

**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 14 IONAWR 2020  
ON 14 JANUARY 2020**

**I'W BENDERFYNU/  
FOR DECISION**

*Ardal Del/  
Area South*



**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 yna 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>14 JANUARY 2020</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

**INDEX - AREA SOUTH**

<b>REF.</b>	<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>	<b>PAGE NOS.</b>
<b>S/39358</b>	<b>CHANGE OF USE OF THE PROPERTY FROM A CLASS C3 RESIDENTIAL DWELLING TO A CLASS C2 CHILDRENS RESIDENTIAL HOME AT 2 ERW LAS, LLWYNHENDY, LLANELLI, SA14 9SF</b>	<b>57-68</b>
<b>S/39644</b>	<b>PROPOSED FRONT AND REAR EXTENSION WITH NEW DORMER WINDOWS, LIFTING OF EXISTING RIDGE LINE BY 350MM AND ROOF PITCH CHANGE AT 43 PEN LLWYN GWYN ROAD, BRYN, LLANELLI, SA14 9UH</b>	<b>69-76</b>
<b>S/39750</b>	<b>1) NEW SINGLE STOREY EXTENSION TO THE REAR 2) EXISTING GARAGE, UTILITY ROOM AND SHED TO BE DEMOLISHED AND REPLACED WITH NEW GROUND FLOOR EXTENSION TO PROVIDE NEW KITCHEN/DINING ROOM AND UTILITY ROOM. 3) EXISTING SIDE ENTRANCE PORCH TO BE DEMOLISHED AND REPLACED WITH NEW ENTRANCE PORCH AT 37 OAKLANDS, LLANELLI, SA14 8DE</b>	<b>77-83</b>

**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>S/39358</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CHANGE OF USE OF THE PROPERTY FROM A CLASS C3 RESIDENTIAL DWELLING TO A CLASS C2 CHILDRENS RESIDENTIAL HOME AT 2 ERW LAS, LLWYNHENDY, LLANELLI, SA14 9SF

<b>Applicant(s)</b>	FRESHSTART CARE LTD, C/O AGENT,
<b>Agent</b>	ASBRI PLANNING - MR TOMAS HOPKINS, SUITE D, 1ST FLOOR, 220 HIGH STREET, SWANSEA, SA1 1NW
<b>Case Officer</b>	Zoe James
<b>Ward</b>	Llwynhendy
<b>Date of validation</b>	29/08/2019

## Reason for Committee

This application is being reported to the Planning Committee following a call-in request by Councillor Cundy and Councillor Sharen Davies and following the receipt of more than five objections from third parties.

## Site

The application site comprises no. 2 Erw Las a semi-detached dwellinghouse and associated parking and garden area to the rear. The property consists of a two storey renovated cottage fronting Erw Las in Llwynhendy. The property was extensively enlarged following granting of planning permission for a two storey extension to the rear in 2000. As a result, the dwellinghouse now has seven bedrooms, four of which benefit from individual ensuite bathroom facilities. At ground floor the accommodation comprises one of the bedrooms, alongside a large lounge, breakfast room, utility room, kitchen, dining room and two small toilets.

The property also benefits from a long extensive private garden area to the rear, this is accessed via a side driveway which allows access to car parking to the rear.

The property is situated within the defined development limits of Llanelli. To the east of the site is the C2206 classified road Erw Las beyond this and to the west of the site is open fields. Immediately to the south is adjoining property 4 Erw Las and a further detached property Ty To Maen beyond this. Directly to the north is grassland beyond which land is

allocated for residential development under reference GA2/H35 in the adopted Local Development Plan.

## Proposal

The current planning application seeks change of use of the existing dwelling house for use Class C2 as a children's residential home. No physical external alterations are proposed to the dwelling or curtilage with the exception of the creation of a dedicated parking area to the rear to provide spaces for 3 cars. A new bike store is also proposed within the rear patio/garden area to allow secure storage for bicycles.

The proposed use will provide residential care for three young people between the ages of 11 and 18 years and will result in the employment of 4 staff members at the property (original submission proposed four young persons). It is understood that there will be two staff members at the property at all times and a staff change once every 12 hours. The team leader will be present to transfer information to the incoming team and shift changeover.

The applicants Freshstart Care Ltd have confirmed that the home will be used for vulnerable, neglected and disadvantaged children who are currently in the care of a Local Authority and need a safe home. The proposal is not to accommodate children who are in the justice system. There has been a lot of miscommunication surrounding the application and the children who may be accommodated at the site.

## Planning Site History

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

S/05641	Permission to use 2 bedrooms as overspill guest house accommodation maximum of 4 guests Retrospective Change of Use Full Granted	29/01/2004
S/02789	Renovation of existing dwelling and construction of 2 storey extension Full Granted	21/12/2000

## Planning Policy

In the context of the Authority's current Local Development Plan (LDP) the site is located within the Development Limits of Llanelli. Reference is drawn to the following policies of the Plan:-

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

SP1 Sustainable Places and Spaces

SP3 Sustainable Distribution- Settlement Framework

SP9 Transportation

H6 Residential Care Facilities

[Carmarthenshire Supplementary Planning Guidance](#)

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

## Summary of Consultation Responses

**Head of Transportation & Highways** – raised initial queries regarding staff arrangements and parking requirements at the property. Following discussion with the agent and submission of a revised parking layout, the Highways Officer has confirmed no objection subject to imposition of conditions.

