

Document Pack



sirgar.llyw.cymru

carmarthenshire.gov.wales

WEDNESDAY, 25 NOVEMBER 2020

TO: ALL MEMBERS OF THE PLANNING COMMITTEE

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **PLANNING COMMITTEE** WHICH WILL BE HELD IN THE **VIRTUAL MEETING AT 10.00 AM ON THURSDAY, 3RD DECEMBER, 2020** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Wendy Walters

CHIEF EXECUTIVE

Democratic Officer:	Janine Owen
Telephone (direct line):	01267 224030
E-Mail:	Democraticservices@carmarthenshire.gov.uk

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

LABOUR GROUP - 4 MEMBERS

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

INDEPENDENT GROUP - 4 MEMBERS

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

NEW INDEPENDENT GROUP – 2 MEMBERS

1. Vacancy
2. Vacancy

SUBSTITUTES ARE TEMPORARILY ALLOWED UNTIL THE 30TH APRIL 2021

A G E N D A

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF PERSONAL INTERESTS**
- 3. AREA EAST - DETERMINATION OF PLANNING APPLICATIONS** 5 - 22
- 4. AREA SOUTH - DETERMINATION OF PLANNING APPLICATIONS** 23 - 50
- 5. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS** 51 - 82
- 6. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 5TH NOVEMBER 2020** 83 - 86

This page is intentionally left blank

*Ardal
Dwyrain/
Area East*

**ADRODDIAD PENNAETH
CYNLLUNIO, CYFARWYDDIAETH
YR AMGYLCHEDD**

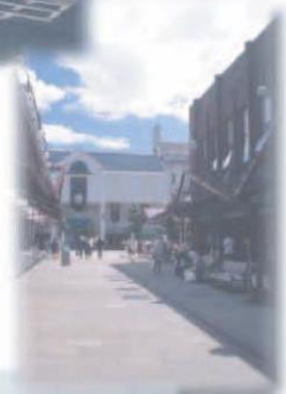
**REPORT OF THE HEAD OF
PLANNING, DIRECTORATE
OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 03 RHAGFYR 2020
ON 03 DECEMBER 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.

COMMITTEE:	PLANNING COMMITTEE
DATE:	03 DECEMBER 2020
REPORT OF:	HEAD OF PLANNING

INDEX - AREA EAST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
PL/00245	CHANGE OF USE OF FORMER APOSTOLIC CHURCH SCHOOL TO CARE HOME (USE CLASS C2), DOUBLE STOREY FRONT EXTENSION, ENTRANCE CANOPY, TOGETHER WITH PARKING, TURNING AND OTHER ANCILLARY WORKS AT APOSTOLIC CHURCH SCHOOL, BRYN ROAD, PENYGROES, LLANELLI, SA14 7PW
PL/00466	RAISING THE RIDGELINE, INSERTION OF ROOFLIGHTS AND SIDE-FACING WINDOW AND THE CONSTRUCTION OF A REAR DORMER TO FORM A LOFT CONVERSION AT BRYNTIRION, LLANDEILO ROAD, CARMEL, LLANELLI, SA14 7SE

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	PL/00245
-----------------------	-----------------

Application Type	Full Planning Permission
Proposal & Location	Change of use of former Apostolic Church School to Care Home (Use Class C2), double storey front extension, entrance canopy, together with parking, turning and other ancillary works at Apostolic Church School, Bryn Road, Penygroes, Llanelli, SA14 7PW

Applicant(s)	M & D Care
Agent	AP Architecture and Planning Ltd
Case Officer	Andrew Francis
Ward	Penygroes
Date registered	13 August 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 existing large building commonly known as the Apostolic Church Bible College which is located at the end of Bryn Road, Penygroes.

Bryn Road ends at the start of the large grounds that are associated with this former Apostolic Church building, on which also sits an associated dwelling called Latimer Lodge. Overall, the grounds extend to some 0.75 Ha.

Planning permission was granted in February 2020 to convert the building and dwelling into a residential care facility under Use Class C2 of the Use Classes Order 1987 (as amended). As such, works have been ongoing at the site to carry out this conversion, as per that planning permission referenced E/39777.

The large existing building is essentially shaped like a reversed 'L', with the vertical long limb measuring 39.85 metres in length and 6.8 metres in width, with the base limb being shorter and wider, measuring 24 metres by 16.5 metres. The longer limb part of the building is essentially the older part and is two storey in height, whilst the shorter wider limb are much more recent additions and are single storey structures, though due to the site topography, some of these elevations appear taller, though only providing a single floor internally.

There is a fairly large tarmacadam parking area to the front of the building which has served it over the years.

Proposal

Full planning permission is sought to add a double storey extension to the front elevation of the building, an entrance canopy on the side of the building, together with parking, turning and other ancillary works. The application form also includes for the change of use of the building to Use Class C2, though, as per the last planning permission granted at this site, a permission for this use already exists at this site. The plans show how the building will be adapted and changed internally.

The front double storey extension adds a modern and inviting visual feature onto the front elevation. This measures 7.48 metres in width by 3.85 metres in depth. It accommodates a communal lounge and laundry on the ground floor and on the first floor.

The canopy proposed measures 4.28 metres in width by 2.15 metres in depth and is an open sided structure over the main entrance into the modern limb of the building.

Externally, both additions feature a slate roof and composite cladding to the walls. The windows in the extension will be white, though the final material is yet to be specified.

The ancillary works to the grounds include for 15 parking spaces to the front of the building, with 2 of these being specified for disabled users. A landscaping scheme is shown as well as a turning area just within the site for the continued use of Bryn Road residents.

