018;
  - Block Plan – 1:500 scale received on 4<sup>th</sup> July 2018;
  - Elevations (as built) – 1:100 scale received on 10<sup>th</sup> August 2018;
  - Section (as built) – 1:50 scale received on 10<sup>th</sup> August 2018;
  - 1:50 scale First Floor (C/4574/2A) received on 23<sup>rd</sup> February 2017;
  - 1:50 scale Ground Floor (C/4574/1A) received on 23<sup>rd</sup> February 2017;
  - 1:100 and 1:50 scale Floor Plan (C/4574/5) received on 23<sup>rd</sup> February 2017;
  - Arboricultural Method Statement received on 23<sup>rd</sup> February 2017;
  - 1:200 scale Block Plan (based on topo survey) received on 20<sup>th</sup> March 2017;
  - Surfacing Material Details received on 3<sup>rd</sup> May 2017.
- 3 The vehicular access into the site shall at all times be left open, unimpeded by gates or any other barrier.
- 4 There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole U2097 Road frontage within the red line application site as delineated on the 1:1250 scale Location Plan received on 23<sup>rd</sup> February 2017 metres of the near edge of the carriageway.
- 5 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.
- 6 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 7 The shared private drive shall be hard surfaced for a minimum distance of 10.0 metres behind the highway boundary in tarmac. The hard surfacing shall be fully carried out prior to any part of the development approved herewith being brought into use.

## **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.
- 3-7 In the interest 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 Policy H2, GP1, AH1 and TR3 of the adopted Local Development Plan in that the built form of the development is within the settlement limits, the design, layout and scale of the development do not give rise to significant detrimental impacts in terms of highway, ecological, amenity, landscape or utility concerns subject to the conditions recommended. Sufficient provision towards affordable housing subject to a legal agreement/payment.

## NOTES

- 1 A payment for the contribution towards affordable housing was made prior to the issuing of the W/35449 planning permission decision notice for a sum of £21,037.66.
- 2 The planning permission hereby granted is subject to a further Unilateral Undertaking between the landowner and Carmarthenshire County Council signed under the provisions of Section 106 of the Town and Country Planning Act 1990, to give effect to a commitment to the following:-
  - A financial contribution, which equates to £67.08 per square metre towards the provision of affordable housing in the County area, in accordance with Policy AH1 of the Carmarthenshire LDP.
- 3 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.

- 4 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)).

<b>Application No</b>	<b>W/37871</b>
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<b>Application Type</b>	Listed Building
<b>Proposal &amp; Location</b>	ERECTION OF BLUE PLAQUE ON FRONT FACADE TO COMMEMORATE ALICE ABADAM (1856 -1940) AT PORTH ANGEL, 26 PICTON TERRACE, CARMARTHEN, SA31 3BX

<b>Applicant(s)</b>	SECRETARY,CARMARTHEN CIVIC SOCIETY - HUW IORWERTH, ARFON, THE GREEN, LLANSTEFFAN, SA33 5LW
<b>Agent</b>	MR TREFOR THORPE, 37 PARC-Y-DELYN, CARMARTHEN, SA31 1TS
<b>Case Officer</b>	Paul Roberts
<b>Ward</b>	Carmarthen West
<b>Date of validation</b>	02/10/2018

## CONSULTATIONS

**Carmarthen Town Council** – Have not commented on the application to date.

**Local Members** – County Councillor E Schiavone has raised no objection to the proposal while County Councillor A Speak has not commented on the application to date.

**Neighbours/Public** – The application has been publicised with the posting of a site notice within the vicinity of the application property as well as a press notice in the local newspaper. In response, no third party letters of representation have been received to date.

## RELEVANT PLANNING HISTORY

There is no relevant planning history on the application site.

## APPRAISAL

### THE SITE

The application site consists of an end of terrace two storey dwelling located adjacent to the junction of Picton Terrace with Picton Place in Carmarthen. The dwelling is known as ‘Porth Angel’ and is a Grade II Listed building being a prominent corner house of late Georgian origins. It is a double fronted dwelling with traditional bay window features flanking a central door opening. The property is located within the wider Picton Terrace/Penllwyn Park

Conservation Area which includes a number of other listed buildings most notably along Picton Terrace.

## **THE PROPOSAL**

The application has been submitted by the Carmarthen Civic Society and seeks Listed Building Consent for the installation of a commemorative blue plaque to the front façade of the dwelling. The plaque is to be of a circular bilingual design with a 15 inch diameter and is to commemorate the life of Alice Abadam who was one of Carmarthen's most distinguished women activists during the women's suffrage movement of the late 19<sup>th</sup> and early 20<sup>th</sup> century and who lived in the property between 1886 and 1904. It is to be installed on the left hand side of the front of the dwelling so as to be visible and accessible from the adjacent footway.

