

# Document Pack



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**TUESDAY, 10 NOVEMBER 2020**

**TO: ALL MEMBERS OF THE PLANNING COMMITTEE**

I HEREBY SUMMON YOU TO ATTEND A **VIRTUAL MEETING** OF THE **PLANNING COMMITTEE** WHICH WILL BE HELD AT **10.00 AM ON TUESDAY, 17TH NOVEMBER, 2020** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

*Wendy Walters*

**CHIEF EXECUTIVE**

<b>Democratic Officer:</b>	<b>Martin S. Davies</b>
<b>Telephone (direct line):</b>	<b>01267 224059</b>
<b>E-Mail:</b>	<b>Democraticservices@carmarthenshire.gov.uk</b>

Wendy Walters Prif Weithredwr, *Chief Executive*,  
Neuadd y Sir, Caerfyrddin. SA31 1JP  
*County Hall, Carmarthen. SA31 1JP*

# PLANNING COMMITTEE

20 MEMBERS

## PLAID CYMRU GROUP - 10 MEMBERS

- |     |                                      |  |
|-----|--------------------------------------|--|
| 1.  | <b>Councillor Mansel Charles</b>     | Member of Llanegwad Community Council    |
| 2.  | <b>Councillor Tyssul Evans</b>       | Member of Llangyndeyrn Community Council |
| 3.  | <b>Councillor Jeanette Gilasbey</b>  | Member of Kidwelly Town Council          |
| 4.  | <b>Councillor Ken Howell</b>         |  |
| 5.  | <b>Councillor Carys Jones</b>        |  |
| 6.  | <b>Councillor Alun Lenny (Chair)</b> | Member of Carmarthen Town Council        |
| 7.  | <b>Councillor Jean Lewis</b>         |  |
| 8.  | <b>Councillor Dorian Phillips</b>    |  |
| 9.  | <b>Councillor Gareth Thomas</b>      | Member of Llenedi Community Council      |
| 10. | <b>Councillor Eirwyn Williams</b>    |  |

## LABOUR GROUP - 4 MEMBERS

- |    |                                 |  |
|----|---------------------------------|--|
| 1. | <b>Councillor Penny Edwards</b> |  |
| 2. | <b>Councillor John James</b>    | Member of Pembrey & Burry Port Community Council |
| 3. | <b>Councillor Dot Jones</b>     | Member of Llannon Community Council              |
| 4. | <b>Councillor Kevin Madge</b>   | Member of Cwmamman Town Council                  |

## INDEPENDENT GROUP - 4 MEMBERS

- |    |  |                                      |
|----|--|--------------------------------------|
| 1. | <b>Councillor Sue Allen</b>                |                                      |
| 2. | <b>Councillor Ieuan Davies</b>             |                                      |
| 3. | <b>Councillor Joseph Davies</b>            |                                      |
| 4. | <b>Councillor Irfon Jones (Vice-Chair)</b> | Member of Bronwydd Community Council |

## NEW INDEPENDENT GROUP – 2 MEMBERS

1. Vacancy
2. Vacancy

*SUBSTITUTES ARE TEMPORARILY ALLOWED UNTIL THE 30<sup>TH</sup> APRIL 2021*

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2. **DECLARATIONS OF PERSONAL INTERESTS.**
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5. **AREA WEST - DETERMINATION OF PLANNING APPLICATIONS.** 45 - 64

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*Ardal  
Dwyrain/  
Area East*

**ADRODDIAD PENNAETH  
CYNLLUNIO, CYFARWYDDIAETH  
YR AMGYLCHEDD**

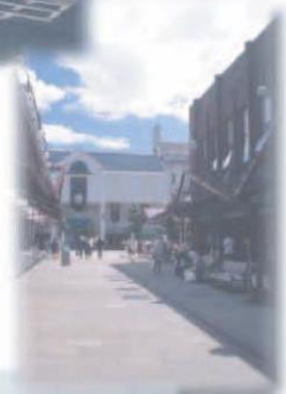
**REPORT OF THE HEAD OF  
PLANNING, DIRECTORATE  
OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO  
CYNGOR SIR CAERFYRDDIN**

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

**AR 17 TACHWEDD 2020  
ON 17 NOVEMBER 2020**

**I'W BENDERFYNU/  
FOR DECISION**



**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>17 NOVEMBER 2020</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**



<b>Application No</b>	<b>E/40465</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	SPLIT LEVEL DWELLING AND ASSOCIATED ENGINEERING WORKS AT LAND ADJACENT TO 214 CWMAMMAN ROAD, GARNANT, AMMANFORD, SA18 1LE

<b>Applicant(s)</b>	MR KEITH JONES
<b>Agent</b>	IPLAN ARCHITECTURE LIMITED – CARL QUICK
<b>Case Officer</b>	Andrew Francis
<b>Ward</b>	Garnant
<b>Date registered</b>	20/04/2020

## 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 comprises of a broadly rectangular vacant plot of land off the north east flank of the A474 Cwmamman Road adjacent to No. 214 Cwmamman Road in the village of Garnant. The land currently is set at two levels, with what would be the front of the site, to the south west fronting Cwmamman Road, currently used as a parking and turning area for 212 Cwmamman Road. Beyond this to the north east, the land steps down in level, where the rear of the site backs onto the private cul de sac known as Parc Glanffrwd.

The site currently accommodates two old sheds on the lower level which is somewhat overgrown. It is known that a public sewer runs through the site from north west to south east, towards the rear of the plot and that an old concrete culvert also runs through the site from east to west, towards Parc Glanffrwd.

The plot has a road frontage measuring 13 metres and a depth of 30.5 metres. The plot width along the rear boundary measures 17.4 metres. The plot has an overall area of 444 square metres. There is an approximate 4 metre drop in the site level from the road level to that at the rear of the site.

## Proposal

Full planning permission is sought for the construction of one split level, three bedroom dwelling on the above described plot. The proposed dwelling measures 9.22 metres in width by 9.22 metres in depth, with a slight front gable projection. As the dwelling is split level, the front elevation has the appearance of a bungalow, with a height of approximately 4.9 metres. The rear elevation is the two storey elevation and this presents a height of 7.8 metres.

Internally, the proposed dwelling seeks to provide a living room, dining room/kitchen, utility room and WC on the ground floor with four bedrooms (two en-suite) a family bathroom and a store at first floor level.

Externally, the proposed dwelling seeks to have smooth white rendered walls, a blue pennant stone feature gable finish, a low blue brick plinth, slate roof, grey aluminium doors and windows, grey uPVC fascias and soffits and black uPVC rainwater goods.

The rear garden is to be graded and lawned, with a 1.8 metre timber fence around the rear boundaries. The front wall is to be reduced to 900mm in height, and partly rebuilt in random stone at the access to the parking and turning area. Three parking spaces are proposed within the front courtyard area.

## Planning Site History

There is no relevant planning history on the application site.

## Planning Policy

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

- SP1 Sustainable Places and Spaces
- SP2 Climate Change
- SP3 Sustainable Distribution- Settlement Framework
- GP1 Sustainability and High Quality Design
- GP2 Development Limits
- H2 Housing within Development Limits
- AH1 Affordable Housing
- TR3 Highways in Developments – Design Considerations
- EP3 Sustainable Drainage

[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 objection – recommends conditions.

**Cwmamman Town Council** – No observations received to date.

**Local Member** – The Local Member, Councillor K Madge, is a Member of this Planning Committee and has therefore made no prior comment.

**Land Drainage** – Offers no comments to the proposal.

**Dwr Cymru Welsh Water** – No objection, advises of the location of a public sewer and that no development shall occur within 3 metres either side of the centreline of this sewer.

**The Coal Authority** – Offers no objection subject to the imposition of 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 site notices. Four representations were received objecting to the proposed development. The matters raised are summarised as follows:

- The surface water coming down from Ceidrim Road enters a very old concrete shallow culvert that runs under the application site and joins the Parc Glanffrwd's drainage at the frontage of No. 11. The proposed development could cause this culvert to collapse and flood the surrounding lower area, which is an unadopted site maintained by the residents.
- This proposal could cause extra parking problems on the A474, which is already a big issue.

## Appraisal

### Principle of the Development

The application site is located within the development limits of Garnant, categorised as being a Local Service Centre (T3) within the a within the Local Development Plan's (LDP) settlement framework. The proposal for the development of one dwelling within the development limits of a Local Service Centre is permitted in accordance with Policies H2 and GP2 of the LDP. The principle of the proposed development is therefore considered acceptable subject to detailed considerations as discussed below.

### Impact on the Character and Appearance of the Area

Taking into account the above description of the site and proposal, the submitted plans show that the proposed dwelling is sited acceptably within the suitably large plot and can do so in such a way that would not demonstrably harm the residential character and appearance of the area. The adjacent dwellings occupy plots of a commensurate size and the proposed dwelling will be situated broadly on the logical building line of the adjacent houses taking into account the required parking and turning area.

Similarly, the scale of the proposed dwelling is also sensitive to the surrounding built form, whilst also making effective use of the change of site levels to provide an efficient use of space. The materials proposed are modern but quite typical of the area, being render, stone cladding and slate so shouldn't appear incongruous in the street scene. The simple rear garden laid to lawn with a 1.8 metre timber boundary fence is also simple and acceptable and will improve the current situation.

No objections or observations have been raised regarding the principle of the development or the effect of the proposal upon the general character of the area.

Therefore, this proposed development would not, on balance, have an unacceptable impact upon the character and appearance of the area. The application is therefore considered to comply with Policy GP1(a) of the LDP.