Planning Site History

PA/16601	Proposed extension and conversion of existing buildings to provide a 19 Bedroom (C2) Care Home Pre-Application - Statutory	05 June 2019
E/40644	Discharge of Condition 8 on E/39777 (Ecological Impact Assessment) Pending	
E/39777	Proposed extension and change of use of former bible college and change of use of associated bungalow to a residential care home (Use Class C2) with parking and ancillary works Full Granted	03 February 2020
E/29632	Proposed alteration and refurbishment of former bible college to 5 no domestic units (3 houses and 2 bungalows) Full Granted	06 November 2014
E/00910	Proposed extension and internal alteration to bible college Approved	06 May 1998
P6/15/175/93	Storage of caravans for 50 weeks and 2 weeks convention period Approved	20 April 1993

P6/19076/91	Change of use of 2 no. ground floor rooms into Christian book shop Approved	09 January 1992
P6/16198/89	Extension and change to old peoples' residential home Approved	11 January 1990

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
H6	Residential Care Facilities
TR3	Highways in Developments – Design Considerations
EQ4	Biodiversity

[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 objections to the proposal based on the current and previous use of the building.

Llandybie Community Council – No objections to the proposal, requests that due regard be taken to the off road access and parking facilities available.

Local Member(s) – The Local Member, Councillor D Thomas offers no objections to the plans.

Natural Resources Wales – Advises that bats are present on the application site. Based on the information submitted, the development is not likely to be detrimental to the maintenance of the species and offer no objection subject to a condition.

Dwr Cymru Welsh Water – No objection, recommends conditions.

Public Protection – No objections to the proposal.

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

Summary of Public Representations

The application was the subject of notification by way of a site notice. Fifteen representations were received objecting to the proposed development from fourteen addresses. The matters raised are summarised as follows:

- The small area shown for turning shown on the plans is more restricted than the existing situation. Some of the residents of Bryn Road have larger vehicles which will find it difficult to turn in the space provided. Also, emergency services, refuse vehicles and supermarket delivery vans would also struggle to negotiate the road and will have to reverse down, especially as they show that a sliding gate is to be erected beyond the turning area. A bigger turning area is requested.
- The opening of the facility will cause an increase in traffic up and down Bryn Road, catering for shift changes, deliveries, visitors etc. Bryn Road is narrow and busy, anything which will make the situation worse in terms of safety and potential damage to vehicles will be an issue.

Appraisal

Principle of the 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 modest extension of the large building is considered to be acceptable at this location. It will modernise the frontage of the building and offer the company an attractive façade.

The change of use of the building from D2 to C2 use has already been examined and planning permission for this use was approved under planning reference E/39777. This application would also look to use the building for C2 use so there is no conflict with the previous approval.

As such, the application is broadly compliant with policies GP1 and H6 of the LDP, subject subject to detailed considerations as discussed below.

Impact upon highway safety

All of the objectors to this application raise the issue of the reduction of the turning area available to them. However, Members should note that the land used by the residents of Bryn Road to turn on is not formal highway land, it is land that comes under the curtilage and ownership of the buildings that are the subject of this application. As such, the turning facility the residents of Bryn Road have enjoyed has been on an informal basis, at the gift of the landowners.

As the new landowner, the applicant can decide to not provide a turning area at all for the residents of Bryn Road and there is no way for the Local Authority to compel them to do so. As such, the provision of the current proposed turning area is, in fact a gain for the residents of Bryn Road as this formalises the turning area which they can continue to use.

The Heat of Transport has recognised this, as has the Local Member who are both satisfied with the current proposal.

Therefore, whilst many of the residents of Bryn Road may feel aggrieved at this situation, it is a net gain for them as a potential alternative is no turning area whatsoever.

Based on this information and the current and previously approved uses of the site, the proposal complies with TR3 of the LDP.

Impact on the character and appearance of the area

The long established building and Latimer Lodge within its grounds already has planning permission to be used as a residential care facility under C2 of the Use Classes Order. As such, this application is essentially to consider the modest extensions and ancillary landscaping, parking and turning works to the site. These will allow the building to become a care facility that meets the required standards it must achieve, whilst improving the visual appearance of the building and particularly the approach to the building. As noted above, the proposed turning area is retained for the residents of Bryn Road to use.

The proposal is therefore considered to bring back into beneficial use a prominent local building which will be good for the character and appearance of the area.

Biodiversity

The application site is known to accommodate bats as found in the submitted bat survey. However, and as previously found also, the proposed development is not likely to be detrimental to the maintenance of the population of this bat species and, as such, Natural Resources Wales do not object to the proposal subject to the imposition of a condition on the planning permission, should it be granted. They also advise that a European Protected Species (EPS) Licence will be required to undertake the works, though it is understood that that has been achieved as part of the previous planning permission. As such, the proposal is considered to comply with policy EQ4 of the LDP.

Planning Obligations

There are no planning obligations required for this development.

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 and the submitted information confirms that the building, which is within the defined settlement limits of Penygroes, is capable of accommodating the proposed extensions 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 fact that

the Authority does not own the land in question, that there is no obligation for the land owner to provide any facility for the residents of Bryn Road. The application is therefore considered to comply with policies SP1, SP2, SP3, GP1, GP2, H6, TR3, and EQ4 of the Carmarthenshire Local Development Plan and is recommended for approval subject to the following conditions:

Conditions

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 hereby permitted shall be carried out strictly in accordance with the following schedule of plans:-

- Location & Block Plan 1:1250 Scale @ A1 (10.225.01) Received 30 June 2020;
- Proposed Block & Site Layout Plan 1:200, 1:500 Scale @ A1(10.225.02A) Received 23 October 2020;
- Proposed Part Ground Floor Plan Sheet 1 of 2 1:50 Scale @ A1 (10.225.10 Rev. A) Received 30 June 2020;
- Proposed Part Ground Floor Plan & Basement Floor Plan Sheet 2 of 2 1:50 Scale @ A1 (10.225.11 Rev. A) Received 30 June 2020;
- Proposed First Floor Plan 1:50 Scale @ A1 (10.225.12 Rev. A) Received 30 June 2020;
- Proposed Elevations 1:100 Scale @ A1 (10.225.13) Received 30 June 2020

Reason:

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

Condition 3

The development hereby approved shall only be used as a care home falling within class C2 to the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to this class in any statutory instrument revoking or re-enacting that order with or without modification.

Reason:

To safeguard the amenities of neighbouring properties.

Condition 4

The vehicular access into the site shall at all times be left open, unimpeded by gates or any other barrier.

Reason:

In the interest of highway safety.