The application has been accompanied by a heritage impact assessment which provides an assessment of the impact of the proposal upon the historical significance and character of the dwelling.

## **PLANNING POLICY**

In the context of the current development control policy framework the following policies of the Carmarthenshire Local Development Plan (LDP) are of relevance to the proposal.

Policy SP13 of the Plan requires that proposals should preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets and where appropriate, their setting. The policy states that proposals relating to, amongst others, Listed Buildings will be considered in accordance with national guidance and legislation and be expected to promote high quality design that reinforces local character and respects and enhances the local setting and the cultural and historic qualities of the plan area.

This policy is reinforced by the objectives of Policy EQ1 of the Plan which permits proposals 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, where they preserves or enhance the built and historic environment.

In addition 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. Similarly, Section 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 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 6.2.1 of 'Planning Policy Wales' (November 2016) sets out the Welsh Government's objectives to safeguard the character of historic buildings and manage change so that their special architectural and historic interest is preserved. This is reinforced in Technical Advice Note (TAN) 24: The Historic Environment (2017) which provides advice on the determination of listed building applications.

### **THIRD PARTY REPRESENTATIONS**

No third party letters of representation have been received to date. The application is presented to the Planning Committee for determination on the basis that the application property is in the ownership of a member of the Planning Committee.

### **CONCLUSION**

On balance, and after careful examination of the site and its surrounding environs, together with the representations received to date, the proposal is considered to be acceptable within the context of the Authority's development plan policies and associated legislative requirements. Commemorative blue plaques have become a common feature of listed buildings and historical areas and although it will introduce a new feature to the front elevation of the dwelling, it would cause minimal harm to its character and setting. The proposal will promote the building's historical and cultural value by providing information about its history and association with a person of acknowledged national renown. This communal benefit is considered to outweigh the minimal visual impact upon the appearance of the building and the Authority's building conservation officer has offered no objection to the application on this basis.

The proposal is therefore put forward with a favourable recommendation.

### **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 works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans and information received on 20<sup>th</sup> September 2018:-
  - 1:1250 scale location plan;
  - Plaque proof and details;
  - Photomontage showing location of Plaque.

#### **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.

#### **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 SP13 of the LDP in that the proposal will promote the building's historical and cultural value while causing minimal harm to its character and setting.
- The proposal complies with Policy GP1 of the LDP in that it will conform to the character and appearance of the building and surrounding area in terms of its scale and design and will not have a detrimental impact upon the amenity of adjacent land uses and properties.
- The proposal complies with Policy EQ1 of the LDP in that the proposal will promote the building's historical and cultural value while causing minimal harm to its character and setting.

## NOTE(S)

- 1 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any Conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all Conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any Conditions which require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other Conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)).

<b>APPLICATIONS RECOMMENDED FOR REFUSAL</b>
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<b>Application No</b>	<b>W/35898</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CONSTRUCTION OF COMMERCIAL GARAGE/WORKSHOP FOR SARNAU MOTORS AT FIELD ADJ HAFOD BAKERY, LLYSONNEN ROAD, BANCYFELIN, CARMARTHEN

<b>Applicant(s)</b>	MRS MAIR JONES, LLYS Y COED, LLYSONNEN ROAD, BANCYFELIN, CARMARTHEN, SA33 5DZ
<b>Agent</b>	HAROLD METCALFE PARTNERSHIP - CERI EVANS, 32 SPILMAN ST, CARMARTHEN, SA31 1LQ
<b>Case Officer</b>	Helen Rice
<b>Ward</b>	Cynwyl Elfed
<b>Date of validation</b>	27/07/2017

## CONSULTATIONS

**Head of Transport** – No objections subject to the imposition of conditions relating to the access specification and parking arrangements.

**Head of Public Protection, Social Care and Housing** – No objections subject to the imposition of conditions relating to noise levels and the monitoring of noise levels from the site.

**Merthyr and Newchurch Community Council** – No comments received.

**Local Member** – Cllr. I Jones has requested that the application be called in for consideration by the Planning Committee on grounds that this form of development is invaluable for rural areas.

**Neighbours/Public** – The application was publicised by way of a site notice with no representations having been received in response.