**Head of Public Protection** - No observations.

**Llanelli Rural Council** – object to the application and consider that the use is inappropriate in this location given the number of vehicles accessing the site being detrimental to highway safety, parking provision is insufficient, the proposed use does not complement the use of the adjoining semi-detached residential dwelling and will have a detrimental impact on the residential amenity of this property and other neighbours.

**Local Member** - Councillor Sharen Davies has objected to the application on grounds of increased noise, highway safety, parking arrangements, flooding concerns, safety of existing residents, property value and insufficient consultation with members of the community. Cllr Davies also requested that the application is considered at Planning Committee, that a site visit be undertaken and she would like to speak against the application.

**Local Member** - Councillor Fozia Akhtar has not commented to date.

**Local Member** - Councillor Deryk Cundy from the adjacent ward has also objected on the basis that there is no correlation with the housing of children on the Council Register given the Local Authority are not involved with the project, the property is inappropriate, insufficient parking, the proposed use of the property is unknown and there is a lack of information or details regarding the regulation of the property, qualifications and safety of staff. Reference is also made to the concerns of local residents regarding their security and safety given the lack of information regarding the future occupants and no consultation with the community.

**Community Councillor** – Councillor Jason Hart has also objected given the numerous objections received from local residents and considers that the proposal will result in a hostile environment for the children. Also concerns regarding increased traffic flow, increased noise, lack of car parking and no option to extend further given flooding concerns. Requests a site visit is undertaken.

**Carmarthenshire Children's Services** – advise that they do not use private residential homes for looked after children so will be utilised by outside local authorities.

**Police Liaison** - No observations received to date.

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

## Summary of Public Representations

The application was the subject of notification by way of neighbouring letters and site notices posted in the vicinity of the site and along Erw Las.

Over 30 representations were received, all objecting, with the exception of 2 in support, and the matters raised are summarised as follows:

- Fresh Start Care Serviced Ltd will be caring for young vulnerable people between ages of 16-21 years of age who may have a history of offending and this is not suitable in a semi-detached private property within a rural residential area.
- There are existing problems in the area concerning anti-social behaviour, fly tipping, traffic incidents and drug usage.
- Social problems presently experienced in Erw Law could cause aggravation and trouble for vulnerable youngsters.
- A petition has been started which is already on 133 signatures from people in the community.
- The safety of existing children is paramount, the proposal will jeopardise this.
- There are a lot of elderly residents within the street who will be very vulnerable.
- The community is very family oriented with 4 primary schools and a number of nurseries.
- Concerns raised regarding next door neighbour who has recently been burgled and will be negatively impacted by the proposal, particularly through additional noise from the development.
- If the company proposing the development did not know that they need planning permission then there is extreme doubt of their professionalism.
- Appears that the company are not disclosing information, if the property is used to house young offenders then this is Use Class C2A rather than C2 which is what the application refers to. Also the ratio of staff to children confirms suspicions that trouble will be expected.
- Inconsistency between application submission and Fresh Start Care website.
- Proposal fails to comply with Policy GP1, H3, SP1, SP2, EP1 and EP3 of the Council's Local Development Plan.
- Many more suitable buildings elsewhere in Llanelli, children in care face huge challenges and need to be in an appropriate location.
- Limited information has been provided to neighbours regarding the future occupants.
- The applicant should expand on what measures will be put in place to supervise the young people living there and their safety.
- Existing services and facilities are already overwhelmed and do not have capacity for additional residents.
- Erw Las is being used as a short cut to the link road to Llanelli and Burry Port so is a dangerous road, the 30mph speed limit is ignored and there is no pavement along the side of the road on which the property is situated.
- Staff arriving at the property will add traffic on a quiet rural byway.
- Cycling on the roads is dangerous.
- Property is on a flood plain and has previously been flooded despite application form not making reference to this.
- The previous use of the property as overflow accommodation for Llwyn Hall Hotel caused nuisance to neighbours at times.



- No amenities of suitable interest for youngsters nearby.
  - Reference is made to no work being undertaken yet all of the rooms are already set up for occupation
  - Brand new company set up with no experience, with the primary motive being financial gain.
  - Proposal will be used to house children from outside the local area, the company are set up outside of Wales.
  - Where would the resources come from for the children when they leave the care system?
  - Detrimental impact on house prices.
  - Limited consultation taken place with residents.
  - Everything for this proposed development has been done covertly until it was reported to the planning and enforcement officer.
- 
- Support the proposal and consider more homes should be built/set up if required.
  - Children should not be defined by the crimes they have committed, they are misguided and unloved.
  - People need to learn to be more compassionate, open minded and not live in fear of what is posted on social media.
  - More should be done to educate people.
  - Scaremongering to local community causing numerous objections. Instead community should be supporting the youngsters.

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

## Appraisal

### Clarity regarding the proposal

There has been a significant number of objections raised regarding the application and concerns regarding the nature of the proposed occupants. A number of the objections make reference to the proposed residents being criminals or young offenders and the care home being a secure establishment. This is incorrect. The application seeks change of use for a children's residential care home to provide a suitable home for disadvantaged children within the care system. Care is to be provided in a family type environment for a maximum of three children and four staff members working on a shift pattern to cater for the resident's needs. The proposed use falls within the definition of Use Class C2 which is specified as: "*residential accommodation and care to people in need of care – residential schools, colleges or training centres, hospital or nursing home.*" The proposal does not fall within the separate Use Class C2a which refers to a secure residential institution and includes prisons, young offenders' institution and detention centre etc.

The applicant, Freshstart Care Ltd do not presently have a website. The company trading under the same name is entirely separate to the applicants for the proposed development as confirmed in writing in the letter from Asbri Planning dated 21 October 2019. On this basis, a number of the concerns raised by members of the local community in their objections to the proposal are misplaced and irrelevant.