Condition 5

There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole Bryn Road frontage within 2.4 metres of the near edge of the highway.

Reason:

In the interest of highway safety.

Condition 6

The access, visibility splays and turning areas required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.

Reason:

In the interest of highway safety.

Condition 7

The parking spaces and layout shown on the plans herewith approved shall be provided to the written approval of the Local Planning Authority prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the 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 interest of highway safety.

Condition 8

All works must be carried out in strict accordance with the nesting mitigation recommendations contained in sections 5.15, 5.16, 5.17, 5.18 and 5.20 of the submitted Ecological Impact Assessment Report produced by Wildwood Ecology dated 18/07/19 report reference WWE19074 ECIA BATS REV A. Full details of a scheme of the referenced nesting mitigation locations must be submitted to the local planning authority for written approval prior to commencement of the development and thereafter implemented as approved.

Reason:

To protect breeding birds and their nests while being built or containing eggs or young and provide replacement nest sites for a Section 7 species, in accordance with the provisions of Carmarthenshire LDP Policy SP14 & EQ4.

Condition 9

No Development shall commence until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorizing the specified activity/development to go ahead.

Reason:

To ensure the maintenance of a European Protected Species and in accordance with the provisions of Carmarthenshire LDP Policy SP14 & EQ4.

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).

Application No	PL/00466
-----------------------	-----------------

Application Type	Householder Planning Permission
Proposal & Location	Raising the ridgeline, insertion of rooflights and side-facing window and the construction of a rear dormer to form a loft conversion at Bryntirion, Llandeilo Road, Carmel, Llanelli, SA14 7SE

Applicant(s)	Mr and Mrs Govier
Agent	Peter Rees
Case Officer	Paul Roberts
Ward	Llanfihangel Aberbythych
Date registered	30 September 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 consists of the curtilage of a detached two storey house located on the eastern flank of the A476 in the village of Carmel. It has a double fronted design with a low pitched hipped roof. The house has a single storey extension to the side which has a partly pitched and flat roof. It is located in a generous curtilage being set back from the A476 while also being at a lower level than the road. There is a parking area to the front of the house and garden space to the side and rear which is bounded by a mix of hedgerows and fencing.

The property is located in a primarily residential area that is characterised by mix of bungalows and two storey houses. There are agricultural fields to the south and east of the site.

Proposal

The application seeks full planning permission to increase the height of the existing roof, the addition of a rear dormer window and rooflights to both the front and rear roof planes. The proposal will provide a new en-suite bedroom in the roof of the property. The ridge of the new roof will be approximately 2.2 metres higher than the existing and will be of a gable design in contrast to the current hipped roof. It will include a new window in the southern side gable that will overlook the neighbouring agricultural field.

The new dormer window will have a pitched roof and include a glazed door opening that will form part of a Juliet style balcony that will include a glass balustrade immediately to the front of the doors. The Velux windows in the front roof plane facing the road will serve the new en-suite bathroom and stairway while those to the rear will serve the bedroom and its proposed new dressing room. The new roof and dormer window are to have a tiled finish to reflect that of the existing roof while the gable ends of the new roof will consist of facing brickwork to match those of the host dwelling.

The application has been accompanied by a bat survey which confirms that there are no bats within the property.

Planning Site History

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

E/13003	New house Outline planning permission refused Appeal dismissed	21 June 2006 22 March 2007
P6/9491/83	House and garage Full planning permission	22 September 1983

Planning Policy

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

GP1 Sustainability and High Quality Design
GP6 Extensions
EQ4 Biodiversity

Summary of Consultation Responses

Llanfihangel Aberbythych Community Council – Have objected to the application on the following grounds :

- Impact upon the privacy of the occupiers of the properties on the opposite side of the A476 by way of overlooking.
- Impact upon the neighbouring property by way of loss of light and amenity.

Local Member – County Councillor Cefin Campbell raises concerns regarding the impact upon the amenity of the properties on the opposite side of the road and asks that officers ensure that the new window in the side elevation of the dwelling should not affect the privacy of neighbouring properties.

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

Summary of Public Representations

The application was the subject of notification by way of the posting of a site notice to the front of the application property. In response, three letters of representation have been received which include one from the occupier of the adjacent property as well as a property on the opposite side of the road. No address has been provided by the third respondent. The respondents object to the application and raise the following issues of concern :

- Loss of privacy and amenity due to the increased roof height and insertion of dormer and velux windows.
- The change from a hip to a gable presents a larger roof profile that will cast a shadow over neighbouring properties.
- The height of the property will be much higher than all neighbouring properties that are bungalows or dormer bungalows.
- The impact upon the privacy of existing bungalows on the opposite side of the road from the front skylights and side window.
- Potential change of use in the future to multiple occupancy or B & B.
- Lack of parking.

Appraisal

Policy GP6 of the LDP is of relevance to the proposal in that relates specifically to extensions to existing residential dwellings. It permits extension proposals where they are subordinate and compatible to the size, type and character of the existing development, will not result in the over development of the site or lead to inadequate areas of parking or garden space. The policy also requires that the local environment and amenity of neighbouring developments should not be adversely affected by the development, with this also being an objective of Policy GP1 of the Plan.

Turning firstly to the design of the proposal, whilst the ridge height of the house will increase by approximately 2.2 metres, the existing roof has a markedly low pitch in comparison to other neighbouring properties within the surrounding street scene particularly those located along the same side of the A476 to the north of the application property. The increased height and gable design will increase the overall mass of the roof, nonetheless it will not appear overly dominant or disproportionate with the size and appearance of the existing house. The surrounding area is characterised by varying roof types which include hipped and gable designs and the general scale and form of that proposed will not be visually discordant within this context. The house is set back from the road at a lower level than the adjacent semi-detached properties which, combined with its low roof pitch, means that it currently has a lower ridge level than these properties. Whilst the new roof will have a higher ridge level than these properties, the extent of the difference will not be of such a level that it would appear unusual or at odds with the appearance of the existing street scene particularly given the generous separating distance of some 13.5 metres between the properties.