## RELEVANT PLANNING HISTORY

The following previous application has been received on the application site:-

W/35389      Construction of garage / workshop for  
Sarnau Motors (commercial business)  
Withdrawn

18 July 2017

## **APPRAISAL**

### **THE SITE**

The application site is located off the Llysonnen Road (C2081) which links the settlement of Bancyfelin to the east with the A40 junction to the west. This section of the Llysonnen Road runs parallel with the A40 dual carriageway which is located a field's width to the south of the application site. The site is immediately east of the Hafod Bakery building and forms part of a wider agricultural field. The site is therefore currently laid to grass with a strong hedgerow frontage onto the C2081. The application site land level is elevated in comparison to the road and the neighbouring site at Hafod Bakery, with hedgerow and mature trees forming the boundary of the site with the adjoining Hafod Bakery site. The wider field is currently accessed via an agricultural field gate approximately 100m to the east of the application site.

### **THE PROPOSAL**

The proposal seeks planning permission for the erection of a new garage/workshop building, parking area and creation of a new access onto the C2081. The new garage workshop building would have an eaves height of 6m with a ridge height of 7.5m, and measure 14m in length and 10.2m in width, along with an adjacent covered car wash area. The building would accommodate three service bays, a kitchen and WC on the ground floor with a small mezzanine area above providing space for an office. The building would be finished in plastic coated profile metal sheets in either green or grey, with roller shutter doors providing access to the service bays, the only window would serve the WC on the ground floor. The elevation fronting the road would be the rear of the building, with the service bay area fronting the proposed car parking area and remaining agricultural field beyond. The plans indicate the provision of 7 parking spaces. The new access will necessitate the removal of a section of hedgerow with the required visibility splays necessitating the translocation of the part of the hedgerow behind the splay.

The applicant has provided a statement in support of the application which states that the intended business for the new building, Sarnau Motors is currently operated by a sole trader having been established in 2006. The current business is a mobile repair service that is stated to be at full capacity with repairs undertaken 6 days a week with an average waiting list of 2 weeks. The business wishes to develop a permanent base with the chosen location being on land within the ownership of the applicant's family and is stated as being at the heart of the main existing customer base, with 85% of Sarnau Motor's customer base located within a 5 mile radius of Bancyfelin. The statement specifies that a search for suitable premises within the St Clears/Bancyfelin/Carmarthen areas since 2014 has not identified any suitable premises for the business. The submitted application indicates that the proposal would result in the creation of an additional 1 full time job and would be open weekdays between 8am to 6pm and Saturdays 8am to 1pm.

## 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 is not located within a designated settlement and is therefore classed as countryside in the LDP. The relevant policies are:-

**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 EMP2 New Employment Proposals** clarifies that new developments for employment purposes will be permitted within, adjacent or directly related to defined settlements subject to meet with specific criteria. In particular, the policy requires applicants to undertake a sequential search to identify whether there is any existing or allocated employment land available for the use, followed by an assessment of any suitable land or building within an existing settlement, then adjacent to such settlement and finally on areas directly related to a recognised settlement. This sequential approach must be addressed before allowing new employment development with the overall objective being to seek to maximise the use of existing/allocated land within settlements in the interests of sustainability. Provided that this sequential approach is duly addressed the proposal must also be of an appropriate scale and from that would not be detrimental to the character and appearances of the area and is compatible with its location and with neighbouring uses.

**Policy GP1 Sustainability and High Quality Design** is a general policy which promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing.

**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 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 relevance includes:

**Planning Policy Wales (9<sup>th</sup> Edition) November 2016** which recognises the need for new employment opportunities within rural locations, but specifies that such developments would generally be located within or adjacent to defined settlement boundaries, preferably where

public transport provision is established. However, PPW also recognise that some industries may have specific land requirements which cannot be accommodated within settlements. PPW advise that the absence of allocated employment sites should not prevent authorities from accommodating appropriate small-scale rural enterprises in or adjoining small rural settlements. The expansion of existing businesses located in the open countryside should be supported provided there are no unacceptable impacts on local amenity (paragraph 7.3.2).

The above advice is further echoed in Technical Advice Note 6 (TAN 6) – Planning for Sustainable Rural Communities (2010) which specifies that new development should be located within or adjacent to settlements. Similarly, Technical Advice Note 23 (TAN) 23: Economic Development (2014) places a requirement on authorities to apply the sequential approach when considering applications for new employment developments. This approach echoes the central object of the planning system to steer development to the most appropriate sustainable locations. TAN23 calls for authorities to assess the benefits of the development at the application site against those of meeting demand in a sequentially preferable location. It specifies that development on land not allocated in the development plan should only be permitted in exceptional circumstances and must be fully justified.