### Drainage

The four letters of objection received all advise of an old shallow concrete culvert that runs down the slope from the Ceidrim Road direction to the west, runs through the site and through No. 11 Parc Glanffrwd. The concern is that the proposed development could damage this culvert which could lead to flooding and affect the houses of Parc Glanffrwd which are at a lower level. The Agent has submitted amended plans which shows the location of this culvert and advises that the development will include improvements and a diversion of this culvert around the proposed dwelling which should improve the reliability of this apparatus. It should also be noted that the proposal will also be subject to a separate Surface water Advisory Body (SAB) Application which will deal formally with these issues.

Dwr Cymru Welsh Water also advise that a public sewer runs through the site. The submitted plans show the location of the sewer which indicate that the proposed dwelling exceeds Dwr Cymru's requirement of a 3 metre easement each side of the centreline of this sewer.

As such, based on the above details, the proposed development provides all the details required to show that both the surface water and foul water apparatus that may be affected by this proposed development, are to be dealt with acceptably and should not cause any harm to the infrastructure or the occupiers of the neighbouring properties. As such, the proposed development is considered to accord with policy EP3 of the LDP.

### Impact upon Highway Safety

The access to the site is proposed to be obtained directly off Cwmamman Road and is already in use for vehicle parking for the existing owner of the site.

The objectors also raised concern that this development could cause extra parking on Cwmamman Road, which is stated as being a current issue, presumably as the existing parking space will be diverted onto the road. The Head of Highways and Transportation offers no objection to this proposal advising that the development provides a suitable parking and turning facility to serve the dwelling, whilst the existing parking bays sited on Cwmamman Road are capable of accommodating the parking offset from the site.

It is therefore considered that, subject to the imposition of conditions, the proposed development complies with Policy TR3 Highways in Developments – Design Considerations in terms of the proposed access.

### Living Conditions of Neighbouring Occupiers

Based on the submitted plans it is considered that the site is capable of accommodating the proposed dwelling and it demonstrates that it would sit comfortably within the site, and will be commensurate to the scale and form of the other dwellings within the area. The spatial arrangement means that the design of the dwelling along with its window layout should not

unduly impact upon the privacy and living conditions of the occupiers of the neighbouring properties. Furthermore, the appropriate boundary treatments will provide additional screening of the development and further safeguard the amenity of neighbouring properties. It is therefore considered at present that the proposal complies with Policy GP1(d) of the LDP. It is the case however that this will be further scrutinised at the reserved matters stage when further details are submitted for consideration.

## **Planning Obligations**

The applicant has advised that they are in the process of finalising a Unilateral Undertaking agreeing to pay the requisite commuted sum contribution to affordable housing in accordance with Policy AH1 of the LDP. The contribution amount in this area of the County is equivalent to £41.98 per sqm of the internal floorspace of the dwelling which equates to £5,457.17.

## **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 it is concluded on balance that the proposed development is acceptable in principle and the submitted information confirms that the site, which is within the defined settlement limits of Garnant, is capable of accommodating the proposed dwelling without having an unacceptable impact upon the character and appearance of the area or the living conditions of neighbouring residents. The concerns regarding impact of the development on highway safety are acknowledged, however, the Head of Transport advises that the proposed access and parking/turning area is acceptable to serve the development, whilst the development would not cause harm to the foul or surface water drainage at this site. The applicant has also agreed to pay a financial contribution towards affordable housing secured by way of a Unilateral Undertaking. The application is therefore considered to comply with policies SP1, SP2, SP3, GP1, GP2, H2, AH1, TR3 and EP3 of the Carmarthenshire Local Development Plan and is recommended for approval subject to the Unilateral Undertaking and the following conditions:

## **Recommendation - Approval**

### **Conditions and Reasons**

#### **Condition 1**

The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.

*Reason:* Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

## **Condition 2**

The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-

- Location Plan, Block Plan and Existing Site Layout Plan at scale 1:1250, 1:500 & 1:100 [19.225.01a] @ A1 received 30 October 2020;
- Proposed Block Plan and Site Layout Plan at scale 1:500 & 1:100 [19.225.02a] @ A1 received 30th October 2020;
- Proposed Floor Plans and Elevations at scale 1:50 & 1:100 [19.225.03] @ A1 received on 25 March 2020;
- Proposed Site Sections, Drainage and Joist Layout [19.225.04 @ A1.

*Reason:* To ensure that the development is implemented in accordance with the approved details.

## **Condition 3**

The first floor windows serving Bedroom 2 and Bedroom 3 on the North West Elevation as indicated on the approved plans 19.225.03 shall be glazed in obscure glass and maintained as such thereafter in perpetuity.

*Reason:* In the interests of neighbouring amenity and to accord with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

## **Condition 4**

The access, visibility splays, parking spaces and turning area shown on the plans hereby approved 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, parking spaces or turning area, are to be obstructed by non-motorised vehicles.

*Reason:* In the interests of highway safety and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

## **Condition 5**

No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

*Reason:* In the interests of continued residential safety and amenity.

## **Condition 6**

Where the findings of the intrusive site investigations (required by condition 4 above) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

*Reason:* In the interests of continued residential safety and amenity as the site is in a high risk area due to former coal mining.

## **Condition 7**

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

*Reason:* 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.

## **Condition 8**

The proposed development site is crossed by a public sewer. 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.

*Reason:* 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/Informatives**

### **Note 1**

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

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

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

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

**Note 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)).

**Note 3**

The applicant/developer's attention is drawn to the legal agreement related to this application pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of an affordable housing contribution of £41.98 per square metre internal floor area amounting to £5457.17 required by policy AH1 of the LDP.



<b>Application No</b>	<b>E/40598</b>
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<b>Application Type</b>	Outline
<b>Proposal &amp; Location</b>	OUTLINE PERMISSION FOR CONSTRUCTION OF 2 DWELLINGS AT LAND ADJACENT TO ERWAIN, CAER BRYN ROAD, PENYGROES, LLANELLI, SA14 7PH

<b>Applicant(s)</b>	MR MARK LANGLEY
<b>Agent</b>	BROWN PARTNERSHIP – NICK BROWN
<b>Case Officer</b>	Andrew Francis
<b>Ward</b>	Penygroes
<b>Date registered</b>	18/05/2020

## 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 comprises of the large front garden area of the existing dwelling known as Erwain, off Caerbryn Road, Penygroes. The dwelling and its current curtilage is situated off the northern flank of Caerbryn Road within a cul de sac of 5 dwellings, three of those served off the same private drive. Caerbryn Road in this location is fairly narrow and fairly close to the Waterloo Road junction. The cul de sac is sited adjacent to Penygroes C P School and is elevated off the Caerbryn Road level.

The dwellings on the cul de sac are in a random arrangement, based on the individual way the plots were sold and the dwellings were sited upon them. The designs and materials are also quite different to each other so there is no set pattern or vernacular to follow.

The application site is broadly rectangular in shape and measures 38 metres along the rear boundary, 38.5 metres along the front boundary, 43.6 metres along the southern side boundary and 35 metres along the northern side boundary. The two proposed plots would be sited to the front (south) of the existing dwelling, with the existing dwelling able to retain a large garden measuring approximately 55 metres in depth by 27 metres in width.

## Proposal

Outline planning permission is sought for the construction of two dwellings with the matter of access and layout also submitted for approval. The matters concerning appearance, scale and landscaping are to be considered at the later reserved matters applications stage subject to first gaining outline planning permission. The proposed layout for approval shows that the two dwellings would be sited with the roof apex in a broadly north east/south west alignment with the front facing east and the rear facing west. Each dwelling is shown as having both a front and rear garden, slightly larger for plot 1, but each fairly generous. Three parking spaces are also provided to the front of each dwelling along with a turning area.

Scale is to be considered as a future Reserved Matter. However, legislation requires that scale parameters for each dwelling shall be provided for consideration at Outline stage and are as follows:

Dwelling:

Width: 13m maximum

Depth: 6.7m maximum

Height (to ridge): 6.5m maximum

Height (to eaves): 2.75m maximum

The access to the site is proposed to be obtained off the existing shared private drive that serves the existing 3 dwellings, which would make a total of 5. The minimum width of this driveway is 3.5 metres, but is wider in places.

## Planning Site History

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

E/25849	Dwelling Outline planning permission	07 February 2012
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## Planning Policy

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

SP1 Sustainable Places and Spaces  
SP2 Climate Change  
SP3 Sustainable Distribution- Settlement Framework  
GP1 Sustainability and High Quality Design  
GP2 Development Limits  
H2 Housing within Development Limits  
AH1 Affordable Housing  
TR3 Highways in Developments – Design Considerations  
EP3 Sustainable Drainage  
EQ7 Development within the Caeau Mynydd Mawr SPG Area

[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 objection – recommends conditions.

**Llandybie Community Council** – No observations to make.

**Local Member(s)** – The Local Member, Councillor D Thomas, has not commented to date.

**Land Drainage** – SAB approval is required.

**Dwr Cymru Welsh Water** – No objection, recommends conditions.

**The Coal Authority** – 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 a site notice. Three representations were received objecting to the proposed development from two respondents. The matters raised are summarised as follows:

- The proposed development is totally out of keeping with the existing development which is all bungalows.
- The access road is privately owned and for the benefit of the 3 existing properties and won't be able to cope with the 66% increase in traffic. Permission will be required from the other private driveway owners.
- Question 11 of the Application Form states that the proposal isn't within 20 metres of a water course when one adjoins the site. The watercourse is already prone to flooding during heavy rain and in turn poses a threat to nearby properties. Overflow regularly floods the access road.
- Surface water runoff from the currently grassed development site already causes flooding to neighbouring properties, which the applicant is aware of, yet the site is to have more hard landscaping and the property footprints, yet is proposed to be drained by a sustainable drainage system. This will undoubtedly exacerbate the system.
- How will the site's foul water be drained? The application form says it will be via mains sewer, but there is no obvious means of accessing that sewer which is over 50 metres away on Caerbryn Road.