With regard to the dormer window proposed in the rear of the new roof, a number of surrounding properties feature dormer windows with the most notable being the two neighbouring semi-detached properties. The scale and design of the dormer feature and juliet balcony will be subordinate and compatible with the size and appearance of the extended house while its location at the rear of the property will mean that it will not be visible in the surrounding street scene.

In terms of the impact upon the amenity of neighbouring properties, the occupier of a neighbouring bungalow, Amanwy, located on the opposite side of the road and to the south west of the application property has raised concern regarding the impact upon their privacy by way of the overlooking of their front windows. The rooflights in the front of the new roof will be located some 56 metres distant of the front elevation of the respondents bungalow and be located on the opposite side of the road, while those properties located directly opposite are approximately 40 metres from the front elevation of the application property. These separating distances are sufficient to prevent any unacceptable overlooking of the front elevations of neighbouring properties while the new rooflights will have no outlook towards their garden spaces to the rear. In addition, the southerly orientation of the new bedroom window in the side gable of the application property will mean that any outlook towards the front of the neighbouring properties would be at an oblique angle which, combined with the separating distance, will prevent any harmful privacy impact.

With regard to the impact upon the adjacent dwelling, Bryn Heulwen, the orientation of both properties is such that there is an element of mutual overlooking whereby the first floor windows of both properties currently have an angled view over each other's rear garden areas. The position of the application property behind the rear elevation of Bryn Heulwen will mean that the new juliet balcony and rear rooflights will not overlook the private garden area and conservatory close to the rear elevation of the neighbouring dwelling. They will have an angled outlook towards the rear part of the neighbouring garden, nonetheless this is already overlooked by the existing first floor windows of the application property and the separating distance of in excess of 20 metres between the windows and juliet balcony and this area of the garden will mean that there will be no unacceptable harmful impact upon the neighbour's existing privacy levels.

Turning to the impact upon the adjacent dwelling in terms of loss of light, the new roof will be located 10.5 metres from the common boundary between both properties and some 13.5 metres distant of its side elevation which has a number of small window openings facing the application property. This separating distance combined with the lower level of the application property will mean that the new roof will not overshadow either the garden space or side elevation of the adjacent dwelling or cause any unacceptable harm by way of loss of light.

Concerns regarding the lack of parking are misjudged in that the application site currently has off road parking for approximately 5-6 vehicles which is sufficient to serve the extended dwelling and the proposed addition of a further bedroom.

Finally, the matters raised regarding the potential future use of the property as a house of multiple occupancy or other commercial use are not relevant to the consideration of the application.

The proposal is therefore considered to be in accord with the objectives of Policies GP1 and GP6 of the LDP in that it would be of a scale and form that will respect the character and appearance of the existing dwelling and surrounding street scene while also not adversely affecting the amenity and living conditions of neighbouring occupiers.

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, together with the representations received, it is concluded on balance that the proposal is acceptable and in compliance with the policy objectives of the Authority's adopted LDP and national planning policy. The application is therefore put forward with a favourable recommendation.

Conditions and Reasons

Condition 1

The works hereby granted consent 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:-

- 1:1250 scale location plan
- 1:500 and 1:100 scale block plan, existing and proposed roof plan.
- Proposed floor plan, roof plan and elevations (BAM79)
received on 28 September 2020
- Bat survey report prepared by I & G consulting referenced IG2020Bryntirion
received on 19 October 2020

Reason:

In the interest of clarity as to the extent of the permission.

Condition 3

The development hereby approved shall be undertaken in strict accordance with the recommendations and mitigation measures contained in sections 4.2.1, 4.2.2, 5.1.1-5.1.3 and site plan contained in appendix 5 of the Bat survey report prepared by I & G Ecological

Consulting referenced IG2020Bryntirion received on 19 October 2020 and detailed in the proposed ground floor plan and elevations drawing (1611-02-A) received of 27 October 2020.

Reason:

To ensure there is no detriment to the maintenance of the favourable conservation status of Bat species.

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).

*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 03 RHAGFYR 2020
ON 03 DECEMBER 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.

COMMITTEE:	PLANNING COMMITTEE
DATE:	03 DECEMBER 2020
REPORT OF:	HEAD OF PLANNING

INDEX - AREA SOUTH

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
S/40658	CONSTRUCTION OF TWO NEW FOUR BEDROOM DWELLING HOUSES WITH DETACHED GARAGES AT LAND ADJACENT TO 21 COEDCAE ROAD, LLANELLI SA15 1HJ
PL/00053	PROPOSED SINGLE STOREY REAR EXTENSION WITH BALUSTRADE ABOVE AT 53 BWLCHYGWYNT, LLANELLI, SA15 2AJ
PL/00413	DETACHED DWELLINGHOUSE, LAND FORMERLY PART OF 21 AR Y BRYN, PEMBREY, LLANELLI.

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	S/40658
-----------------------	----------------

Application Type	Full Planning
Proposal & Location	Construction of two new four bedroom dwelling houses with detached garages at land adjacent to 21 Coedcae Road, Llanelli SA15 1HJ

Applicant(s)	Mr. John Williams, 5103 Ltd
Agent	
Case Officer	Rob Davies
Ward	Bigyn
Date registered	04/06/20

Reason for Committee

This application is being reported to the Planning Committee

* following the receipt of more than one objection from third parties

Site

The application site consists of an irregular shaped parcel of vacant land located on the southern flank of Coedcae Road in Llanelli. The site is surrounded on all sides by residential dwellings of various designs. The site is set below the level of the existing highway adjacent to the north, and is separated from it by a mature tree line. The site is currently rough grass and bramble with a line of semi-mature Ash trees and an outgrown blackthorne hedgerow running along its boundary with Coedcae Road. The aforementioned Ash trees are protected by Tree Preservation Orders confirmed by the former Llanelli Borough Council located either on or adjacent to the application site.

Proposal

The application seeks full planning permission for the construction of two, four bedroom, two storey detached dwellings with detached single storey garages. The proposed dwellings themselves are located centrally within the application site, offset from the boundaries either side, and are to be served via a new shared central access on to Coedcae Road.