## **CONSIDERATION OF THE PROPOSAL**

The key considerations relating to this case have been determined as whether the principle of the development is considered acceptable in light of the national and local planning policy background, the impact of the development on the character and appearance of the area and highway safety impacts.

### *Principle of Development*

The application site is located within the countryside approximately 2km (1.2miles) north east of Bancyfelin and 5km (3miles) west of Carmarthen, and adjacent to an existing commercial business known as Hafod Bakery. The site is not considered to be adjacent to an existing settlement, and by reason of its distance from both Bancyfelin and Carmarthen is not considered to be directly related to these settlements and is therefore located within the countryside.

Policy EM2 echoes advice set out in National policy and specifies the need to undertake a sequential approach to site selection when assessing applications for new employment developments. In particular the policy requires a sequential search to identify that there is no allocation or existing employment sites available for the development. This should then be followed by an assessment of suitable land or buildings within development limits, then adjacent to them and finally directly related to a settlement. The policy does not go on to enable consideration of locations within the countryside, distant from any defined settlements. As such, in principle, the development is contrary to Policy EM2 of the Local Development Plan.

The submitted information indicates that searches have been undertaken for existing commercial sites within existing settlements (Carmarthen/Bancyfelin/St Clears) in 2014 and that no suitable sites were found. The information submitted to support this claim includes lists of properties for rent, all of which have been discounted. Whilst a number of the properties would be unsuitable in that a number are offices within existing towns, other industrial units have been discounted on various grounds including, that planning permission would be required for the change of use into a B2 use, the units are too large and the internal

layout was not suitable. The only detail provided with the application relates to one search undertaken in December 2014. No information about more recent searches has been provided.

No information has been provided to confirm whether or not sites allocated for employment purposes in the LDP were reviewed. In particular, there are specific land allocations for employment purposes in both St Clears (allocation T2/5/E2) and in Carmarthen, at Cillefwr Industrial Estate (allocation GA1/E1) that would be suitable for a B2 use. However, no such information as to whether these areas were looked into has been provided. As such, only existing sites have been reviewed with no information to confirm whether other sites within settlements or land directly related to settlements having been assessed. It appears therefore that once the existing sites identified in 2014 were discounted, the applicant considered that this was sufficient to justify a countryside location. It also appears that the principal reason for locating the building in this location is that it is on land within the ownership of the applicant. This approach does not reflect the sequential approach guidance set by both National and Local policy and as such, it is considered that insufficient justification has been provided to demonstrate that the application site is the most suitable location for the development.

The overall aim of the policy is to try and direct development to the most sustainable location. This location is distant from any settlement and therefore everyone using the business, especially given its nature, would have to specifically travel by vehicle to the destination. There are no bus stops in the vicinity. Whereas if the business were located in a location within an existing settlement, the journey could be made as part of a wider journey (i.e. dropping the car off and then proceeding to home/work/shopping on foot/public transport) and thus would not generally result in a significant increase in traffic movements. Whilst the applicant has confirmed that many of its clients currently pass the site on a daily basis, there is no facility for them to subsequently proceed with their journeys whilst their vehicles are being repaired. In all therefore, this site is not considered to represent a sustainable location for the development, especially having regard to the nature of the use.

Evidently, the proposal would result in the creation of an additional 1 full time job in the area, which is a material consideration to balance against the above policy objection. TAN23 requires local planning authorities to assess the economic benefit associated with determining planning applications for economic development. Where a planning authority is considering an application that could cause harm to social and environmental objectives, which this case does, 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?

Having regard to the above questions, it is considered that insufficient information has been provided to fully demonstrate that there is no alternative site for the proposal. There are allocated employment land areas within both St Clears and Cillefwr Industrial Estate with land available subject to obtaining planning permission. The nature of the intended use would be an acceptable form of development within these areas and in particular offer a more sustainable site location than the current site.

The proposal would, according to the application form, result in an additional 1 full time post to make a total of 2 full time jobs. Whilst an addition of a single job is welcomed, it is

considered that the amount generated is not considered of such a degree to amount to a material consideration that would overcome the policy objection set out above.

Whilst it is noted that the local Councillor has stated the need to generate employment growth in rural areas, it is not considered that positioning this type of development in this location would make a particular special contribution towards policy objectives.

In summary therefore, it is not considered that sufficient information has been submitted to demonstrate that there is no other suitable alternative location for the development proposed to satisfy the sequential approach to site selection. The overall objective of the sequential site selection process is to seek to concentrate developments in the most sustainable locations. The application site, is located within the countryside, and whilst on a relatively busy road, does not have any pedestrian access or public transport linkages and thus is classed as unsustainable. Whilst the proposal would generate 1 additional full time job, it is not considered that this alone is sufficient to overcome the policy objection.