# Appraisal

## Principle of Development

The application site is located within the development limits of Penygroes, categorised as being within the Ammanford/Cross Hands Growth Area within the Local Development Plan's (LDP) settlement framework. The proposal for the development of two dwellings within the development limits of a growth area is permitted in accordance with Policies H2 and GP2 of the LDP. The principle of the proposed development is therefore considered acceptable subject to detailed considerations as discussed below.

## Impact on the Character and Appearance of the Area

Taking into account the above description of the site and proposal, along with the objections received, the submitted site layout, which is to be considered as a Reserved Matter shows that the two proposed dwellings are sited within suitably large plots and can do so in such a way that would not demonstrably harm the residential character and appearance of the area. The existing dwelling of Erwain itself retains a large plot with large gardens remaining and the two proposed dwellings would have rear gardens of at least 16 metres in depth with a front amenity area of at least 12 metres. Furthermore, the objection claim that the existing dwellings being exclusively bungalows would also mean that this proposal would harm the area does not stand up to scrutiny. The scale parameters of the proposed dwellings are to be set with an eaves height of 2.75 metres at maximum which would be a height expected of a bungalow or dormer dwelling, whilst the maximum ridge height of 6.5 metres is also consistent with that of a bungalow with a large roof or a dormer dwelling, which, it is considered would fit acceptably well at this location. This view is further strengthened by the mixture of designs and external finishes of the existing dwellings of the cul de sac.

As explained above the application is for outline planning permission only with most detailed matters reserved except access and layout. Detailed design matters relating to the appearance and final scale of the dwelling (within the maximums stated above) and landscaping are for determination at the reserved matters application stage. As such, a suitable landscaping scheme together with appropriate boundary treatments can be secured at reserved matters stage and will further ensure that the development can be acceptably integrated with its surroundings and in relation to existing dwellings.

Therefore, subject to an acceptable design which will be considered at the reserved matters stage, development of the site for a dwelling would not, on balance, have an unacceptable impact upon the character and appearance of the area. The application is therefore, at this stage, considered to comply with Policy GP1(a) of the LDP.

## Living Conditions of Neighbouring Occupiers

Based on the proposed layout it is considered that the site is capable of accommodating the two dwellings that would sit comfortably within the site, and will be commensurate to the scale and form of the other bungalows within the cul de sac. The spatial arrangement means that the design of the dwelling can be such that it should not unduly impact upon the privacy and living conditions of the neighbouring properties. The proposed layout of the proposed dwellings show that acceptable distances can also be achieved between the closest properties which coupled with the scale of the proposed property, particularly its height, would not result in a significant adverse impact upon the nearest neighbour's amenity. Furthermore, an appropriate landscaping scheme and boundary treatments will provide

additional screening of the development and further safeguard the amenity of neighbouring properties.

It is therefore considered at present that the proposal complies with Policy GP1(d) of the LDP. It is the case however that this will be further scrutinised at the reserved matters stage when further details are submitted for consideration.

#### Impact upon Highway Safety

The access to the site is proposed to be obtained via the private drive that currently serves Erwain which is accessed off Caerbryn Road. Access to the site is for consideration at this stage.

The Head of Highways and Transportation initially responded to consultation with concerns regarding the number of dwellings proposed off the shared private drive which has a minimum width of approximately 3.5 metres and no walkways. Furthermore, the two objectors have also raised points relating to this access, though this relates more to the ownership of the lane and the potential issues relating to rights of access.

Following discussion relating to the shared private drive, its width and the potential numbers accessed off it, based on the current Carmarthenshire Highways Design Guide the Head of Transport advises that as the road is in excess of 5.0 metres at the junction with Caerbryn Road, exceeds 3.5 metres at certain points and has good inter visibility along its length, the proposal is supported subject to the imposition of conditions.

As Members will be aware, the private rights issues are not for the Planning Department to adjudicate on so will be for the applicant to seek further advice on.

It is therefore considered that, subject to the imposition of conditions, the proposed development complies with Policy TR3 Highways in Developments – Design Considerations in terms of the proposed access.

#### Drainage

There are two separate concerns raised with regard to the drainage at this site, relating to both the foul and surface water.

With regard to the issue of surface water first, it is noted by the Authority's Sustainable Drainage Approval Body (SAB) that the site is at high risk of surface water flooding according to the current flood risk mapping layers published by Natural Resources Wales (NRW). However, as this application is in Outline only, they advise that the applicant should ensure non-worsening of these risks to neighbouring third parties.

Both objections also raise the issue of surface water, advising that the small watercourse that runs alongside the application site is prone to overflowing during heavy rain periods, which then affects all the houses in the cul de sac. The objectors are concerned that the increase in hard surfaces will exacerbate this issue.

Whilst any development over 100 square metres would be liable to a SAB application anyway, in order to ensure that a suitable surface water system can be provided at this location, it was requested that details be provided showing how this may be done. The Agent has provided this information in the form of a technical letter from Francis Sant –

Hydrologists. The current situation was assessed based on the NRW hazard maps, rainfall data and proposed plans. In summary, it is advised that sustainable drainage features can be introduced will ensure that the rainfall runoff will not increase from the site and will reduce for some events. As such, at this stage, the submitted information satisfactory to provide enough detail to ensure that the surface water issue should not get worse and may get better for the neighbouring residents. As a result, the proposal is compliant with policy SP2.

With regard to foul water, Dwr Cymru Welsh Water offer no objections to the proposal to use the existing public sewer system, provided no surface water flows enter. Any costs involved in achieving the connection to the existing sewer must be borne by the developer and requires a S.106 agreement under the Water Industry Act 1991.

A condition requiring full details of foul and surface water drainage to be submitted and agreed at reserved matters stage will be included in any outline planning permission.

The proposed development is considered to accord with Policies EP2 and EP3 of the LDP.

#### Other Matters

The application site is of a size that is acceptable to accommodate the proposed residential dwellings, whilst both retaining a large garden area to serve Erwain and retaining the general character of the built form off this cul de sac. The spatial arrangement of the proposal would not lead to issues relating to a demonstrable loss of privacy or amenity for the occupiers of the neighbouring dwellings whilst contributing to the need for new dwellings in Carmarthenshire and providing commuted sums.

### **Planning Obligations**

The applicant has advised that they are in the process of finalising a Unilateral Undertaking agreeing to pay the requisite commuted sum contribution to affordable housing in accordance with Policy AH1 of the LDP. The contribution amount in this area of the County is equivalent to £41.98 per sqm of the internal floorspace of the dwelling. The final level of contribution would be determined at the reserved matters stage when details of the floorspace would be provided. A commuted sum of £2086 is also payable towards the Council's commitment to promote and contribute to the delivery of the Conservation Objectives of the Caeau Mynydd Mawr Special Area of Conservation, in line with the Habitats Directive and a requirement of Policy EQ7.

### **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 it is concluded on balance that the proposed development is acceptable in principle and the submitted information confirms that the site, which is within the defined settlement limits of Penygroes, is capable of accommodating the proposed dwellings without having an unacceptable impact upon the character and appearance of the area, the landscape or the living conditions of neighbouring residents. The concerns regarding impact of the development on highway safety are acknowledged, however, the Head of Transport advises that in this instance, the shared private drive is of an acceptable width, alignment and with an acceptable access onto the County Road to mean that the access is compliant with the current Carmarthenshire Highways Design Guide, subject to the imposition of conditions. The applicant has also agreed to pay a financial contribution towards affordable housing and the Caeau Mynydd Mawr SAC secured by way of a Unilateral Undertaking. The application is therefore considered to comply with policies SP1, SP2, SP3, GP1, GP2, H2, AH1, TR3, EP3 and EQ7 of the Carmarthenshire Local Development Plan and is recommended for approval subject to the Unilateral Undertaking and the following conditions.

## Recommendation - Approval

### Conditions and Reasons

#### Condition 1

Application for approval of reserved matters must be made to the local planning authority before the expiration of three years from the date of this permission, and the development must be commenced not later than whichever is the later of the following:-

- a) the expiration of five years from the date of this outline planning permission;
- b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.

*Reason:* Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).

#### Condition 2

Details of the appearance, landscaping, and scale, (hereinafter called "the reserved matters") 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.

*Reason:* This is an outline planning permission only.

#### Condition 3

The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-

- 1:1250 scale Location Plan [2c] @ A3 received 3<sup>rd</sup> November 2020;
- 1:500 scale Block Plan [1c] @ A3 received 3<sup>rd</sup> November 2020.

*Reason:* To ensure that the development is implemented in accordance with the approved details.

#### **Condition 4**

No development shall commence until details of existing ground levels, including those of adjacent properties, and proposed finished ground and floor levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

*Reason:* In the interests of visual amenity and to accord with policy GP1 of the Carmarthenshire Local Development Plan 2014.

#### **Condition 5**

No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

*Reason:* To ensure that the development is adequately drained, 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 and to accord with Policy EP3 of the Carmarthenshire Local Development Plan 2014.

#### **Condition 6**

Any reserved matters application for 'landscaping' or 'layout', shall include an appropriate and comprehensive Detailed Landscape Design Scheme, to be submitted and approved in writing by the local planning authority. The scheme shall deliver detailed design proposals which effectively integrate appropriate site specific landscape, ecological and biodiversity objectives and functions; and shall be in compliance with relevant guidance as provided by the local planning authority.

*Reason:* To ensure that the development respects, reflects, and enhances local character, distinctiveness; and gives due consideration to features which contribute to local distinctiveness and the landscape.

#### **Condition 7**

Prior to the occupation of the dwellings hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the dwellings are occupied.



*Reason:* In the interests of visual and neighbouring amenity and to the accord with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

### **Condition 8**

Prior to the commencement of development, the written approval of the local planning authority shall be obtained for a scheme of parking and details of a turning facility within the curtilage of the site, dedicated to serve the proposal. The approved scheme is to be fully implemented 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 turning facility is to be obstructed by non-motorised vehicles.