The dwellings themselves are of a contemporary design, with a two storey front gable projection, and external finishes consisting of brick and render to the walls and grey concrete

tiles to the roof. The dwellings are between 7.3 to 8.3m in depth, 10m in width and have a maximum ridge height of 7.9m.

Cross section drawings submitted with the application indicate that it is proposed to raise levels at the application site which is currently at a lower level than Coedcae Road itself. The proposed levels will be similar to those at 23 Coedcae Road, and will ensure that a gravity foul feed connection can be made to the main sewer. In terms of surface water disposal, the drainage layouts submitted with the application indicates that use will be made of porous driveways to the front, whilst infiltration basins are proposed to the rear garden to attenuate and allow surface water to infiltrate naturally thereafter.

The proposed boundary treatment measures will consist of a mixture of 1m high brick walls to the more prominent boundaries to the front and 1.8m high feather edge fencing to the side and rear boundaries.

The Tree Report submitted with the application indicates that the protected Ash trees on the front boundary are unfortunately suffering from Ash die back disease, and therefore it is proposed to remove these trees and replace with three Sorbus Aria Lutescens, which are native trees which will achieve a maximum height of 10m, and a total crown spread of 8m so will not cause conflict with the pedestrian footpath or the new buildings. A separate TPO application to remove these Ash trees and to implement the re-planting scheme has been submitted and approved.

In addition to the drawings, the application was accompanied by the following supporting information:-

- Tree Survey Report
- Preliminary Roost Assessment of Trees for Bats
- Invasive Species Site Identification Report
- Soakaway Test Report
- Drainage Calculations

Planning Site History

PL/00551	Application for Tree Works subject to TPO (S33) – Consent to Cut Down Approved	10 November 20
S/36622	Two New Dwellings Outline Granted	15 May 2018
S/33561	For TPO Applications TPO:S33 -Trimming - Tree Works Subject to a Preservation Order (TPO) Granted	20 April 2016
S/27746	Variation of Condition No. 3 and No. 4 attached to planning permission S/13212 (Approved on Appeal Ref. APP/M6825/1200324) dated 21.02.07 subsequently amended by S/21876 dated 17.11.09 to extend the period of time for submission of Reserved Matters Variation of Planning Condition Granted	02 April 2013

S/21876 -	Variation of Condition No. 3 and No. 4 attached to planning permission S/13212 (approved on Appeal Ref. APP/M6825/1200324) dated 21.02.07 to extend the period of time for submission of Reserved Matters Variation of Planning Condition Granted	17 November 2009
S/13212	Proposed 2 No. Plots Outline Refused Appeal Upheld	10 October 2006 21 February 2007
S/12347	Proposed 3 No. Dwellings Outline Refused	06 April 2006
D5/5256	Construction of Joinery Shop Refused	23 October 1980
D5/4139	Joinery Workshop Refused	19 July 1979

Planning Policy

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

SP1 Sustainable Places and Spaces
 SP2 Climate Change
 SP3 Sustainable Distribution – Settlement Framework
 SP9 Transportation
 SP14 Protection and Enhancement of the Natural Environment
 SP17 Infrastructure
 GP1 Sustainability and High Quality Design
 GP2 Development Limits
 GP3 Planning Obligations
 GP4 Infrastructure and New Development
 H2 Housing within Development Limits
 AH1 Affordable Housing
 TR2 Location of Development – Transport Considerations
 TR3 Highways in Developments – Design Considerations
 EQ4 Biodiversity
 EQ5 Corridors, Networks and Features of Distinctiveness
 EP1 Water Quality and Resources
 EP2 Pollution
 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

Suds Approval Body – No objection. Confirmed SAB approval needed.

Llanelli Town Council - Request that a method statement is provided in relation to any proposed tree works relating to the development.

Local Member(s) – County Councillor J Edmunds and County Councillor E Morgan have not responded to date.

Dwr Cymru/Welsh Water – No objection subject to conditions.

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

Summary of Public Representations

The application was the subject of notification by way of letters to 8no. neighbouring properties.

Two letters of representation have been received raising the following concerns and objections:-

- Impact on neighbouring properties by raising levels – levels should be reduced which would then reduce the ridge height of the dwellings in comparison to 21 Coedcae Road
- Loss of privacy
- Drainage infiltration basins on the boundaries – flood risk
- Underground services will affect root protection areas of Protected Trees
- Structural damage
- Displacement of vermin

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

Appraisal

As Members will have noted, the LPA has received two objections from third parties whilst Llanelli Town Council has suggested that a method statement for tree works is needed. The material reasons for concern and objection raised will now be addressed individually however the issues raised in terms of structural damage and vermin control are not considered material to the proposal.

It can be noted from the Planning History relating to the site that outline planning permission for two dwellings on the application site was originally granted at appeal in 2007, and has been renewed periodically since. The most recent outline permission was granted in 2018 and is still valid. The current application is a full application instead of reserved matters because it is outside the scope of the previous outline. As such, the principle of developing two dwellings on the site has previously been established.

With regards to the concerns raised in terms of increased levels and impact upon adjacent properties by virtue of visual intrusion and privacy as a result, as aforementioned it is necessary to raise levels to a degree to ensure that a gravity feed to the main sewer for foul water can be achieved, and thus avoiding the need for a pumped solution. The proposed levels are comparative to no.23 Coedcae Road, whilst the ridge height is not excessive at 7.9m. The scheme was amended during the course of the application process whereby the dwellings were set more centrally within the plot and away from the boundaries with no's 21 and 23 Coedcae Road. This coupled with the proposed boundary treatment measures in the LPA's opinion ensures that the proposed development does not adversely affect adjacent properties. Whilst two neighbours did object to the original scheme, no further objections were raised as part of the re-consultation exercise.

In terms of the concerns raised in relation to the surface water drainage infiltration basins and their original position on the boundaries, the amended scheme submitted also moved these features off the common boundaries and set them further into the site. The application has been accompanied by a Drainage Strategy informed by soakaway tests by a suitably qualified Drainage Engineer. The principles of the proposed strategy for the SUDS scheme are considered acceptable, and this will also be subject to a separate SAB application process.