#### *Impact upon Character and Appearance of the Area*

The application site includes part of an existing agricultural field that lies adjacent to the Hafod Bakery site. The proposal would necessitate the creation of an access that would result in puncturing the existing strong hedgerow along the field's boundary with the adjacent highway as well as translocation of part of the hedgerow behind the required visibility splays and erection of the building and car parking area behind. Whilst the form of the development would appear similar to other agricultural buildings which are synonymous within the countryside, it would not be viewed within the context of an existing agricultural enterprise and would rather appear as an incongruous industrial unit in the countryside.

#### *Highway Safety*

Although the Head of Highways and Transport initially objected to the application on the grounds of insufficient visibility and that the proposed development would lead to increased pedestrian movements along a section of road with no pedestrian facilities, it has now been confirmed following the receipt of amended plans there is now no objection subject to the imposition of conditions relating to the access specification and parking arrangement.

### **CONCLUSION**

After careful consideration of the scheme as submitted it is considered that insufficient information has been submitted to demonstrate that the necessary sequential approach to site selection has been exhausted to the extent that this site is the only available site for the proposed development. The development would result in the creation of a new business use in an unsustainable countryside location with no public transport or pedestrian linkages contrary to both national and local planning policies. It is not considered that the creation of 1 additional job presents a sufficient material consideration that would outweigh the clear policy objection to the development. It is therefore concluded, on balance, that planning permission should be refused for the following reasons.

### **RECOMMENDATION – REFUSAL**



## REASONS

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

### **Policy 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 does not distribute development to a suitable location and is contrary to the settlement framework. The application has failed to demonstrate there is a justifiable need for the development in this location or that it could not be located in a more sustainable and suitable location. The site is located outside of, and is not directly related to the development limits of a recognised settlement.

- 2 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 application has failed to demonstrate that there is a justifiable need for the proposal in the location indicated or that it could not be located in a more sustainable and suitable location. The development would result in the addition of an incongruous industrial style building in the countryside that would not conform with or enhance the character of the area and fails to protect or enhance the landscape

- 3 The proposal is contrary to Policy EMP2 “New Employment Proposals” of the Carmarthenshire Local Development Plan:-

**Policy EMP2 New Employment Proposals**

**Proposals for employment developments which are within, adjacent or directly related to the Development Limits of all defined settlements (Policy SP3) will be permitted provided that:**

- a) **A sequential search has been undertaken identifying that there is no allocation or existing employment site available that can reasonably accommodate the use, followed by there being no suitable land or building (for conversion or re-use) available within the Development Limits, then adjacent to limits, and finally on a site directly related to a recognised settlement;**
- b) **The development proposals are of an appropriate scale and form, and are not detrimental to the respective character and appearance of the townscape/ landscape;**
- c) **The development proposals are of an appropriate scale and form compatible with its location and with neighbouring uses.**

In that the site is located outside of, and is not directly related to the development limits of a recognised settlement and is therefore within the countryside. The application has failed to demonstrate there is a justifiable need for the proposal in this location or that it could not be located in a more sustainable and suitable location. The sequential search undertaken is not considered adequate and has not provided sufficient justification for the proposed location. It has failed to show that the development could not be reasonably accommodated in other more suitable and sustainable locations. The development would result in the addition of an incongruous industrial style building in the countryside that would not conform with or enhance the character of the area and fails to protect or enhance the landscape.

- 4 The proposal would be in conflict with the advice set out in (paragraph 7.3.2) of Planning Policy Wales (Edition 9) November 2016 which states:

***While some employment can be created in rural locations by the re-use of existing buildings, new development will be required in many areas. New development sites are likely to be small and, with the exception of farm diversification and agricultural development to which separate criteria apply, should generally be located within or adjacent to defined settlement boundaries, preferably where public transport provision is established. However, some industries may have specific land requirements which cannot be accommodated within settlements. The absence of allocated employment sites should not prevent authorities from accommodating appropriate small-scale rural enterprises in or adjoining small rural settlements. The expansion***

***of existing businesses located in the open countryside should be supported provided there are no unacceptable impacts on local amenity.***

In that the site is located outside of, and is not directly related to any development limits of a recognised settlement and is therefore in the countryside. The application has failed to demonstrate there is a justifiable need for the proposal in this location or that it could not be located in a more sustainable and suitable location. The sequential search is not considered adequate and has not provided sufficient justification. It is not considered that the development has specific land requirements to justify this location. The economic benefits of the proposal would not outweigh the policy objection to the development.