### Principle of development

The planning application proposes a change of use from the existing residential dwelling to a children's care home under use class C2. Policy H6 of the Adopted Local Development Plan (LDP) is the most pertinent in the consideration of the application. The policy permits proposals for residential care facilities within development limits of a defined settlement where it has safe and convenient access to community facilities and services. The site is located within the defined development limits of Llanelli and is within walking distance of local facilities in Llwynhendy and bus stops providing services to Swansea, Llanelli and the local area. Whilst it is noted reference is made to there not being a footway along the road from the site to the bus stops, there is a pedestrian footway on the opposite side of the road which runs up Erw Las with only a section on Parc Gitto to the north not benefiting from a separate pedestrian pavement. The Authority's Head of Highways has not raised any concerns in this regard.

In addition, the supporting text to the policy acknowledges that "the inclusion of such facilities within the development limits ensures that residents remain integrated into the community." As such, the location of the site within the existing community is considered to comply with policy requirements.

Comments have been received from the Authority's Children's Services Team who advise that they do not support the proposal on the basis that the service does not use private residential homes for looked after children and as a result the proposal will be utilised by other local authorities. However, the applicant is not a consideration in the determination of planning applications, the process is unable to differentiate between whether the service would be operated by the Authority or a private service provider.

#### Impact upon character and appearance of the area

In terms of the impact of the use on the existing character and appearance of the locality, the proposal involves no external changes to the building fabric of the host property and limited external changes to the curtilage. The property would retain its appearance as a large, semi-detached domestic property with large garden alongside patio and parking area to the rear. The change of use would have limited impact on the general character of the surrounding area.

The proposal is to provide residential care for up to three children/young people occupying the property who are intending to live as a family. Notwithstanding the provision of care to the residents, the use of the property will remain residential within an area largely dominated by residential development and within defined development limits and would not impact on the character of the locality.

#### Residential Amenity Considerations

In terms of the impact on the amenity of the adjoining residential property and neighbouring properties, the main issues to consider include noise and loss of privacy. Firstly, turning to noise, the proposed change of use remains within a residential use and given the proposal seeks consent for a maximum of three children at the property there will not be an excessive number of children residing at the property. The application site is a large property benefiting from a number of large double bedrooms and as such could be occupied by a large family now with excess of three children without any planning permission required. As such, it is not considered that the proposal will exceed normal noise levels generated by a large residential property. Notwithstanding this, conditions are suggested to be imposed on any planning permission granted restricting noise levels and

ensuring any necessary noise insulation is installed to protect any potential impact on the neighbouring occupier.

Turning to loss of privacy, the application site consists of a semi-detached dwelling with rear garden of the neighbouring property also running in parallel. There are three windows on the rear elevation of the site which directly adjoin the neighbouring property and one side window on the vast extension to the property which looks towards the garden of the neighbouring property. This window and one on the rear elevation are shown to be bathroom windows on the submitted floor plans and therefore would be obscure glazed. The other two windows on this element of the rear elevation do allow views into the rear area of the garden of no. 4 Erw Las yet are not oriented towards the property.

A number of objections raised make reference to current anti-social behaviour problems relating to the locality and raise concern that this proposal will exacerbate the situation. Existing issues are matters for the police and the proposal, which is a residential use for a maximum of three children, is unlikely to result in such high levels of anti-social behaviour to warrant the refusal of the planning application. Furthermore, concerns are raised regarding community safety in relation to the nature of the residents of the property. The development is not considered to be of a scale or nature to raise adverse concerns in this regard. The submitted details highlight that staffing arrangements ensure care will be provided to the residents on a 24 hour basis and the occupants are no more likely to disturb or adversely impact on neighbours than the occupants of a large family home.

In land-use terms this proposal appears very much like a large family home but arguably what makes it different is the perceived personalities of the young people that would occupy the property and the potential level of disruption that might arise from their behaviour. This is somewhat of an unknown, variable factor and one that it is difficult to predict in the consideration of this planning application. The intensity of the use of the site would differ to some degree from that of a normal household as the level of care and support may result in a more frequently accessed site by staff and is likely to lead to some additional activity compared to its use as a single dwelling. However, the applicants have advised that the shift operation would be 12 hourly with only two changeover points per day. Otherwise the submission highlights that the peak traffic generation from the property would be broadly similar to that of a normal dwelling with regard to the school run etc. The movements caused by staff members would be relatively minor and would not be significant in relation to impact on local amenity.

In line with the Regulation and Inspection of Social Care Act (Wales) 2016, the applicant is required to register with the Care Inspectorate Wales (CIW) prior to providing a care service. As part of the application process a premises assessment is undertaken to evaluate and assess the suitability of the proposed premises in line with the needs of the intended occupiers. The applicant have advised that they are in the process of obtaining the relevant licence and without which it will not be possible for the care home to operate. The management of the site would then be regulated by the Care Inspectorate Wales independent of the planning process.

As a result, it is considered that the proposed development complies with policy GP1 and in particular part d) in so far as any potential impact on amenity of adjacent residents.

#### Highway Impacts

A number of objections received refer to the inadequacy of the existing road network, existing problems concerning dangerous driving and traffic incidents and consider that the proposal and the parking arrangements for the property will heighten the problems.