Finally in terms of the points raised in relation to the protected trees, as already mentioned the Tree Report submitted with the application proposes to fell all the trees on the site, including the protected trees, due to their condition and the fact that the majority are Ash and Ash die back is present on site. Instead it is proposed to replace with three Sorbus Aria Lutescens, which are native trees which will achieve a maximum height of 10m, and a total crown spread of 8m so will not cause conflict with the pedestrian footpath or the new buildings. A separate TPO application to remove these Ash trees and to implement the re-planting scheme has been submitted to the Authority and considered in detail by the Authority's Arboriculture Officer. The TPO application has been approved and therefore the trees can be removed without impediment subject to the specified re-planting.

The application was accompanied by a Preliminary Assessment of the Trees for Bats which concluded that the trees and hedgerows had negligible potential to support roosting Bats. The trees have no direct evidence of use by Bats nor any suitable potential for them to do so and therefore the loss of these trees would not result in any negative impacts to the favourable conservation status of local Bat populations or require an EPS licence. The Authority's Planning Ecologist has considered the application and the referenced report and has raised no objection to the proposed development subject to conditions.

The Invasive Species Site Identification Report identified no Japanese Knotweed on the site, and therefore no scheme of eradication is required.

Planning Obligations

The applicant has agreed to provide a financial contribution towards affordable housing based upon the requirements of Policy AH1 of the LDP and the Adopted Supplementary Planning Guidance. This will be secured via a Unilateral Undertaking before a planning permission is released.

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

The principle of developing the application site for two dwellings has been established on numerous previous occasions. The proposed dwellings are considered acceptable in size, scale and design terms, in keeping with their surroundings.

It is considered that there are no loss of amenity issues associated with the proposed development and it is considered that the issues of concern and objection raised have adequately been addressed as part of the above appraisal.

On balance after careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date, the application is put forward with a recommendation for approval subject to the following conditions. Members are respectfully requested to resolve to approve the application and grant the Authority's Head of Planning plenary powers to release the planning permission on the successful completion of the Unilateral Undertaking in relation to affordable housing.

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 hereby permitted shall be carried out strictly in accordance with the following schedule of plans:-

Planting Plan received 3rd November, 2020

Site location and land ownership plan 1:1250 @ A3 (JO23/01) received 3rd November, 2020

Soakaway test plan 1:200 @ A3 received 3rd November, 2020

Proposed drainage layout plan 1:1250 @ A3 (JO23/02) received 3rd November, 2020

Raingarden details 1:50 @ A3 (JO23/04) received 3rd November, 2020

Porous Drive Details 1:100 @ A3 received 3rd November, 2020

Location plan 1:500 @ A3 (A101 Rev 1) received 3rd September, 2020
Block plan 1:200 @ A3 (A102 Rev 1) received 3rd September, 2020
Site sections 1:100 @ A3 (A103 Rev 1) received 3rd September, 2020
Proposed foul drainage layout 1:200 @ A3 (A104 Rev 1) received 3rd September, 2020
Site sections 1:100 @ A3 (A114 Rev 1) received 3rd September, 2020
Section locations 1:200 @ A3 (A115 Rev 1) received 3rd September, 2020
Boundary details 1:200 @ A3 (A116 Rev 1) received 3rd September, 2020
Site sections 1:100 @ A3 (A117 Rev 1) received 3rd September, 2020
Plot 1 – Elevations 1:100 @ A3 (A105) received 7th May, 2020
Plot 1 – Ground floor plan 1:50 @ A3 (A106) received 7th May, 2020
Plot 1 – First floor plan 1:50 @ A3 (A107) received 7th May, 2020
Plot 1 – Roof plan and section AA 1:50; 1:100 @ A3 (A108) received 7th May, 2020

Reason:

In the interest of visual amenity.

Condition 3

The development should take place strictly in accordance with the Recommendations detailed in Sections 8.1, 8.2, 8.3 and 8.4 of the Preliminary Roost Assessment of Trees report produced by Hawkeswood Ecology and received by the Local Planning Authority on the 1st June, 2020.

Reason:

In the interests of ecology in accordance with Policy EQ4 of the LDP.

Condition 4

The landscaping/tree re-planting works shall be carried out in accordance with the Planting Plan drawing received on the 3rd November, 2020 during the first planting season immediately following the completion of the development.

Reason:

In the interest of visual amenity and to compensate for the loss of existing landscape features.

Condition 5

Prior to the commencement of development a detailed Biodiversity Enhancement Scheme including locations, types, specifications and numbers of biodiversity enhancement measures should be submitted to and approved in writing by the Local Planning Authority. The approved scheme should subsequently be implemented in strict accordance with approved details prior to the beneficial occupation of the dwellings.

Reason:

In the interest of ecology and to accord with the Environment (Wales) Act 2016 and Planning Policy Wales 2018.

Condition 6

Prior to the commencement of development an exterior lighting plan should be submitted to and approved in writing. The lighting plan will need to include details and measures that

focus particularly on minimising lighting impacts near to any proposed Bat roost features i.e. artificial Bat boxes and maintaining flight lines and dark corridors. The approved scheme should subsequently be implemented in strict accordance with approved details prior to the beneficial occupation of the dwellings.

Reason:

In the interests of ecology in accordance with Policy EQ4 of the LDP.

Condition 7

Prior to the commencement of development a sensitive clearance strategy for reptiles prepared by a competent ecologist shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme should subsequently be implemented in strict accordance with approved details.

Reason:

In the interest of ecology.

Condition 8

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 9

The proposed drainage arrangements shall be carried out in strict accordance with the approved drainage plans referenced A104 Rev 1 received 3rd September, 2020 and JO23/02 received 3rd November, 2020, and thereafter retained as such in perpetuity.

Reason:

To ensure a satisfactory form of drainage.

Condition 10

The first floor bathroom windows shall be glazed in obscure glass and thereafter retained as such in perpetuity.

Reason:

To preserve residential amenity.

Notes/Informatives

Note 1

This planning permission is granted subject to the covenants contained in the Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 dated in connection with the payment of a commuted payment towards affordable housing provision.