*Reason:* In the interests of highway safety and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

### **Condition 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.

*Reason:* In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

### **Condition 10**

No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.

*Reason:* In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

## **Notes/Informatives**

### **Note 1**

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

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

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

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

**Note 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)).

**Note 3**

The applicant/developer's attention is drawn to the legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of an affordable housing contribution of £41.98 per square metre internal floor area.

*Ardal Del/  
Area South*

**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 17 TACHWEDD 2020  
ON 17 NOVEMBER 2020**

**I'W BENDERFYNU/  
FOR DECISION**



**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>17 NOVEMBER 2020</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>S/40758</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	INTRODUCE A 9M X 12M MARQUEE AND A NEW MODULAR KITCHEN AND TOILET BLOCK AT LLWYN HALL, ERW LAS, LLWYNHENDY, LLANELLI, SA14 9LD

<b>Applicant(s)</b>	SION STEPHENS
<b>Case Officer</b>	ZOE JAMES
<b>Ward</b>	Bynea
<b>Date registered</b>	23/06/2020

## 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 comprises Llwyn Hall Country House set within its own grounds with parking and grassed area accessed off Erw Las. The site is bordered by public highways Hendre Road to the north and Erw Las to the west with residential uses to the east and south. The wider area predominantly comprises residential uses.

The property comprises a substantial two storey detached building with associated parking and lawned garden area to the south of the main building. The main vehicular access is onto Erw Las with an additional vehicle access onto Hendre Road. The site slopes slightly from its northern boundary in a southerly direction.

Llwyn Hall Country House is an existing hotel and restaurant who presently cater for weddings, events and business functions.

The site is not situated within any environmental or ecological designations, although is partly within the Coal Authority's Development High Risk Area. The site is not allocated for any purpose but is within the Development Limits of Adopted the Local Development Plan (LDP).

## Proposal

The planning application proposes the erection of a marquee and extended kitchen and toilet block at the existing Llwyn Hall Country House hotel and restaurant. The proposed

marquee measures 9 metres by 12 metres, with a wall height of 2.4metres and pitched roof of 4.48metres and is proposed in the eastern corner of the site adjacent to the existing hotel. The extended kitchen and toilet block is proposed as a temporary portacabin structure located to the north of the existing building adjacent to the rear elevation. This element of the proposal measures approximately 9.9m by 5.4m and will include separate ladies and gentlemen toilets and an open plan kitchen.

The proposed marquee will be PVC which includes a separate internal cavity wall lined with acoustic lining and double layered inner wall of high-density acoustic plaster boards. The marquee will also have full height and width UPVC windows and doors with laminated glass to provide additional sound reduction. The roof is also proposed to be lined with specifically designed modular acoustic quilting panels.

The information submitted as part of the application states that the marquee is proposed to host events such as weddings, parties and functions at the premises. As such, it is acknowledged that such events would typically include evening entertainment through the form of recorded music using a DJ and public address (PA) system. Evening entertainment is proposed to only be during the hours of 19:00-23:00. It is noted that the entertainment does not include any live amplified music in the form of bands with drumkits and amplified guitars.

The applicants have also advised that the proposed marquee is required now to help the business to continue trading in line with the new Government restrictions regarding social distancing at hospitality venues. As such, it is understood that the marquee will also be used to provide additional seating capacity for the existing hotel and restaurant facility to comply with Covid-19 regulations and to assist the business recovery.

The proposed kitchen and toilet block will be a portable structure with mains electric and plumbing and will provide the main power source to the marquee. An air-conditioning unit alongside generator, extractor fans and cooking equipment are also proposed to be installed. Full details of the equipment have not been provided at this stage but are proposed to be required by condition prior to commencement of development.

The applicant has advised that to accommodate additional events such as weddings and parties, it is anticipated that up to four additional full-time staff may be employed at the premises (2 full time and 4 part-time).

No changes are proposed to the existing boundaries or trees and vegetation on site.

## **Planning Site History**

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

S/17055	Variation of Condition No. 1 of planning permission LL/01926 dated 27/08/2002 to extend the time period two storey extension Variation of Planning Condition granted	27 September 2007
LL/02795	Erection of a single storey conservatory to east elevation Full planning refused Appeal Dismissed	21 January 2003 23 September 2003



LL/02794	Erection of a single storey conservatory to west elevation Full planning permission granted	21 January 2003
LL/01926	Two storey extension comprising of kitchen, wcs and storage facilities Full planning permission granted	27 August 2002
LL/01048	Change of use from dwelling to restaurant and guest house Full planning permission granted	13 May 2002
S/01277	Proposed kitchen and study ground floor extension. Proposed bedroom and 2 no. en suite first floor extension Full planning permission granted	25 June 1998

## Planning Policy

In the context of the Authority's current Development Plan the site is within the defined development limits of Llanelli as contained in the adopted Local Development Plan (LDP). It is not the subject of any designation or allocation in the Plan. 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  
 SP15 Tourism and Visitor Economy  
 GP1 Sustainability and High Quality Design  
 GP2 Development Limits  
 TR3 Highways in Developments  
 EP2 Pollution  
 TSM4 Visitor Accommodation

[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** – Latest response received confirms no objection subject to imposition of conditions.

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

**Environmental Health Pollution & Wellbeing** – Raise some concerns regarding the effect of the proposed development on the amenity of nearby residents, although following discussion with the applicant and specific conditions including restricting the total number of events held both annually and weekly, it is considered suitable conditions and mitigation measures can be proposed at the site.

**Sustainable Drainage Approval Body (SAB)** - The surface water drainage provision remains unchanged – there is no need for additional information, from the planning consultation perspective.

**Llanelli Rural Council** - No objection providing there is no detrimental impact on amenity and privacy of local residents.

**Local Member(s)** - Councillor Cundy has contacted with queries but made no formal comments.

**Natural Resources Wales** – No objection.

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

**Coal Authority** – No objection subject to applicant being aware of informative note.

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 two site notices displayed in the vicinity of the site.

Seven representations were received, all objecting, the matters raised are summarised as follows:

- Noise pollution from people, music and fireworks etc.
- How can sound levels be managed so that they do not cause nuisance to residents and comply with environmental health legislation.
- Existing chronic health conditions to be exacerbated by additional noise.
- Houses nearby are old and do not have soundproofing.
- Soundproofing marquee will only have limited effect.
- Large elderly population in the area who it will be distressing for.
- Lots of young children in area too who will be in bed before 11pm.
- Low frequency noise/bass can travel for miles.
- Additional noise will be generated from air conditioning units and possibly fireworks.
- Area cannot cope with additional parking.
- Existing problem of on street parking.
- Existing car park is very small and marquee will reduce this further.
- Existing problems with speeding along the road.
- Many people have been shielding and self-isolating so haven't had the opportunity to put representations in.
- Unaware of the application having been submitted.
- Notice on lamp post is not very obvious.
- Small quiet area.
- Object as high risk with Covid-19 within a marquee and portable toilets.
- Risk is high in built up area and restrictions limit 30 people so uncertain why marquee is required.
- Llwyn Hall was originally a small B&B and has now expanded. It is not appropriate to hold large weddings/functions in a marquee on a regular basis.

- Drunken anti-social behaviour has already been experienced as a result of weddings held at the site in the past.
- Can the area support extra waste from kitchen and toilet block proposed?

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

## Appraisal

### Noise Concerns

The application proposes a marquee along with modular block for additional kitchen and toilet facilities at Llwyn Hall Country House Hotel. The reasoning for the proposal and application submission is to enable the venue to hold larger weddings/functions/events, albeit it is also stressed that the marquee is now required to enable the business to comply with social distancing regulations following Covid-19 and forms part of their business recovery plan. Given the site's location within a built-up residential area concerns have been raised regarding noise, disturbance and resultant impact on residential amenity. As a result, a detailed Noise Impact Assessment (NIA) has been undertaken and submitted by the applicant in support of the proposal, following an initial discussion and scoping of the report with the Authority's Environmental Health Practitioner (EHP).

The NIA includes an on-site survey to determine existing background noise levels in the area, a noise modelling exercise to predict music noise levels and also patron noise emissions at nearby residential properties. The levels have been reviewed against relevant legislation and guidance along with recommendations on design of plant equipment to minimise noise emissions. A Noise Management Plan (NMP) has then been prepared which outlines the measures that the applicant will take to mitigate, manage and monitor noise impacts on an ongoing basis. Both the NIA and NMP have been reviewed in detail by the Authority's Pollution and Wellbeing Team with the relevant EHP also having undertaken several discussions with the applicant regarding the nature and frequency of the proposed weddings/events to be held within the marquee.

It is acknowledged by both the EHP and the noise consultants that fabric marquees typically offer little sound containment/insulation. However, the applicant has proposed specifications to improve the acoustic properties by including solid/reinforcing elements on all elements of the marquee.

The NIA highlights that to meet internal noise targets in nearby residential dwellings, noise from activities associated with the development should not exceed 50 dB<sub>LAeq</sub> in the daytime and 45 dB<sub>LAeq</sub> during the night-time when measured directly outside of a residential bedroom or living room window. The consultants attended the site and surrounding area to conduct a baseline noise survey between Friday 31 Jul and Monday 3 August 2020. Noise monitors were set up at six different locations/residential properties identified as noise sensitive receptors (NSR) in the surrounding area. The closets property, NSR1 is around 10m from the north façade of the proposed marquee. The results are used to give context to predicted noise emissions from entertainment and patron noise associated with the proposal.