In considering the traffic and transport implications of the proposed change of use it is noted that the site benefits from three parking spaces permitted to the rear of the site as part of the previous permission granting use of two bedrooms of the property for overflow guest house accommodation. The Authority's Highways Planning Liaison Officer has queried the staff arrangements at the property and the previous potential intensification proposed on an existing sub-standard access. Following additional information submitted from the agent and a reduction in the number of children proposed to reside at the property and therefore reduction in staff, the proposal will now not require an additional level of parking than the existing use. The Highways Officer has confirmed no objection subject to imposition of conditions.

In terms of the additional traffic associated with the proposal, as acknowledged above the traffic movements will largely be as expected for a family dwelling with the additional movements caused by staff members being limited.

### Flood Risk Implications

Many of the objections refer to flooding concerns at the application site and make reference to historic flood events at the property and adjoining property. However, the site is located within Zone A on the Development Advice Maps. Technical Advice Note (TAN) 15: Development and Flood Risk. TAN15 defines Zone A as being land considered to be at little or no risk of fluvial or tidal/coastal flooding and no further flood risk consideration is required.

Nevertheless, the change of use proposed remains a residential use and therefore is considered 'highly vulnerable' development, as per the existing use at the property. On this basis, there is no change in the vulnerability of the site as a result of the proposal.

### Lack of transparency/consultation

A number of the objectors make reference to there being limited consultation undertaken with members of the local community. For an application of this scale (not major development) there is no requirement under planning legislation to carry out pre-application consultation with local residents.

In line with Article 12 (5) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended), the Local Planning Authority must publicise an application by giving requisite notice-

- (a) by site notice displayed in at least one place on or near the land to which the application relates for not less than 21 days; or
- (b) by serving notice on any adjoining owner or occupier.

Consultation letters were sent to neighbouring properties and two site notices were erected within the vicinity of the site along Erw Las. As such, the requirement for the Local Planning Authority to undertake relevant publicity has been undertaken in compliance with the regulations.

## Other Matters

In terms of the other matters raised and not addressed above, the number of staff proposed is not the ratio of staff to children and all four staff members will not be working at the property at the same time. There will be two members of staff per 3 children at the property. Comments have been received stating that the use should be located elsewhere, the planning application must be considered on the basis of what has been submitted and other locations are not reviewed as part of this application.

Objections are raised regarding pressure on existing services, given the scale and nature of the application proposal for a care home for three children and given that the existing property could presently be occupied by a family with three or more children, additional pressure on resources is not considered to be significant or warrant refusal of the application. Comments make reference to the Police being consulted and fire safety. The Police Liaison team were consulted as part of the planning application and no response has been received to date. A copy of a support letter for the proposed use has been received from SMS Fire Safety Consultants who visited the property to carry out a fire risk assessment.

No objections have been raised from local service providers in response to the application. The issues raised by the respondents in respect of depreciation of property value are not material in the consideration of the application.

## **Planning Obligations**

None

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

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

## **Conclusion**

After careful consideration of the scheme as submitted, alongside the responses from statutory consultees and numerous comments received from third parties, it is concluded on balance that the proposed development complies with the relevant LDP policies and would not adversely affect the character of the area, prejudice highway safety or significantly harm neighbours' amenities. The concern regarding the adverse impact on residential amenity and the fear for an increase in anti-social behaviour, arising from the perceived behaviour of the proposed residents is not sufficient to warrant refusal. In balancing the planning matters of the proposal the scheme is considered acceptable and is recommended for approval subject to the following conditions.

## RECOMMENDATION – APPROVAL

### Conditions

- 1 The development shall begin no later than five years from the date of this decision.
- 2 The development shall be carried out in accordance with the following approved plans and documents:-
  - Site Location Plan scale 1:1250 received 20 July 2019;
  - Block Plan scale 1:500 received 20 July 2019;
  - Existing and Proposed Floor Plans received 13 November 2019;
  - Asbri Planning Covering Letter reference. S19.173 dated 18 July 2019 received 20 July 2019;
  - Freshstart Care Ltd – Supporting Statement received 1 November 2019;
  - Asbri Planning response to third party comments reference. S19.173 dated 21 October 2019;
  - Parking Layout – Inbound Movements drawing 1 received 23 December 2019;
  - Parking Layout – Outbound Movements drawing 2 received 23 December 2019;
- 3 The premises shall be used for a children’s residential care home for a maximum of three children and for no other purpose including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.
- 4 Noise associated with the proposed development shall not exceed a cumulative rating level of 35dB at the facade of the nearest noise sensitive receptor between the hours of 07:00 and 23:00. Measurements shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound.
- 5 Noise associated with the proposed development shall not exceed a cumulative rating level of 30dB at the facade of the nearest noise sensitive receptor between the hours of 23:00 and 07:00. Measurements shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound.
- 6 At the written request of the Local Planning Authority, the operator within a period of 1 month shall undertake and submit to the authority a noise assessment conforming to a methodology agreed by the Local Planning Authority to determine whether noise arising from development exceeds the levels specified in condition 5 and/or 6 above. The assessment shall be undertaken under the supervision of the Local Authority. In the event that Conditions 5 and/or 6 are exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the noise level specified in conditions 5 and/or 6. The development shall then be undertaken in accordance with the approved details.
- 7 The access 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.

- 8 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.
- 9 All surface water from the development herewith approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway.
- 10 No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.

## Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To confirm the extent of the permission and in the interest of visual amenity.
- 3 To enable the Local Planning Authority to retain effective control over the use of the premises in the interests of highway safety and residential amenity.
- 4-6 To protect the amenity of neighbouring residents.
- 7-10 In the interest of Highway Safety.