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).

Application No	PL/00053
-----------------------	-----------------

Application Type	Householder
Proposal & Location	Proposed Single Storey Rear Extension with Balustrade above at 53 Bwlchgywynt, Llanelli, SA15 2AJ

Applicant(s)	Mr Darzins
Case Officer	John Thomas
Ward	Glanymor
Date registered	31/07/2020

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 property is a large detached house with an integral garage situated at the end of a line of similarly sized and modern design houses on the Bwlchgywynt Estate, itself located on part of the Machynys peninsular in South Llanelli. The existing house is three storey in scale and appearance and, as is the case with all the other houses to this side of the estate which have open aspects onto the adjacent shoreline and estuary, the house has been designed and orientated to maximise this Westward outlook, with a large proportion of the elevation glazed to optimise the available views. This extends to each house invariably having a first floor balcony integral in its design, which is true of the application property which has a staggered balcony arrangement.

While the house is located within the larger estate development it is only immediately bordered on one side by an adjacent dwelling house, with internal estate roads to two sides, and the shoreline to the other. The adjacent house to the immediate East South-east follows an identical curved building line to others on this side of the estate, and although similar in scale to the application property, is of a different modern house design, most notably it has a continuous balcony across the whole rear elevation. The house type designs along this same row of houses are comprises of the same two house designs in an alternating pattern.

Proposal

The application seeks full planning permission to both extend the area immediately behind the ground floor double garage to form a single storey rear extension, as well as extend the

existing balcony area above outwards to be in-line and continuous with the further first floor balcony area. The proposed extension would measure 7m x 3m in footprint, with a roof height of 3.2m, thereby filing and enclosing an area of rear patio.

Part of the proposed roof area presently forms one of the two first floor balcony areas, while the application also proposes extending the balcony area outwards by a further 2.8m to bring it in-line with the other balcony area. This would create a continuous balcony area across the whole rear elevation, not too dissimilar to that which the near neighbouring property presently enjoys. The proposal would also bring the balcony in-line with the neighbours full width balcony.

Planning Site History

The application site has been the subject of the following previous planning applications:-

S/31833	Flat Roof Extension To Rear And Alter/Extend Balconies To Form Sundeck Exiting From Upper Lounge/Bedrooms Full Refusal	01 June 2015
S/28233	Removal Of Condition No 8 Attached To Planning Permission S/19221 Removal Of Condition Granted	02 July 2013
S/28166	Construction Of 4no. Units including associated garages, means of enclosure, landscaping and associated building and engineering works. Proposed development represents a replan of previous Consent granted under S/19221 Pending	
S/19221	Construction Of 205 Residential Apartments and Dwellings with Associated Access and Landscaping together with the discharge of Pre Commencement Conditions No's 10, 12, 13 & 16 attached to Outline Planning Permission S/14180 Reserved Matters Granted Unilateral Undertaking	07 October 2010
S/19189	Discharge of condition no. 10 attached to Planning Permission S/14180 - Contaminated Land Withdrawn	23 November 2009
S/19187	Discharge of Condition No. 16 Attached to Planning Permission S/14180 - Drainage Withdrawn	23 November 2009
S/14180	Residential development together with associated highway and junction improvements, car parking and servicing, open space and landscaping, and other ancillary uses and activities Outline Granted S106 by Planning Condition	21 November 2006

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

Llanelli Town Community Council - No observations received to date.

Local Member(s) – County Councillors Louvain Roberts and John Prosser have made no prior comment.

Dwr Cymru/Welsh Water – No objection

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

Summary of Public Representations

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

Four representations were received, one neither objecting nor supporting the application but making observations, while the further three representations state their objection to the proposal. The concerns and objections expressed are as follows:-

- The adjoining parking area is privately owned and should not be used by contractors, for parking, deliveries or access purposes;
- The extension will decrease light to one of the neighbours living area windows;
- Privacy to the first floor balcony will be reduced;
- Views presently enjoyed will be compromised, thereby impacting on the property value.

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

Appraisal

Principle of Development

The proposed single storey rear extension is relatively modest in size, measuring 7m x 3m, and a roof height of 3.2m. In the context of the existing dwelling this would amount to less than a 20% increase in footprint, and less than 10% increase in gross habitable floor area.

The first floor balcony is an existing feature of the house, and invariably also a feature of all the other houses in the same row, albeit of varying sizes, but following a common theme.

Design

In respect of the design of the rear extension, the proposal would serve to “square-off” a rear corner area which presently serves as part of the patio, while given it’s size and location would have no adverse impact on the character and appearance of the host dwelling.

The proposed balcony extension, like the existing, is largely transparent and will serve to replicate the existing glass panelled balustrading, with the exception of the proposed side privacy screen to a height of 1.8m. As is now customary with such open air features in close proximity to flanking properties, the side panel will be obscure glazed, not clear glazed like the remainder of the balcony. As previously highlighted, first floor balconies are an integral feature of those properties benefiting from beach facing aspects.

Residential Amenity and Privacy

The proposed first floor balcony extension has attracted objection on the grounds of light deprivation as well as perceived loss of privacy. On the latter point, the only window present in the near neighbouring property that could conceivably be affected is a first floor side elevation window. This window presently has an unrestricted view directly onto the applicant’s existing balcony area, as does the neighbour’s balcony which is devoid of any privacy screen or similar. The present proposal will serve to rectify this deficiency to both party’s benefit.

In respect of the claimed light obstruction to what is a secondary window to a first floor habitable room. The application property is slightly North of due West to the objector’s neighbouring property, with very limited potential to limit light to this window and room, which also benefits from a patio door to the South facing elevation. It must also be appreciated that while the near facing obscure glazed privacy will not be transparent, it will however be translucent. This will continue to allow daylight to pass through, albeit maintain the required level of privacy and dignity.

Other Matters

Certain of the objections raised have emanated from occupiers of the nearby Wellfield apartment block, which is served by a private parking area to the immediate North of the application property. These objections are predicated on concerns that their private parking areas may be requisitioned or used by contractors and delivery vehicles allied to any prospective development. This would be a private civil matter between the two parties concerned and outside of the scope of the LPA.