The survey identified that the main noise sources affecting the site at present comprise intermittent road traffic noise from two nearby roads and more consistent traffic noise from the A484 approximately 300m away, environmental noise from birdsong and winds, consistent low-level plant noise from an existing extract system at the hotel and general noise from use of the kitchen and general operations of the hotel including occasional

movement of cars within the car park and patrons seated outdoors. It is acknowledged that the survey was conducted during a time when the hotel was preparing to re-open following Covid-19 so noise generated by guests at this time may have been slightly lower than usual.

### Music/Entertainment Noise

The NIA then goes onto to detail predicated noise levels inside the marquee based on the following entertainment/music options:

- Traditional DJ using a PA system operating with a noise level compressor at a maximum of 85 dB<sub>L<sub>Aeq</sub>15min</sub>;
- An acoustic band without amplification – such as acoustic guitar, brass/wind instruments, piano (around 80-85 dB<sub>L<sub>Aeq</sub>15min</sub>);
- An acoustic soloist – such as an acoustic guitar or pianist (around 70-75 dB<sub>L<sub>Aeq</sub>15min</sub>);
- Background music during ceremonies or dinner (around 60-65 dB<sub>L<sub>Aeq</sub>15min</sub>).

The report identifies a live band with drumkit, and amplified guitars typically reaches around 100dB<sub>L<sub>Aeq</sub>15min</sub> at audience position and as such this sort of performance is likely to cause an adverse impact at this site due to the close proximity to residential properties. Therefore, should planning permission be granted a condition is proposed restricting the use of live bands with amplified instruments at the site.

The NIA considers two scenarios, based upon whether the entrance doors to the south elevation or closed or open. The results show that providing noise levels inside the marquee are consistently monitored by the DJ and kept at a level of no greater than 85 dB<sub>L<sub>Aeq</sub>15min</sub>, that the noise level criteria can be met at all nearby noise-sensitive receptors. It is identified that the most affected property, situated around 10m from the marquee, noise levels are predicted to be just at the acceptable limit. Although it is highlighted that the existing ambient levels recorded in the evening period are measured at present to be around 49-50 dB<sub>L<sub>Aeq</sub>15min</sub>. This assessment is based on the worst-case scenario regarding noise generated from entertainment options, as identified above use of a traditional DJ involves the highest noise levels compared to the other music/entertainment options. Further details are provided below, a condition is also proposed to require a noise limited to be installed within the music/PA system to ensure levels do not increase above the specified amount.

### Patron Noise

Patron noise has also been considered in the report. The same criteria, to not exceed 50 dB<sub>L<sub>Aeq</sub>15min</sub>, at 1m outside of a residential window is also considered acceptable for patron noise. The NIA acknowledges that part of the noise management strategy required at the site will be to ensure guests are conscious of behaving responsibly regarding noise levels and avoid congregating outside near neighbouring properties and sticking to designated areas including the existing outdoor seating area. Nevertheless, the report still acknowledges that even with management measures in place guests will still congregate outside of the marquee at times. A person speaking at normal conversation level is around 60dB when standing 1m away or 66dB if raising their voice. The NIA models scenarios where either six guests are grouped outside of the marquee entrance or in the existing external seating area and all talking with raised voices. This highlighted that the highest

predicted level is 44 dB<sub>LAeq15min</sub>, at 1m outside of a 1<sup>st</sup> floor residential window of properties to the south/south west and is within the 50dB limit.

## Plant Noise

The NIA also considers noise impact associated with mechanical plant/equipment at the site which is understood to include an air-conditioning system in the marquee, a generator, extractor fans to the kitchen and hand dryers in the toilets. The full design of the mechanical plant has not been provided at this stage and the assessment has been based upon a rating level for noise emissions for the plant equipment based on the existing background noise level. The report recommends a maximum rating of 41 dB<sub>LAeq15min</sub>, at 1m from the outside of all nearby residential windows. In accordance with the recommendation of the NIA, a condition is proposed to require details of the plant equipment to demonstrate compliance with the specified noise criteria.

## Noise Management Plan

As referred to above the submission includes a detailed Noise Management Plan (NMP) prepared by the noise consultant and following discussion with both the applicant and the Authority's EHP. The NMP is considered to be required as the NIA acknowledges that meeting the specified noise level criteria, as demonstrated above, does not automatically rule out an adverse impact or lessen the possibility of complaints, given the perception of noise is relatively subjective. With any development there is always the possibility of associated complaints, however the specified criteria/levels provide a way of determining a 'valid' complaint.

The provision of the NMP demonstrates the applicant's commitment to further mitigating noise impact with reasonable measures. It is acknowledged that the NMP should aid an ongoing review of the management of events within the marquee. The NMP includes a number of noise control measures and also identifies certain possible forms of future mitigation which could be taken forward if considered required.

The noise control measures identified and to be implemented initially at the site include:-

- An internal noise monitoring/PA system set up – this will be used at all times and will allow noise levels to be monitored to ensure that a level of 85 dB<sub>LAeq15min</sub>, is not being exceeded.
- External sound systems and amplified music or use of drum kits is prohibited.
- Amplified music up to a volume of 85 dB<sub>LAeq15min</sub> will be allowed inside the marquee up until 23:00 and all events must end by 23:00.
- The marquee will be constructed using the specified materials and sound proofing measures and the fire escape doors on the east elevation will be kept closed at all times, except in event of an emergency.
- Signage will be provided, and staff will be on hand to direct guests to suitable outdoor areas.
- Access to the area to the north of the site (towards the nearest noise sensitive receptor) is restricted for the duration of any events.

- A designated member of staff will be positioned close to the main exit to oversee the end of night departure period.
- Firework displays are prohibited.
- A suitably trained events manager will be responsible for noise reduction measures on site at all times during events and will ensure acceptable behaviour amongst guests and also provide direct contact details for residents in the event that any issues need to be reported and investigated.
- Complaints management and communication system will be set up to ensure that any issues can be reported at any time during an event.
- Details of all initial events will be provided to the EHP should they wish to monitor random events without the operator's prior knowledge.

In relation to the internal noise and PA system, a condition is proposed to require a limiter to be installed which will regulate the power output and cut the power system when the limit is exceeded. This condition will ensure that there are no instances where the music/entertainment will be above the set criteria.

Based on the detailed noise survey, modelling work and assessment undertaken it is considered that the proposed marquee can be appropriately constructed, and events managed through use of internal monitoring system to regulate music/entertainment noise. Patron noise is proposed to be strictly managed through signage and staffing measures to be introduced and followed at the site during all events. It is also worth noting that patron noise is presently experienced at the site now in association with existing weddings/events held at Llwyn Hall. Noise associated with any plant equipment is proposed to be conditioned to ensure this does not have an adverse impact in accordance with existing background noise levels recorded. The EHP has carried out a detailed review of the NIA and NMP and has recommended additional conditions above those restrictions specified within the NMP if we are minded to grant planning permission in order to protect amenity of nearby residents. In addition, the EHP has discussed with the applicant and it has been agreed that use of the proposed development in relation to events such as weddings will be restricted to a maximum of 16 per calendar year and no more than one per week. As such, use of the marquee for weddings or similar events will not be intensive.

Policy EP2 requires that new developments seek to demonstrate how noise pollution will be affectively minimised. Whilst Policy GP1 requires proposals not to have a significant impact on amenity of neighbouring properties.

The proposed development is therefore considered to be acceptable from a noise perspective and address the requirements of policies EP2 and GP1 based on compliance with the NMP and additional conditions proposed. It is also acknowledged that for a large part of the time the proposed marquee will be used to provide better facilities and additional space for existing guest numbers to improve welfare and social distancing, as required due to Covid-19.

## Highway Impacts

A number of concerns received also relate to parking and highway safety issues associated within increased and intensification of the site. The Authority's Highway Officer has reviewed the initial submission and requested amendments made to the proposed parking plan including clarification on additional staff numbers and disabled parking arrangements. Following the provision of additional information and clarification that the proposed use will not result in significant regular intensification of the site, the Highways Officer has advised no objection subject to the imposition of certain conditions.

## Drainage Matters

The proposal has been reviewed by the Authority's Sustainable Drainage Approval Body (SAB) and Dwr Cymru Welsh Water (DCWW) in regard to surface water drainage at the site. Neither object to the proposal and it is acknowledged by the SAB team that the proposed marquee and kitchen/toilet block is to be situated on areas of existing hardstanding. DCWW have requested a condition to be imposed regarding further details of the disposal of foul, surface and land water. Nevertheless, they have not objected to the scheme in regard to the capacity of the existing sewer as raised by some objectors.

## Publicity Matters

A number of the objectors make reference to the lack of publicity of the application or concern during the timing of the publicity due to lockdown associated with Covid-19. The application was publicised by way of neighbour notification letters sent to properties bordering the application site. In addition, two site notices were displayed in the vicinity of the site, one on a lamppost on Erw Las to the west of the main site entrance and the second on a telegraph pole on Hendre Road to the north of the site. The notices were displayed on 2 July 2020. Initial comments received from concerned parties who had missed the 21-day statutory consultation period were responded to and advised that comments would still be accepted and reviewed as part of the application.

Whilst it is appreciated that Covid-19 lockdown may have an impact on the amount of people walking in the area, there has now been a total of 4 months following the posting of the site notice and neighbour notification letters. As such, it is considered that there has been sufficient time for interested parties to submit representations. Furthermore, the publicity of the application complies with the requirements of Article 12 (5) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended).

## Other Matters

Other matters are raised regarding an increase in anti-social behaviour. The proposal is not considered to result in an increase in anti-social behaviour. The venue already hosts existing weddings and functions and is able to accommodate evening functions of up to 90 guests.