## Notes

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

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

The commencement of development without firstly meeting in full the terms of any conditions which require the submission of details prior to commencement 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 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>S/39644</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	PROPOSED FRONT AND REAR EXTENSION WITH NEW DORMER WINDOWS, LIFTING OF EXISTING RIDGE LINE BY 350MM AND ROOF PITCH CHANGE AT 43 PEN LLWYN GWYN ROAD, BRYN, LLANELLI, SA14 9UH

<b>Applicant(s)</b>	ROBERT REES, 43 PEN LLWYN GWYN ROAD, BRYN, LLANELLI, SA14 9UH
<b>Agent</b>	,
<b>Case Officer</b>	Zoe James
<b>Ward</b>	Llangennech
<b>Date of validation</b>	16/10/2019

## Reason for Committee

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

## Site

The site comprises the curtilage of a detached dwelling at no. 43 Penllwyngwyn Road in the Bryn. The dwelling is set centrally within the plot with car parking and driveway to the front of the dwelling and amenity garden area to the rear. The front door to the dwelling is on the side elevation to the west facing the lane off Penllwyngwyn Road. At the rear of the property is a single storey conservatory and lean-to extension. The front of the property has a rough-cast render finish with smooth render on the rear elevation.

The site is bordered by Penllwyngwyn Road to the north, residential properties to the east and the access lane adjacent to the west with additional residential properties beyond. To the rear of the site lies a vacant plot which was recently granted permission at Planning Committee for a detached dwelling.

The site is not situated within any environmental or ecological designations, and is entirely within the Coal Authority's Development Low Risk Area.

## Proposal

The application seeks full planning permission to raise the ridge line of the property by 350mm alongside a front and rear extension. The existing conservatory and single storey lean-to extension are proposed to be demolished to the rear elevation. The proposal involves the internal re-organisation at ground floor to provide a larger bedroom and study to the front and open plan kitchen/lounge/dining area to the rear, with rooflights and two bi-fold doors on the rear elevation. At first floor, two large bedrooms are proposed at the front and rear of the property alongside a shower room and small reading room.

To the front, the property extends 3.7 metres from the existing footprint. To the rear the ground floor extension partly sits on the footprint of the existing conservatory to the east, the proposed extension is approximately 6.7 metres from the rear elevation of the main dwelling. At first floor, the two storey element of the extension is 4 metres on the rear elevation. A new porch and dormer window is proposed centrally on the western side elevation to create a new feature entrance to the property. In addition, two further dormer windows are proposed on the west elevation to allow for sufficient space at first floor. On the east elevation, a single dormer window is proposed for the bathroom again to create sufficient space within the room. Roof lights are proposed on the east elevation for the two bedrooms.

The proposed extension seeks to utilise a smooth render in white, alongside Marley Cedral cladding boards. Windows and doors are to be black aluminium with rainwater goods black and roof tiles to be slate grey fibre cement slates.

The proposals are required to provide additional space for medical reasons. A statement has been submitted by the applicant in support of the application.

## Planning Site History

There are no records of any previous applications at the site.

## Planning Policy

In the context of the Authority's current Local Development Plan (LDP) the site is located within the Development Limits of Llanelli. Reference is drawn to the following policies of the Plan:-

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

GP1 Sustainability and High Quality Design  
GP6 Extensions

[Carmarthenshire Supplementary Planning Guidance](#)

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

## Summary of Consultation Responses

**Head of Transportation & Highways** – Confirmed no observations on the application.

**Llanelli Rural Council** - No observations received to date.

**Local Member(s)** – Councillor Gwyneth Thomas has not commented to date. Councillor Gary Jones has been in discussion with the applicant and objectors and considers that sufficient alterations have been made to the plans and this should go ahead.

**Sustainable Drainage Approval Body** – no comments to provide on the proposal.

**Planning Ecology** – no objection, issued bat advisory.

**Dwr Cymru/Welsh Water** - No objection subject to conditions.

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

## Summary of Public Representations

The application was the subject of notification by way of neighbouring letters and a site notice posted on the lane off Penllwyngwyn Road.

13 representations were received, 3 objecting and 10 commenting/in support, and the matters raised are summarised as follows:

- The plans do not accurately reflect what is at the site. The property already has a loft conversion which takes up the permitted development rights.
- The non-fixed structures to the rear should not be included as footprint of the ground floor. Why have the owners not declared what is there? The extended property would increase the building size by 50% of its current size and the plans seek to mask this.
- The property was advertised and sold in Spring 2018 by Dawsons as a 2 bedroom property and not 3 bedroom property.
- The drawings do not show side views of the proposed development, this needs to be clear so the impact and any windows overlooking adjacent properties can be considered.
- The property is not in a state of disrepair or dereliction.
- The increased height and extended length of the proposal will block the sun in the evening. This application alongside the new dwelling approved to the rear will 'hem' in the adjacent property.
- The height will result in approximately 1.5 hours loss of sunlight in the summer months and total loss of sun in the winter months.
- Planning permission never granted for two non-permanent conservatory type buildings to the rear.
- No drawings or plans for the intentions of the rooms in the application or location of windows to assess any loss of privacy to neighbouring properties.
- Will the dormer windows create a two storey building?
- As the ground level is sloping no. 43 is already higher than properties to the east and raised roof height will reduce natural light for properties to the east.
- Will the dormer window proposed on the east elevation be obscure glazing to protect privacy?