<b>Application No</b>	<b>W/37484</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CONSTRUCTION OF ONE DWELLING FOR OWNERS AND OPERATORS OF ADJ GOLF COURSE; TOGETHER WITH CONSTRUCTION OF GOLF COURSE STORE FOR GOLF COURSE MAINTENANCE MACHINERY AT DERLLYS COURT GOLF CLUB, LLYSONNEN ROAD, BANCYFELIN, CARMARTHEN, SA33 5DT

<b>Applicant(s)</b>	MR ROBERT WALTERS, DERLLYS COURT GOLF CLUB, LLYSONNEN ROAD, BANCYFELIN, CARMARTHEN, SA33 5DT
<b>Agent</b>	HAROLD METCALFE PARTNERSHIP - CERI EVANS, 32 SPILMAN ST, CARMARTHEN, SA31 1LQ
<b>Case Officer</b>	Stephen Thomas
<b>Ward</b>	Cynwyl Elfed
<b>Date of validation</b>	04/07/2018

## CONSULTATIONS

**Head of Highways and Transport** – Recommendation that any planning permission that may be granted should include conditions on access specifications.

**Newchurch & Merthyr Community Council** – No observations received to date.

**Local Member** - County Councillor Irfon Jones has requested that the application be presented to the Planning Committee due to the personal circumstances of the family

**Neighbours/ Public** – The application has been publicized by the posting of a public notice at the highway access to the application site. No representations received to date.

## RELEVANT PLANNING HISTORY

There is no relevant planning history on the application site.

## **APPRAISAL**

### **THE SITE**

The application site is located in the open countryside to the south east of the existing farm complex known as Derllys Court, located between Bancyfelin to the west and Carmarthen to the east. The site is in the western side of a field located between the farm complex and an existing 18 hole golf course on undulating land and is accessed via a no through unclassified road from the Meidrim road to the south and immediately to the north of the farm becomes a 'green lane' which continues on to Merthyr. The site is surrounded by farm land that is farmed by the occupiers of Derllys Court and the golf course that is operated by the applicant and his family. The highway runs along the site's whole western boundary.

The application site measures 59 metres in a north – south direction by 33 metres in an east – west direction.

### **THE PROPOSAL**

The application seeks full planning permission for the construction of a single dwelling on the application site, together with a purpose built building for the purpose of storage and maintenance of machinery used on the maintenance of the golf course. The proposed dwelling is to have two floors with the first floor partially within the roof and is intended to have four bedrooms. The dwelling is intended to be finished in painted render to the walls under a natural slate roof. The dwelling is to have a 'T' shape with a two storey porch structure to the principal elevation, together with a dormer window either side at first floor level.

Furthermore, it is intended to construct a steel portal framed building for the use of storage and maintenance of machines used in the maintenance of the golf course. The building is to be clad in a box profile steel cladding to both the roof and the walls. The building will have a low pitched saddle roof with its ridge running west to east. The building is to be 8 metres west to east and 9 metres north to south. It is to have a large roller shutter door in the north western corner.

The proposed dwelling is to be located in the northern portion of the application site with the machinery shed in the southern portion, with the site access located between the two proposed structures.

### **PLANNING POLICY**

The application site, as previously mentioned, is located in open countryside and therefore there is a general presumption against new dwellings in such locations, unless exceptional circumstances can be demonstrated. Such exceptional circumstances usually include providing accommodation for rural enterprise workers e.g. agriculture or forestry as well as those to meet genuine local needs at a location within hamlets or a group of dwellings.

There are no specific relevant policies within the adopted County Local Development Plan that deal with dwellings in open countryside locations, however, in order to allow discussions over the merits of this case the following policies of the Carmarthenshire Local Development Plan are considered relevant to the proposal as well as those other relevant Welsh Government Guidance.

**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 GP1 – Sustainability and High Quality Design** is a general policy that promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing.

Other Welsh Government Guidance of relevance include:

Planning Policy Wales (9th Edition) November 2016 (PPW) Technical Advice Note 6 (TAN 6) – Planning for Sustainable Rural Communities (2010)  
Technical Advice Note 12 (TAN 12: Design (2014)

## **APPRAISAL**

The key considerations of relevance to this case are whether the proposal complies with the requirements of Planning Policy Wales (PPW) (9th edition) and Technical Advice Note 6: Planning for Sustainable Rural Communities (TAN6), in terms of dwellings in open countryside, outside the defined development limits of any recognized settlements and its impact upon the character and appearance of the area.