In terms of the concerns raised regarding the proposal having a detrimental impact on spread of Covid-19, the applicant has confirmed one of the main factors behind the submission and proposed marquee is to provide better facilities and more space for existing guest numbers to improve welfare and social distancing. The scheme is being pursued to secure the post Covid business recovery. If planning permission were granted for the proposed development, the existing venue and proposed marquee would still be required to

operate in accordance with Government legislation and guidance regarding social distance and maximum capacity numbers.

## **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, along with third party representations, material considerations and proposed mitigation measures it is concluded on balance that the proposed development is acceptable. The detailed NIA submitted demonstrates that music and entertainment noise within the marquee can be managed to an acceptable level in relation to amenity of residential occupiers. Furthermore, patron noise is considered can be adequately managed through strict adherence to the NMP and additional conditions and restrictions proposed. Furthermore, as agreed with the applicant the total number of weddings/events to be held at the site will be restricted to a maximum of 16 per year and no more than one per week. As such, the use of the marquee for such events will not be intensive. On this basis, the EHP does not object to the scheme and it is not considered to have a significant adverse impact upon amenity of nearby residents through noise pollution. The remainder of the time the marquee is proposed to improve facilities and provide additional space for existing guests in line with the requirements regarding social distancing as a result of Covid-19. It is acknowledged that the marquee is also proposed as part of the company's Covid-19 recovery plan which is a material consideration.

Turning to parking and highway matters, the Highways Officer is satisfied on the basis of the information provided that there will not be a regular intensification of activity at the site and therefore has no objection subject to conditions. Drainage matters are proposed to be addressed under condition. Adequate publicity has been carried out in accordance with the requirements under Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (amended).

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 and Reasons

### Condition 1

The development shall begin no later than five years from the date of this decision.

*Reason:* Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

### Condition 2

The development shall be carried out in accordance with the following approved plans and documents:-

- Site Location Plan scale 1:1250 received 10 June 2020;
- Existing Floor and Site Plan received 10 June 2020;
- Marquee Specification details received 17 June 2020;
- Marquee and modular block 3D plan and elevations received 17 June 2020;
- Proposed Site and Parking Plan received 1 September 2020;
- Covering letter and product/materials information received 24 May 2020;
- Noise Impact Assessment prepared by Parker Jones Acoustics (dated 28<sup>th</sup> October 2020 Revision 1 including Noise Management Plan) received 28 October 2020.

*Reason:* To confirm the extent of the permission and in the interest of visual amenity.

### Condition 3

The marquee and modular kitchen/toilet block shall only be used in connection with the existing business at Llwyn Hall Country House and shall at no time be used independently.

*Reason:* To safeguard against any separate use and protect the amenities of neighbouring residents.

### Condition 4

The marquee, kitchen/toilet block and any associated paraphernalia hereby approved shall be removed from the land in its entirety and the land reformed to its former condition within a period of 5 years from the date of this permission.

*Reason:* To ensure the land returns to its former condition when the marquee is no longer required and in the interest of visual amenity.

### Condition 5

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.

*Reason:* In the interests of highway safety.

### **Condition 6**

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 or be disposed of, or connected into, existing highway surface water drains.

*Reason:* In the interests of highway safety.

### **Condition 7**

No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

*Reason:* 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.

### **Condition 8**

The Music Noise Level (MNL) of the proposed development shall not exceed 50  $L_{Aeq, 15 \text{ mins}}$ , at 1m from the façade of any noise sensitive premises or at another location that is deemed suitable by the authority.

*Reason:* In the interest of residential amenity and protect against adverse noise pollution.

### **Condition 9**

The Music Noise Level (MNL) of the proposed development shall not exceed 70 dB  $_{15 \text{ mins}}$  in either the 63 Hz or 125 Hz octave frequency bands at 1m from the façade of any noise sensitive premises or at another location that is deemed suitable by the authority.

*Reason:* In the interest of residential amenity and protect against adverse noise pollution.

### **Condition 10**

The rating level of the noise emitted from any plant or machinery from the proposed development shall not exceed the existing background noise level. The noise levels shall be determined at the nearest noise sensitive premises or at another location that is deemed suitable by the authority. Measurements and assessments shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound. Where the background noise levels shall be expressed as  $L_{A90 \text{ 1hr}}$  and the ambient noise levels shall be expressed at  $L_{Aeq \text{ 1hr}}$ .

*Reason:* In the interest of residential amenity and protect against adverse noise pollution.

### **Condition 11**

A document containing the full design specification of all mechanical plant/equipment to be installed for the proposed development and demonstrating compliance with condition 10 shall be submitted to and approved by the local planning authority prior to the installation.

*Reason:* In the interest of residential amenity and to ensure adequate mitigation measures are utilised to protect against adverse noise pollution.

### **Condition 12**

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 determining whether noise arising from development exceeds the level specified in conditions 8, 9 and/or 10 above. The assessment shall be undertaken under the supervision of the local authority. In the event that Conditions 8, 9 and/or 10 are exceeded, the submitted survey shall also include mitigation measures to ensure compliance with the particular condition(s). These mitigation measures shall then be implemented in accordance with the approved details.

*Reason:* In the interest of residential amenity and protect against adverse noise pollution.

### **Condition 13**

The construction and sound reduction indices for the proposed development shall as a minimum comply with the standards stipulated in Table 4.3 of the Noise Impact Assessment undertaken by Parker Jones Acoustics (dated 28th August 2020; Revision 1). A document demonstrating that the specifications of the elements to be used meet these standards shall be provided to the local planning authority and agreed in writing prior to construction.

*Reason:* In the interest of residential amenity and to ensure adequate mitigation measures are utilised to protect against adverse noise pollution.

### **Condition 14**

The development shall operate in strict compliance with the Noise Management Plan contained at Section 5 within the Noise Impact Assessment undertaken by Parker Jones Acoustics (dated 28th August 2020; Revision 1).

*Reason:* In the interest of residential amenity and to ensure adequate mitigation measures are utilised to protect against adverse noise pollution.

### **Condition 15**

All music and entertainment shall use an inhouse sound system/PA system under the control of the applicant. This system shall include an internal monitoring system installed inside the marquee and calibrated by the manufacturer or other competent person, with the monitor at the centre of the dancefloor ensuring that a level of 85 dB<sub>L<sub>Aeq, 15 mins</sub></sub> is not exceeded. This system shall also act as a limiter to regulate the power output of the sound system and cut the power should this noise limit be exceeded.

*Reason:* In the interest of residential amenity and to ensure adequate mitigation measures are utilised to protect against adverse noise pollution.

## **Condition 16**

No more than 16 events associated with the proposed development shall take place per calendar year, with no more than one event per week.

*Reason:* In the interest of residential amenity and to ensure the proposed development does not result in intensification of wedding or similar events at the site to the detriment of amenity of nearby residents.

## **Condition 17**

No existing trees and hedgerows on site are to be removed to accommodate or as part of the proposed development and shall be retained on site.

*Reason:* In the interest of visual amenity and biodiversity.

## **Notes/Informatives**

### **Note 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.

### **Note 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)).

- Please see the relevant responses from Dwr Cymru/Welsh Water, The Coal Authority, The Highway Authority, and the Council's Sustainable Urban Drainage Body and refer to the recommendations and advice contained therein.

*Ardal  
Gorllewin/  
Area West*

**ADRODDIAD PENNAETH  
CYNLLUNIO, CYFARWYDDIAETH  
YR AMGYLCHEDD**

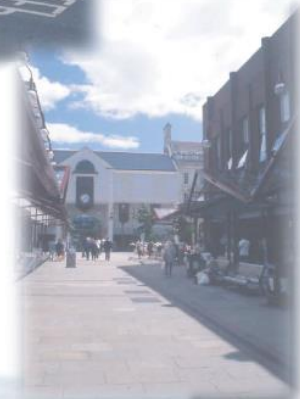
**REPORT OF THE HEAD OF  
PLANNING, DIRECTORATE  
OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO  
CYNGOR SIR CAERFYRDDIN**

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

**AR 17 TACHWEDD 2020  
ON 17 NOVEMBER 2020**

**I'W BENDERFYNU  
FOR DECISION**



**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>17 NOVEMBER 2020</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**



<b>Application No</b>	<b>W/40807</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	PROPOSED ERECTION OF A SINGLE LOCAL NEEDS DWELLING AND ALL ASSOCIATED WORKS AT LAND OPPOSITE PLAS Y COED, OFF GELLI GATTI ROAD, NEWCASTLE EMLYN, SA38 9RD

<b>Applicant(s)</b>	MR DYFED DAVIES AND MISS SOPHIE THOMAS
<b>Agent</b>	CASTLE ARCH DESIGNS LIMITED – MR MATT EDWARDS
<b>Case Officer</b>	Helen Rice
<b>Ward</b>	Cenarth
<b>Date registered</b>	07/07/2020

## 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 relates to a corner of an agricultural field that borders the defined settlement limits of an established residential area 800m to the west of Newcastle Emlyn town centre. Accessed via a c-class road from the main A484 road to the north, the site is due south of an existing junction between the c-class road and a local unclassified road, known as Gelligatti (which takes its name from the farm it serves) which is also a public footpath. The northern and eastern boundaries of the site are defined by the adjoining highways with intervening hedgerows and vegetation with the southern and western boundary open out onto the remaining agricultural field.

The land rises from the A484 up towards the south and therefore the application site itself is on rising ground. The existing site levels are higher than the adjoining highway. Existing residential dwellings lie towards the north and east of the site, with those opposite the site to the north being mainly bungalows facing onto the local road known as Gelligatti and a two storey detached property known as Plas y Coed to the east and a further property, The Elms to the north east.