- The proposal will greatly affect the look of the area which are predominantly bungalows.
- The proposal will swallow the light to no. 45 and will affect future sale of the property.
- The development is not in keeping with adjacent properties within the area.
- Residents of the community for over 50 years and we support this application based on the improvement of the building and it is the home of a young family with children who would greatly benefit from the extra space.
- Proposal will greatly improve the aesthetic of the current property and thus the local area.
- Existing property in state of disrepair and proposal will be an improvement.
- It will substantially improve the property, compared to its current poor state and indeed enhance all the surrounding properties in the locality.
- Property has been vacant for a few years and required improvement. The proposal will be an asset to the neighbourhood.
- As neighbours to the application, please take into account that we have no objection to the proposed works.
- Supportive of bringing this unattractive dated house up to modern standards.
- Very sad to see homes in a state of decrepitude within the community, especially since it is located directly opposite such an attractive new development as Maes Y Bryn.
- No objections.

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

## Appraisal

The proposed development comprises the raising of the ridgeline of the existing property to create a first floor extension, alongside extensions to the front and rear of the property. In terms of visual impact, the proposal does alter the appearance of the dwelling from the front elevation and view from the streetscene. The addition of dormer windows alongside the slight raise of the ridge line results in the dwelling being 'squared off'. However, from review of properties within the surrounding area there is no strong design or character which the proposal will fail to conform to or enhance, as specified by Local Development Plan (LDP) Policy GP1. Similarly, the proposed front extension will result in the building line of the property protruding slightly beyond the neighbouring dwelling to the east but is roughly in line with the adjacent property to the west. As such, it is not considered to have an adverse impact on the character or appearance of the area. Furthermore, sufficient garden/amenity space remains, as required by Policy GP6.

The proposed extension to the rear does involve a two storey element protruding approximately 4 metres from the existing dwelling. At present the rear conservatory and lean-to is only single storey. The proposed first floor extension to the rear has been reduced slightly by around 1.4metres following submission of the application originally. Detailed discussions have been held with the applicant and it is not possible to reduce the extension of the property further without compromising on the internal space required by the applicant's family for medical purposes. When considering the application and the comments from third parties and in particular the lack of objection from the neighbouring property to the east, it is considered that the two storey rear extension will not have a

significant impact on the amenity of the adjacent properties to outweigh the benefits associated with the proposal for the applicant's family.

In terms of impact on privacy arising from the application, the new dormer window proposed on the east elevation will be to allow additional space within a bathroom. This window will be obscure glazed to prevent any opportunity for overlooking and loss of privacy. The other new windows proposed on this elevation at first floor are roof lights and will be above eye level, as such they will not result in loss of privacy to the detriment of neighbouring properties. Turning to the west elevation, the property adjoins the existing lane off Penllwyngwyn Road, beyond this is a single storey detached bungalow. A new porch alongside first floor dormer is proposed in the centre of the side elevation as a feature to the entrance to the property. Following submission of revised plans, this element has been reduced slightly to mitigate against any potential for overbearance. To ensure there is no detrimental impact through loss of privacy from the large glazed panels at first floor level, these are proposed to be obscure glazing. The other two dormer windows proposed on the west elevation are again required to provide suitable internal floorspace. These windows do not protrude from the main dwelling and will be a minimum of 12.5 metres from the side elevation of the nearest property on the other side of the access lane. As such, in line with Policy GP6, there is not considered to be an adverse effect on the amenity of adjacent occupiers by loss of privacy or overbearance.

In terms of the comments relating to the plans not being submitted showing side elevations or first floor windows. This is not the case, both elevation and floor plans have been submitted for the proposed extension specifying window locations and internal rooms.

Reference in the comments to the application not being clear regarding the existing conservatory/building at ground floor level, the submitted existing floor plan does clearly make reference to a conservatory at the rear and indicates this as single storey only. Furthermore, a site visit has been undertaken to clarify the existing built development at the site. In terms of the reference to the building being increased in size by more than 50%, this is one of the criteria within permitted development rights for extensions to dwellings. As a planning application has been submitted for the proposal, the criteria does not apply.

The proposal does not impact upon the highway network and there are no ecological/environmental considerations, a bat advisory has been issued to the applicant.

Following the above assessment and the relevant material considerations in this case, the proposal is considered to be acceptable.

## **Planning Obligations**

None

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

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). The decision takes into account the ways of working set out at section 5 of the WCFG Act and it is considered that this decision is in accordance with the sustainable

development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **Conclusion**

After careful consideration of the scheme as submitted, along with third party comments and the relevant material considerations it is concluded on balance that the proposed extension and alterations are acceptable. As specified, the proposal is required to provide additional space required by the applicant's family for medical reasons. In terms of the design, there is no strong character or design of existing properties in the surrounding area and as such the proposal is considered to comply with criteria a) of LDP Policy GP1. The scale of the proposed extension is considered to be compatible with the size of the existing dwelling and curtilage, and sufficient parking and garden/amenity area remains, as specified by Policy GP6. In terms of the amenities of neighbouring occupiers, these are not considered to be adversely affected by the development to outweigh the benefits associated with the scheme for the applicant's family.

Furthermore, no objections have been received from statutory consultees and the application is put forward with a favourable recommendation subject to the below conditions.

### **RECOMMENDATION – APPROVAL**

## **Conditions**

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the following plans and documents:-
  - Site Location Plan scale 1:1250 received 2 October 2019;
  - Existing Floor Plans and Elevations drawing no. A100-001 received 2 October 2019;
  - Proposed Floor Plans and Elevations drawing no. A100-002-1 received 21 November 2019;
  - Proposed Block Plan drawing no. A100-003-1 received 21 November 2019;
- 3 Notwithstanding the details specified on the Proposed Floor Plans and Elevations, details/samples of the proposed materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details thereafter.