In terms of PPW new houses in the countryside, away from existing settlements or from areas allocated for development must be strictly controlled in order to safeguard the character and appearance of the countryside, to reduce the need to travel by car and to economise on the provision of services. Specifically paragraph 9.2.22 states:

“In planning for housing in rural areas it is important to recognize that development in the countryside should embody sustainability principles, benefitting the rural economy and local communities while maintaining and enhancing the environment. There should be a choice of housing, recognizing the housing needs of all, including those in need of affordable or special needs provision. In order to safeguard the character and appearance of the countryside, to reduce the need to travel by car and to economise on the provision of services, new houses in the countryside, away from existing settlements recognized in development plans or from other areas allocated for development, must be strictly controlled.....”

Furthermore, paragraph 9.3.6 of PPW also discusses that new housing in the open countryside should be strictly controlled and under what exceptional circumstances rural dwellings may be considered. It states:

“New House building and other new development in the open countryside, away from established settlements, should be strictly controlled. The fact that a single house on a particular site would be obtrusive is not, by itself, a good argument in favour of permission; such permissions could be granted too often, to the overall detriment of the character of an area. Isolated new houses in the open countryside require special justification, for example where they are essential to enable rural enterprise workers to live at or close to their place of work in the absence of nearby accommodation. All applications for new rural enterprise dwellings should be carefully examined to ensure that there is a genuine need. It will be important to establish whether the rural enterprise is operating as a business and will continue to operate for a reasonable length of time. New rural enterprise dwellings should be located within or adjoining the existing farm/business complex or access....”

TAN6 further reinforces these principles where it states in paragraph 4.3.1:

“One of the few circumstances in which new isolated residential development in the open countryside may be justified is when accommodation is required to enable rural enterprise workers to live at, or close to, their place of work. Whether this is essential in any particular case will depend on the needs of the rural enterprise concerned and not on the personal preference or circumstances of any individuals involved. Applications for planning permission for new rural enterprise dwellings should be carefully assessed by the planning authority to ensure that a departure from the usual policy of restricting development in the open countryside can be fully justified by reference to robust supporting evidence.”

The application site is located in an open countryside location, well outside the defined development limits of any recognized settlement. Therefore, the policy is to strictly control the construction of new dwellings in such a location, unless there are exceptional circumstances, well supported by robust evidence that stands up to scrutiny. In this case the only justification given is that the proposed dwelling is required by the applicant and his family to enable them to continue to run the adjacent golf course. The applicant and his family currently reside with his elderly and frail mother in Derllys Court farmhouse. Due to the proximity of the current farmhouse to the golf course and its club house it is considered that there is no justification for a further dwelling on the application site. Furthermore, the applicant states within the statement of justification that the golf course has successfully grown to have a membership well over 400 and six people are employed at the golf course at present and that an operating base to store and maintain machinery and a place to live is essential to carry on the business. Golf machinery needs to be stored on site and for security and administrative reasons the family need to live adjacent, on land which adjoins the golf course.

The remaining part of the justification are personal reasons that relate to a time after the elderly mother, in that the applicant and his brother will be forced to sell the farm and that this will result in the applicant and his family without a house nor the use of the farm outbuildings. Currently, the applicant and his family still reside within the farmhouse, therefore, under current circumstances there is no justification for the additional dwelling on the holding.

An alternative scenario may be available for the applicant, which is not mentioned in the justification, in that the conversion of outbuildings at Derllys Court farm complex could be considered under Policy H5 of the Carmarthenshire Local Development Plan. Although this option has not been considered in the submitted justification it is something that has been raised in previous advice given by the Planning Service. This option would also require justification and supporting information, but may be considered more favourably, depending



on the nature of the buildings and the works proposed to them. The applicant at that time indicated a preference to keep those buildings as part of Derllys Court, however, in planning no weight can be given to personal preference to justify development, as set out in Welsh Government guidance.

Finally, the other alternative is the golf club house, which it is understood has two units of accommodation, which may be considered for residential purposes following the submission of an alternative application for planning permission, supported by robust evidence. However, this has also not been considered in the justification submitted with the current application. Again, this issue was raised in the previous advice given earlier, but the applicant stated that the preference was for a new dwelling.

For the above considered reasons the proposed dwelling should not be supported and the recommendation is that the application be refused.

Turning to the proposed storage/maintenance building similar planning policy guidance applies due to its location in open countryside. The applicant has indicated that there is the need for machinery to maintain the golf course and that there is a need for alternative arrangements in the event of Derllys Court farm being sold. As in the case with the proposed dwelling there is no current justification for an alternative building as the status quo allows for the use of a building on the farm complex and therefore the proposal falls foul of planning policy, particularly that of Policy EMP3 of the adopted LDP and PPW. If the dwelling is refused there will be no justification for the store and maintenance building to be constructed at the location proposed. It is therefore considered that this should not be supported and the application refused.