## Proposal

The proposal seeks planning permission for the erection of a detached local needs dwelling served by a new access created from the c-class highway. The dormer style dwelling would be orientated at an angle with the front elevation facing onto the corner junction between the local and classified road. The conventional L-shape dwelling would have a short projecting gable end with a maximum width of 10.9m and maximum depth of 9.2m, with an overall ridge height of 7.3m falling to an eaves height of 3.5m. The 150sqm floorspace dwelling would have a living room, home office/study area, kitchen dinner and utility/bathroom area on the ground floor, and 3 bedrooms and bathroom on the first floor. The majority of the house would be finished in smooth painted render, with the front gable end projection finished in timber boarding, slate roof and uPVC windows and doors. A hardstanding parking and turning area would be created in front of the dwelling from the new access. Due to the existing ground levels, the development will require ground works with the dwelling being cut into the land and the creation of a stepped rear garden area. The existing hedgerow boundaries along the highway will be retained with the exception of the cutting for the new access, with the creation of a native species hedgerow along the southern and western boundaries of the site with the adjacent field.

The proposal is for a local needs dwelling for the applicants who are due to be married in 2021. Both applicants are local to the area and currently reside with their parents but wish to leave their parental homes to create their own family home. Mr Davies lives with his parents at Penrallt Gillo some 1.7km south west of the application site and works locally as a cabinet maker for a local kitchens business whereas Miss Thomas currently resides with her parents in Hermon and is currently completing studies to become a teacher with a view of obtaining employment locally. The supporting statement explains that the application site lies within the corner of a field within the ownership of the Mr Davies' grandfather who owns the farm known as Pengelli 400m to the south of the application site. The applicants wish to build a home within the locality to stay within their local communities, close to family and remain in close proximity to the applicant's place of work.

## Planning Site History

There is no relevant planning history on the application site.

## Planning Policy

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

- SP3 Sustainable Distribution- Settlement Framework
- SP6 Affordable Housing
- SP14 Protection and Enhancement of the Natural Environment
- GP1 Sustainability and High Quality Design
- GP2 Development Limits
- AH3 Affordable Housing- Minor Settlement in the Open Countryside
- TR3 Highways in Developments- Design Considerations

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 objections subject to the imposition of conditions to secure adequate access, parking and turning areas.

**Cenarth Community Council** - No observations received to date.

**Local Member(s)** - Councillor Hazel Evans has confirmed that she fully supports the application for a young couple wanting to stay local and to live and work in their community.

**Sustainable Drainage Approval Body** - Has confirmed that SAB approval will be required for the development.

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

## Summary of Public Representations

Three representations from nearby properties have been received on the application objecting to the development on the following grounds:-

- The site is not within the development limits.
- Set a precedent for further development.
- Proposal would have an unacceptable impact upon the character and appearance of the area and adversely affect the landscaping and historic character of a quiet rural land and public footpath.
- Proposal on higher ground and therefore would require substantial ground works and loss of hedgerow.
- New dwelling would be at higher levels than existing dwellings impacting upon the privacy of those residents and would be overbearing.
- Proposal would result in the loss of natural light to The Elms and its rear garden.
- Concerns over highway safety implications due to proximity of the dwelling to the road.
- Proposal could exacerbate drainage issues especially with creation of hardstanding.
- Development would remove an area of agricultural land.
- Proposal is not connected to farming.

- Dwelling should be built on the applicant's family farm where it would be less intrusive for other people.
- The applicant is yet to find employment in the area and therefore does not comply with the local needs' requirement.

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

## Appraisal

The key considerations of relevance to this case are whether the proposal complies with the requirements of Policy AH3 Local Needs Dwellings of the Local Development Plan, its impact upon the character and appearance of the area and living conditions of nearby residents and highway safety.

### Local Needs

Whilst there is a general presumption against the erection of new dwellings outside of defined settlements within the countryside, the LDP, having regard to guidance set out in PPW recognises that many parts of the countryside have isolated groups of dwelling and that sensitive infilling or small gaps and/or minor extension to such groups could be considered acceptable provided that they provide for affordable housing to meet genuine identified local need.

Policy AH3 provides the criterion against which such applications must be considered and specifies:-

Proposals in the open countryside for affordable housing for a single dwelling will be permitted within settlements, hamlets and groups of dwellings without Development Limits where it is to meet a genuine identified local need (as defined within the Glossary of Terms) and provided that:

- a) It represents sensitive infill development of a small gap within an otherwise continuous built up frontage; or a minor extension which does not result in ribbon development or perpetuate existing ribbon development;
- b) It is of a scale and size appropriate to, and in keeping with (and not detrimental to) the character (including landscape and townscape) of the area;
- c) The benefits of the initial affordability will be retained for all subsequent occupants;
- d) It is of a size, scale and design compatible with an affordable dwelling and is available to those on low or moderate incomes.

In terms of the need to demonstrate genuine local need, it is considered on balance that the applicants have provided sufficient information to demonstrate that they meet the definition, in that they have lived in the local area all of their lives and are seeking to leave the parental home to create a new family home, enabling them to continue to reside in the local area and remain close to Mr Davies' employment. It has been explained that they would be unable to purchase a property in the locality without the assistance of the land being effectively gifted to the applicant by his family.

Turning to the site's location (criterion a), the site is not within the settlement limits of the nearby residential area but is located immediately adjacent to the settlement limits, with residential development to the north and east. It is considered that the proposal would be a minor extension of the existing established residential area, effectively developing the remaining corner of land on the junction of local and classified highway. The dwelling would be seen as a continuation of built form and would not appear as a sporadic form of development in the countryside.

In terms of criterion (b), it is recognised that the proposal will result in ground changes and introduction of a new dwelling at a higher level than existing dwellings in the area. However, it is considered that the proposal has successfully mitigated such impacts through setting the dwelling into the land thus reducing the ground floor level and ensuring that the height is commensurate with other similar properties in the area, being a 1 ½ storey dwelling rather than a conventional two storey dwelling. Furthermore, it is also accepted that the development will result in the loss of hedgerow to create the access, but this is not considered to be of such an impact to warrant refusal of the application. The loss of this hedgerow would be compensated through the creation of new native species hedgerow to create a new southern and western boundary between the dwelling and the remaining agricultural field. Furthermore, the proposal avoids puncturing an access from the local road and thus retains its local character and appearance and avoid conflict with footpath users. It is therefore considered that whilst inevitably the development will bring about change, it is not considered that this change would be so detrimental to have an unacceptable impact upon the character and appearance of the area. This is based upon the design, siting, scale and intended use of materials of the dwelling which are all considered to reflect other dwellings within the locality.

With regards criterion (c), the applicant is aware of the need to complete a Section 106 agreement to effectively control the future sale of the property to ensure that it remains as a local needs dwelling. Whilst a S106 has not been drafted to date, the applicant is prepared to enter into such an agreement should the application be recommended for approval.

Turning to the last requirement of Policy AH3 it is considered that the property is of a size, scale and design that is compatible with an affordable dwelling. The total floorspace proposed equates to 150sqm which, for a three bedroom dwelling, is considered commensurate with an affordable dwelling, and therefore, it is considered that the dwelling would be available to those on low or moderate incomes should it be sold on in the future under the terms of the S106 to be agreed.

On the basis of the above, it is considered that the proposal complies with Policy AH3 of the LDP.

#### Impact upon the Living Conditions of Nearby Residents

A number of the objections received relate to the perceived impact of the development on the privacy of neighbouring properties and whether the dwelling, given its position on elevated ground would have an overbearing impact upon nearby residents. The proposed dwelling has been orientated at an angle to face onto the corner of the junction. A distance of approximately 30m is achieved between the side elevation of the proposed

dwelling and front garden area of the nearest property at Plas Teifi, with evidently the existing hedgerow and public footpath/local road in between. Given that the front garden areas of properties along Gelligatti are open to public views from the adjoining highway coupled with the distance from the new dwelling, it is not considered that the proposal would have a detrimental impact upon the living conditions of Plas Teifi. It is accepted that the new dwelling will be at a higher level than Plas Teifi, however again, the distance maintained coupled with the overall height of the proposed dwelling that is to be cut into the field is considered to adequately mitigate against this impact.

Similar concerns have been raised by the property known as The Elms, which has its rear garden area running alongside the classified highway on the opposing side to the new dwelling. It is accepted again that the new dwelling would be visible from this rear garden area, however, the new dwelling is set back 22m from the boundary of The Elms with the adjoining highway which is deemed to be an acceptable distance to adequately mitigate impacts upon the living conditions of the residents. It was also raised that the dwelling would result in the loss of natural light to this property but again, the distance between the properties, taking into account the difference in levels, is not considered to give rise to concerns regarding overshadowing or loss of light.

In conclusion therefore whilst the proposal would result in a change to the local area with the presence of a new building, it is considered that this presence, by reason of the distances maintained, the scale of the dwelling and intended overall height following ground works, would not have an unacceptable impact upon the living conditions of nearby residents.

#### Impact upon Highway Safety

The development would require the introduction of a new access into the site which would require puncturing through the existing hedgerow. However, adequate visibility splays can be achieved and with appropriate landscaping, the new access would over time appear as a continuation of accesses into private dwellings/farms along the road.

#### Third Party Representations/Other Matters

The majority of concerns raised by third parties are addressed within the main body of the report above. However, it is considered necessary to outline that this application is specifically for a local needs dwelling and is not associated within the agricultural enterprise of the agricultural holding within which it is partly located. The location of the dwelling has been chosen in light of the policy for local needs dwelling and the need to seek to concentrate development near to existing dwellings so as to avoid the creation of sporadic development in the countryside. With regards loss of agricultural land, the proposal only represents a small loss of a field and would not have the effect of sterilising the rest of the field area.

Concerns regarding setting a precedent for future development are noted but again, should any application be forthcoming on any other parcel of land within the locality that application would be considered on its own merits having regard to the proposals, policies and site specific circumstances prevalent at the time. Concerns regarding drainage are noted, however as set out above, the development will be required to submit a SAB application for approval to ensure sustainable drainage methods are employed to avoid the exacerbation of drainage impacts prior to any works commencing. The application is

not intended to be viewed as a rural enterprise dwelling as some of the representations have suggested in that the applicant is not involved with the agricultural business.