- 4 Before the development hereby permitted is first brought into use the bathroom/shower room window and the reading room window at first floor level (as shown on Proposed Floor Plans and Elevations drawing no. A100-002-1) shall be fitted with obscure glazing and shall be permanently retained in that condition thereafter.
- 5 No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.
- 6 The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located, marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

## Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interests of visual amenity and to confirm the extent of the permission.
- 3 In the interests of visual amenity.
- 4 In the interest of privacy.
- 5 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 6 To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

## 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 responses received from consultees and third parties can be found on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)). They may also relate to other permissions or consents required or include further advice and guidance.
- Please see the relevant response from the Planning Ecologist and Dwr Cymru Welsh Water and refer to the recommendations and advice contained therein.



<b>Application No</b>	<b>S/39750</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	1) NEW SINGLE STOREY EXTENSION TO THE REAR 2) EXISTING GARAGE, UTILITY ROOM AND SHED TO BE DEMOLISHED AND REPLACED WITH NEW GROUND FLOOR EXTENSION TO PROVIDE NEW KITCHEN/DINING ROOM AND UTILITY ROOM. 3) EXISTING SIDE ENTRANCE PORCH TO BE DEMOLISHED AND REPLACED WITH NEW ENTRANCE PORCH AT 37 OAKLANDS, LLANELLI, SA14 8DE

<b>Applicant(s)</b>	MR & MRS C WATKINS, 37 OAKLANDS, LLANELLI, SA14 8DE
<b>Agent</b>	,
<b>Case Officer</b>	Zoe James
<b>Ward</b>	Swiss Valley
<b>Date of validation</b>	05/11/2019

## Reason for Committee

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

## Site

The application site consists of the curtilage of a detached bungalow located in Oaklands within Swiss Valley. The site comprises a rectangular building situated centrally within the site with a side 'L' shaped garage and utility room adjoining. To the front of the garage is a paved parking area with double entrance gates, chippings to the front of the property and a paved pedestrian walkway providing access to the existing porch to the other side of the property. To the rear is an existing conservatory, patio and stone chippings area surrounded by a wooden close boarded fence.

The dwelling fronts onto Oaklands with a large window in the main part of the property alongside a garage door and single access door. The bungalow has a spar dash finish with a pitched roof.

## Proposal

The application seeks full planning permission for the following works at the existing dwelling:

- 1) New single storey extension to the rear
- 2) Demolition of the existing garage, utility room and shed to be replaced with new side ground floor extension; and
- 3) Demolition of the existing side entrance porch and replaced with a new entrance porch.

The application was originally submitted with plans to raise the ridge height and create a first floor. However, following discussion with the applicant and a number of neighbour objections the proposal has been revised and a new single storey extension is proposed to the rear instead to comply with the requirements of Local Development Plan Policy GP6.

The rear single storey extension will project 4 metres of the existing rear elevation and is almost the entire width of the property at 6.1 metres. The extension will provide for the creation of an additional bedroom and en-suite, two new windows are proposed on the new rear wall and one new side window for the en-suite, which will be obscure glazed. Internal alterations are also proposed to allow for the creation of a hallway to access the new bedroom. As a result, a new window is also proposed on the side elevation of the existing property to provide a window for bedroom 1.

Turning to the second element of the proposal, the existing garage, utility room and shed is proposed to be demolished to allow for the creation of a side extension to provide a new kitchen/dining room and utility room. The extension will protrude from the existing dwelling to the site boundary and measures 7.2 metres to the front and 3.4 metres to the rear as it follows the boundary of the site. The side extension will have a flat roof with an atrium glazed feature.

The third element proposes demolition of the existing side porch located on the southern elevation of the property and replacing with a slightly larger porch of 1.5 metres in width and 3.7 metres in length. A new door is proposed within the porch facing onto Oaklands.

## Planning Site History

There are no records of any previous applications at the site.

## Planning Policy

In the context of the Authority's current Local Development Plan (LDP) the site is located within the Development Limits of Llanelli. Reference is drawn to the following policies of the Plan:-

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

GP1 Sustainability and High Quality Design  
GP6 Extensions

## [Carmarthenshire Supplementary Planning Guidance](#)

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

## Summary of Consultation Responses

**Head of Transportation & Highways** - No observations received to date.

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

**Llanelli Rural Council** – Revised response received following amended plans confirming no objection providing that the single storey extension is of appropriate design and also subordinate in scale to the original dwelling.

**Local Member(s)** - Councillor Giles Morgan objects on the basis that Swiss Valley is predominantly a housing estate of uniform bungalows and the proposal will be considered incongruous and out of place. Bungalows are in short supply within the county and turning a bungalow into a house further reduces the stock of such buildings and disables elderly and disabled people from choosing these of property. Proposal could result in a number of applications changing the street scene and is contrary to policies GP1 and GP6. [Comments received prior to amended plans].

**Dwr Cymru/Welsh Water** – no objection subject to condition and highlight the site is crossed by a public sewer.

**Planning Ecology** – no objection, issued bat advisory.

**Sustainable Drainage Approval Body** – no comments to provide on the proposal.

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

## Summary of Public Representations

The application was the subject of notification by way of neighbouring letters.

Two representations were received, both objecting and the matters raised are summarised as follows:

- Loss of privacy to property to the rear
- The application site is higher than other bungalows in Oaklands due to the incline of the land.
- Use garden extensively and only suitable area to sit is the top part closest to the application site, if approved, the garden would not be able to be used as it would be overlooked and loss of light would impact plants and trees which have been growing over the years.
- Area is made up of predominantly bungalows and the proposal will change the characteristics of the street/area.
- Scale and appearance is inappropriate.