### **THIRD PARTY REPRESENTATIONS**

In this case there are no issues of objection that have been raised by third parties in respect of the planning application.

### **CONCLUSION**

Therefore, having carefully considered the application as submitted, the proposed dwelling, by reason of its remote location, fundamentally conflicts with the advice set out in PPW and insufficient justification has been provided to permit the dwelling as an exception to these policies. Furthermore, it is considered that the proposed storage and maintenance building conflicts with Policy EMP3 of the LDP due to its proposed location and insufficient justification. The proposal therefore also conflicts with the advice set out in PPW, which requires robust evidence in support of such a proposal.

It is not considered in this instance that material planning considerations outweigh these concerns and therefore it is recommended that the application be refused for the following reasons.

### **RECOMMENDATION – REFUSAL**

## REASONS

- 1 The proposal is contrary to paragraph 9.2.22 of Planning Policy Wales (Edition 9, November 2016) which states:-

**9.2.22 In planning for housing in rural areas it is important to recognise that development in the countryside should embody sustainability principles, benefiting the rural economy and local communities while maintaining and enhancing the environment. There should be a choice of housing, recognising the housing needs of all, including those in need of affordable or special needs provision. In order to safeguard the character and appearance of the countryside, to reduce the need to travel by car and to economise on the provision of services, new houses in the countryside, away from existing settlements recognised in development plans or from other areas allocated for development, must be strictly controlled. Many parts of the countryside have isolated groups of dwellings. Sensitive filling in of small gaps, or minor extensions to such groups, in particular for affordable housing to meet local need, may be acceptable, but much depends upon the character of the surroundings, the pattern of development in the area and the accessibility to main towns and villages.**

In that the development site is located in open countryside where new house building should be strictly controlled. Insufficient justification has been provided to support the case for a dwelling in such a location. Therefore, the proposal would represent a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.

- 2 The proposal is contrary to paragraphs 9.3.6 of Planning Policy Wales (9<sup>th</sup> edition, November 2016) which state:-

**9.3.6 New house building and other new development in the open countryside, away from established settlements, should be strictly controlled. The fact that a single house on a particular site would be unobtrusive is not, by itself, a good argument in favour of permission; such permissions could be granted too often, to the overall detriment of the character of an area. Isolated new houses in the open countryside require special justification, for example where they are essential to enable rural enterprise workers to live at or close to their place of work in the absence of nearby accommodation. All applications for new rural enterprise dwellings<sup>19</sup> should be carefully examined to ensure that there is a genuine need. It will be important to establish whether the rural enterprise is operating as a business and will continue to operate for a reasonable length of time. New rural enterprise dwellings should be located within or adjoining the existing farm/business complex or access. Local planning authorities should follow the guidance in TAN 6 with regard to the requirements for rural enterprise dwelling appraisals.**

In that the development site is not located within a settlement and therefore in the open countryside where new house building should be strictly controlled. Insufficient justification has been provided to support the case for a dwelling in such a location. Therefore, the proposal would represent a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.

- 3 The proposal is contrary to paragraph 4.3.1 of Planning Policy Wales Technical Advice Note 6: Planning for Sustainable Rural Communities, which states:

**4.3.1 One of the few circumstances in which new isolated residential development in the open countryside may be justified is when accommodation is required to enable rural enterprise workers to live at, or close to, their place of work. Whether this is essential in any particular case will depend on the needs of the rural enterprise concerned and not on the personal preference or circumstances of any of the individuals involved. Applications for planning permission for new rural enterprise dwellings should be carefully assessed by the planning authority to ensure that a departure from the usual policy of restricting development in the open countryside can be fully justified by reference to robust supporting evidence.**

In that the development site is located in the open countryside where new house building is strictly controlled. Insufficient evidence has accompanied the application justify a dwelling in such a location. Therefore, the proposal represents a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.

- 4 The proposal is contrary to Policy EMP3 “Extensions and Intensification” of the Carmarthenshire Local Development Plan, which states:

**Policy EMP3 Employment – Extensions and Intensification**

**Proposals for extensions and/or intensification of existing employment enterprises will be permitted provided that:**

- a. **The development proposals are not likely to cause environmental damage or prejudice other redevelopment proposals;**
- b. **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;**
- c. **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.**

In that the development site is located in the open countryside where generally new buildings are strictly controlled. It is considered that the proposed dwelling is unjustified in its proposed location, the proposed storage/maintenance building is unjustified in the same location. It will also represent a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.