## **Planning Obligations**

A Section 106 agreement to ensure that the occupancy of the dwelling remains for local needs purposes only is required and the applicant is aware and willing to enter into such an agreement should planning permission be recommended for approval.

## **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 it is concluded on balance that the proposal complies with Policy AH3 of the LDP in that the applicants meet the local need criteria, and as explained above, by reasons of its scale, siting, design, appearance and landscaping, the dwelling would not have an unacceptable impact upon the character and appearance of the area to warrant a refusal and is considered to be of a scale that is commensurate with an affordable property. Furthermore, given the relationship in terms of distance, siting and height between the new dwelling and nearby properties, it is not considered that the proposal would result in a detrimental impact upon the living conditions of nearby residents. The proposal is considered to provide a suitable access that would not result in highway safety concerns. It is therefore considered that the development complies with Policies AH3, GP1, GP2 and TR3 of the Carmarthenshire County Local Development Plan 2014 and is recommended for approval subject to the applicant entering into a section 106 agreement and the below conditions.

## **Recommendation – Approval**

### **Conditions and Reasons**

#### **Condition 1**

The development hereby approved shall be commenced before the expiration of five years from the date of this permission.

*Reason:* Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

## **Condition 2**

The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-

- 1:500, 1:100 and 1:50 scale Elevations, typical Section, Rf. Site/Block, Ground and First Floor Plan [01] received 23 March 2020;
- 1:1250, 1:500 and 1:100 scale Site Section A-A, Site Plan and Site Location Map [02 Rev A] received 19 October 2020.

*Reason:* In the interest of clarity as to the extent of the permission.

## **Condition 3**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, amending and re-enacting that Order), no development of the types described in Schedule 2, Part 1, Classes A, B, C, and E other than that hereby approved, shall be carried out without the written permission of the local planning authority.

*Reason:* To exert control over the future development of the property to ensure that it remains of a scale and design compatible with an affordable dwelling to meet a genuine identified local need.

## **Condition 4**

The new vehicular access shall be laid out and constructed strictly in accordance with Carmarthenshire County Council's (Transport and Engineering Service) Typical Layout No. 1 specification, prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.

*Reason:* In the interests of highway safety.

## **Condition 5**

Any access gates shall be set back a minimum distance of 5.0 metres from the highway boundary, and shall open inwards into the site only.

*Reason:* In the interests of highway safety.

## **Condition 6**

The gradient of the vehicular access serving the development shall not exceed 1 in 10 for the first 5.0 metres from the edge of the carriageway.

*Reason:* In the interests of highway safety.



### **Condition 7**

Prior to any use of the site access road by vehicular traffic, a visibility splay of 2.4 metres x 60 metres in a northerly direction and 120m in a southerly direction shall be formed and thereafter retained in perpetuity, either side of the centre line of the estate road in relation to the nearer edge of carriageway.

*Reason:* In the interests of highway safety.

### **Condition 8**

The access, visibility splays, parking 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, parking or turning area, is to be obstructed by non-motorised vehicles.

*Reason:* In the interests of highway safety.

### **Condition 9**

The access shall be hard surfaced for a minimum distance of 5.0 metres behind the highway boundary, in a bonded material and shall be fully carried out prior to any part of the development approved herewith being brought into use.

*Reason:* In the interests of highway safety.

### **Condition 10**

The existing hedgerow along the northern boundary of the application site with the local road, known as Gelligatti shall be protected through all construction phase operations and thereafter retained, and maintained at a minimum height of 1.5 meters (measured from the adjacent ground level within the application site) in perpetuity. Prior to any management works to this hedgerow which would result in laying or coppicing to a height below the hereby specified minimum height, a method statement for the works shall be submitted to and approved in writing by the local planning authority. The works shall be implemented as the approved method statement.

*Reason:* In the interests of visual amenity.

### **Condition 11**

All new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved Detailed Landscape Design Scheme not hereby specifically scheduled, which, within a period of 5 years after implementation are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

*Reason:* In the interests of visual amenity.

## **Notes/Informatives**

### **Note 1**

This permission is subject to a Section 106 Agreement to tie the occupancy of the dwelling to those that can demonstrate a genuine identified Local Need as defined in the Glossary to the Carmarthenshire County Local Development Plan 2014.

### **Note 2**

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

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

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

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

### **Note 3**

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

<b>Application No</b>	<b>PL/00456</b>
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<b>Application Type</b>	Householder
<b>Proposal &amp; Location</b>	PROPOSED TWO STOREY REAR EXTENSION AND RELOCATION / REBUILD OF GARAGE AT BRYNBACH, CRWBIN, KIDWELLY, SA17 5DE

<b>Applicant(s)</b>	MR EIRIAN JAMES
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Llangyndeyrn
<b>Date registered</b>	28/09/2020

## 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 is a detached house situated in a small cluster of seven dwellings between the settlements of Crwbin and Bancffosfelen. The application property is a traditional two storey double fronted rural dwelling with a recently built two storey dwelling to the East and an older traditional single storey bungalow to the West.

The house is rendered under a slate roof and is typical of cottages in rural Carmarthenshire. The dwelling has been extended previously with a single storey lean-to extension to the rear. A sizable garage/workshop is evident to the East of the dwelling.

A bat survey has been carried out and there is no evidence of bats using the house or garage building.

## Proposal

The application seeks full planning permission for a two storey rear extension and the rebuilding / relocation of the garage further into the site with the creation of two parking spaces to the front.

The rear extension is proposed to measure 4.725m by 7.2m with a step in from either side of the main house. The extension is proposed to accommodate a kitchen, shower and utility room at ground floor with two bedrooms above along with remodelling of the original house.

The proposal is for a double ridge design so the height of the original ridge is not exceeded and the extension would not have to cut into the existing roof. The ridge is lower than the existing and is set in at the sides so as to achieve a subordinate design and appearance.

Externally, the extension is proposed to match the original dwelling in terms of materials with smooth render walls under a slate roof.

The garage is of similar dimensions to the existing, however is set back in the plot so as to achieve two parking spaces to the front. The garage is attached to the main dwelling by a small covered canopy roof to allow covered access between the house and garage.

## Planning Site History

There is no relevant planning history on the application site.

## Planning Policy

[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

**Llangyndeyrn Community Council** – Has no objection.

**Local Member(s)** – County Councillor W T Evans is a member of the Planning Committee and has made no prior comment.

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, not objecting to the principle of an extension but objecting to the height and proximity of the proposal to the boundary.

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

## Appraisal

### Principle of Development

The extension proposed is subordinate to the main house, is proposed to match the house in terms of materials and would form an acceptable appearance within the context of a rural cluster, so is in compliance with Policy GP6. It is noted that neither objection relates to the principle of extending the house, only the height in relation to the siting which is discussed below.

### Siting

The concern from both neighbours is that the proposal is sited too close to the boundary so the applicant would be unable to build/maintain the proposal without agreement with the neighbouring residents in terms of scaffolding etc.

It is noted that the proposal is entirely on the applicant's property and there is no encroachment or party wall issues. There is no minimum distance that you can build adjacent to the party wall, however any need for scaffolding on third party land would need agreement. This however is a private civil matter between the two neighbours.

There is further concern over the height in relation to the siting close to the boundary. It is noted in this respect that the existing garage is a similar distance to the boundary, just set back into the site, so the impact would be neutral. The two storey extension has been set in from the side to accommodate a step in the boundary alignment. This is at a distance of approximately 15m from the adjacent bungalow with a garden area in between. It is considered that given the separation distance, the height and relation to the boundary is not likely to have an unacceptable adverse impact on the residential amenity of the neighbouring property.

### Design

In respect of the design of the rear elevation, eaves dormer features are included which take their design inspiration from the property next door to the West and next door but one to the East which both have eaves features on the front elevations.

### Residential Amenity

A Juliette balcony is proposed on the rear elevation however there would be mutual overlooking of garden areas and the feature is not likely to have an unacceptable adverse impact on the neighbouring property.

### Biodiversity Impacts

A bat survey has been submitted which shows that there are no issues in terms of protected species. A European Protected Species licence is not required in this case. Enhancement measures are proposed in line with the requirements of national legislation.

## Other Matters

There is concern that the excavation of the foundations would cause damage to the boundary wall. This however is a private civil matter between the two parties to ensure that no damage to private property occurs.

## Planning Obligations

Not applicable.

## 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 it is concluded on balance that the proposal complies with the policies set out in the local development plan and is therefore recommended for approval.

## Recommendation - Approval

## Conditions and Reasons

### Condition 1

The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.

*Reason:* Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

### Condition 2

The development hereby permitted shall be carried out strictly in accordance with the following plan dated 25 September 2020:-

- 1:1250 scale Location Plan. Drawing No.01;
- 1:200 scale Proposed Site Plan. Drawing No.05;
- 1:50 scale Proposed Floor Plans. Drawing No.06;
- 1:100 scale Proposed Elevations, Sections & Roof Plan. Drawing No. 07;
- 1:100 scale Proposed Garage Plan, Section & Elevations. Drawing No.09.

*Reason:* In the interests of visual amenity in accordance with Policy GP1 of the LDP.

### **Condition 3**

External wall and roof materials along with fenestration shall match those of the original bungalow.

*Reason:* In the interests of visual amenity in accordance with Policy GP1 of the LDP.

### **Condition 4**

The garage/workshop shall be used for private domestic purposes only and not for any trade or commercial purposes.

*Reason:* To protect the amenity of third parties in accordance with Policy GP1 of the LDP.

## **Notes/Informatives**

- 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 if development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

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

- 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)).

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