- There is sufficient land at the back of the bungalow to allow a ground floor extension which would keep the bungalow's uniform structure.
- Concerns regarding the disruption and noise neighbours will be subjected to during construction period of the extension.

Please note the comments were received prior to the amended plans being submitted, yet no revised comments have been received following submission of the latest plans.

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

## Appraisal

The proposed rear extension extends beyond the existing dwelling by 4 metres with a width of 6.1 metres and is slightly smaller width than the existing dwelling. The rear extension roof comprises a pitched roof to match the existing, albeit it is at a lower level with ridge height of 4.4 metres. Part of the rear extension is proposed on the footprint of the existing conservatory at the property. The application site still affords sufficient garden and amenity space to the rear of the property. No loss of privacy is considered as two small windows are proposed on the rear elevation looking onto the garden and the ensuite window will be obscure glazing. The proposed new window on the side elevation for bedroom 1 is not considered to have an adverse impact on the privacy of the neighbouring occupier as there is an existing boundary wall and hedge minimising direct views. In addition, the window for bedroom 3 is presently on the side elevation. It is also noted that one of the objectors makes reference to a rear single storey extension being more appropriate at the site than the original proposal to increase the roof height and provide a first floor extension.

The second element of the proposal involves demolition of the existing garage, utility room and shed to be replaced with a larger side extension comprising a kitchen/open plan dining area and utility room. Whilst the replacement extension is larger than the existing footprint on this elevation and extends up to the site boundary with the neighbouring property to the north, no objections have been received from this property. In addition, the extension will be single storey and have a flat roof, with a height of 2.6metres at the eaves, increasing to 3.6metres for the atrium roof feature. No new windows are proposed on the side elevation of the extension. Given the positioning of the application site at a slightly lower level than the neighbouring property, the side extension is not considered to have an adverse effect on the amenity of neighbouring occupiers by virtue of loss of privacy or overbearance.

The third part of the application involves the demolition of the existing small side porch on the south elevation and replacing with a slightly larger porch and front door facing Oaklands. The new porch extends beyond the property by 1.5 metres compared to 0.8 metres existing with a depth of 3.7 metres compared to 2.1 metres. The proposed new porch is 0.1 metres higher than the existing. On this basis, the proposed porch is not considered to have any adverse impact on the amenity of neighbouring occupiers.

Whilst the proposal does involve a greater footprint of development at the application site, sufficient garden/amenity space and car parking remains and the proposal is not considered to be overdevelopment of the site. The materials are proposed to match the existing, with the walls to be concrete block with spar dash finish, Marley Modern roof tiles and white UPVC windows and doors.

The proposal does not impact upon the highway network and there are no ecological/environmental considerations, a bat advisory has been issued to the applicant.

The proposal is therefore considered to be in accordance with the objectives of policies GP1 and GP6 in terms of its scale and appearance and likely impact upon the residential amenity of neighbouring occupiers.

The revised plans largely address the consultation comments and objections received. The comments received regarding noise and disturbance during the construction period are not a significant consideration, an element of noise and disturbance is expected during the construction period.

## **Planning Obligations**

None

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

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

## **Conclusion**

After careful consideration of the scheme as submitted, together with the representations received to date it is concluded on balance that the scale and design of the proposed extensions are considered to be acceptable and have no detrimental impact on the character and appearance of the existing property and surrounding residential area. The extensions are subordinate and compatible to the size, design and character of the host dwelling and the amenities of adjacent occupiers will not be adversely affected by the development.

The proposal is in accordance with the policies of the adopted Local Development Plan and is therefore put forward with a favourable recommendation subject to the below conditions.

### **RECOMMENDATION – APPROVAL**

## **Conditions**

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the following plans:-

- Site Location Plan scale 1:1250 received 5 December 2019;
- Block Plan scale 1:500 received 5 December 2019;
- Proposed Block Plan scale 1:500 received 5 December 2019;
- Existing Ground Floor Plan scale 1:100 drawing no. ETW 001 Rev 01 received 5 December 2019;
- Existing Elevations scale 1:100 drawing no. ETW 002 Rev 01 received 5 December 2019;
- Proposed Ground Floor Plan scale 1:100 drawing no. ETW 003 Rev 01 received 5 December 2019;
- Proposed Elevations scale 1:100 drawing no. ETW 004 Rev 01 received 5 December 2019.

- 3 The materials to be used in the construction of the external surfaces of the extensions and porch shall be as specified on Proposed Elevations drawing no. ETW 004 Rev 01) and match those used in the existing building.
- 4 Before the development hereby permitted is first brought into use the en-suite bathroom window (as shown on Proposed Ground Floor Plan drawing no. ETW 003 Rev 01) shall be fitted with obscure glazing and shall be permanently retained in that condition thereafter.
- 5 The proposed development site is crossed by a public sewer with the approximate position being marked on the Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.

## Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interests of visual amenity and to confirm the extent of the permission.
- 3 In the interests of visual amenity.
- 4 In the interest of privacy.
- 5 To protect the integrity of the public sewer and avoid damage thereto.

## 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 responses received from consultees and third parties can be found on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)). They may also relate to other permissions or consents required or include further advice and guidance.
- Please see the relevant responses from Dwr Cymru/Welsh Water and the Council's Planning Ecologist and refer to the recommendations and advice contained therein.