Likewise, the opined loss of lateral view as a result of the proposed development, and the perceived impact on property value are also not material planning considerations.

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.

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 Received 21-08-2020;
- 1:500 scale Proposed Site Plan Received 21-08-2020;
- 1:50 scale Proposed Floor Plans. Drawing No.06;
- 1:100 scale Proposed Elevations & Floor Plans Received 21-08-2020;
- 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 walls of the extension hereby approved, along with fenestration shall match those of the existing house in texture and colour.

Reason:

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

Condition 4

The proposed 1.8m high obscure glazing balcony screen shall be erected along the east elevation of the proposed balcony, as per the details on the Proposed Elevations & Floor Plans drawing, prior to the occupation of the proposed extension and maintained thereafter.

Reason:

In the interest of privacy and residential amenity in accordance with Policy GP1 and GP6.

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 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.

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).

Application No	PL/00413
-----------------------	-----------------

Application Type	Full Detailed
Proposal & Location	Detached Dwellinghouse, Land formerly part of 21 Ar Y Bryn, Pembrey, Llanelli.

Applicant(s)	Mr I Griffiths
Agent	Evans Banks
Case Officer	Gary Glenister
Ward	Pembrey
Date registered	24 September 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 an infill plot within the settlement development limits of Pembrey. The site had outline planning permission in 2017, however no reserved matters applications have been received. The site had a full application submitted and refused on design grounds earlier in 2020 and this application is therefore an amended proposal.

The site was formerly part of the private garden to 21 Ar Y Bryn and is set at a lower ground level than the house itself. The site slopes down from the original dwelling in a southerly direction so the current grassed site has a significant gradient. The Western and Southern boundaries are defined by mature ornamental hedgerows, however the Northern and Eastern boundaries are open to a larger grassed area which forms remainder of the southern facing private garden area to the original dwelling.

The site is accessed via a private road which leads to other properties in Ar Y Bryn which joins the County Highway at a point opposite the historic Cwrt Farm.

Proposal

The application seeks full detailed planning permission for a single dwelling on the site.

The dwelling is proposed to be split level utilising the sloping site with the appearance of being three storeys high from the front (two storey from the rear) with additional accommodation in the loft. The accommodation is proposed as follows: Ground floor – entrance hall and plant room. First floor – four bedrooms (one en-suite) and a family bathroom. Second floor – kitchen/dining room, utility room, living room and covered balcony. Roof Accommodation - master bedroom, walk in wardrobe and en-suite bathroom.

The proposal incorporates an open balcony accessed from the second floor under an asymmetrical roof which overhangs.

In terms of external materials the main body of the house is proposed to be smooth render with a natural stone cladding system for the two storey front section under a slate roof which includes photovoltaic panels. Natural stone detailing is proposed on the window heads and cills. Fenestration is proposed to be anthracite coloured uPVC.

The proposed house is set to the West of the site with a driveway to the East and garden to the North. The proposed house is cut into the slope with a level private garden to the rear before a retaining wall and natural ground levels beyond. The southern boundary hedge is proposed to be retained, however all other boundaries are proposed to be 1.8m high close boarded fencing.

Planning Site History

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

S/40375	Proposed detached dwelling Full Refusal	05 May 2020
S/38493	Removal of Condition 10 on S/35195 (Carriageway Surfacing of Nearby Road Junction) Removal of Condition Granted	04 June 2019
S/35195	Residential building plot Outline Granted Unilateral Undertaking - Affordable Housing	19 December 2017
D5/17077	Residential Outline Granted - Committee	20 July 1995
D5/17028	Double Garage Full Granted - Committee	05 July 1995
D5/14277	Private Detached Dwelling Full Granted - Committee	31 March 1994
D5/12638	Construction of dwelling Full refused	04 June 1990

Planning Policy

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

SP1 Sustainable Places and Spaces
SP2 Climate Change
GP1 Sustainability and High Quality Design
GP2 Development Limits

[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 – has no objection subject to the imposition of appropriate conditions.

Pembrey and Burry Port Community Council - No observations received to date.

Local Member(s) - Councillors HB Shepardson and S Matthews have not commented 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 neighbour letters.

Three representations were received objecting and the matters raised are summarised as follows:

- Design and materials
- Height
- Residential amenity
- Access / ownership of the private road
- Potential damage to residential property
- Utilities
- Surface water
- Loss of view

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

Appraisal

Design & Materials

The proposed dwelling has a mix of render and a stone/slate cladding system which would have a contemporary character. Whilst the prevailing character of the area is red brick, the

design and character of the surrounding dwellings is not uniform, and taking the wider context of Mountain Road, there are individual properties which are a light render which feature from the highway to break up the prevalence of brick. Therefore, a more contemporary palate of materials being primarily render with stone features under a slate roof is not likely to have a detrimental impact.

The height of the proposal is significant as it uses the topography to provide split level accommodation. The ground floor is an entrance hall and plant room and does not extend to the whole footprint. Above is a two storey dwelling with additional bedroom in the loft. Given the sloping nature of the site, whilst the overall maximum height is nearly 12m from the front, the scheme is cut into the slope, so the overall nature of the proposal is not considered excessive.

Residential Amenity

There is concern over residential amenity with the 'upside down' design of the proposal and inclusion of a covered balcony. The proposed dwelling is set back into the plot with an access to the front. This ensures that there is at least a 21m separation distance between the dwelling and the closest part of the dwelling to the south. This separation distance is considered to be acceptable and it is noted that the front elevation of the house to the south currently has unobstructed views from Ar Y Bryn so privacy is not going to be affected as there would be mutual overlooking between the fronts of the dwellings. Any dwelling would have fenestration to the front, so the covered balcony is not likely to have an impact that would be any different to having glazed windows on this elevation. The balcony is however likely to have less use than an incorporated living space and with the addition of obscure ballustrades as conditioned below, is not likely to have an unacceptable loss of residential amenity to the neighbouring properties.

Access

The proposal is accessed via a private road which joins Mountain Road opposite the historic Cwrt Farm. The private road serves a number of properties known as Ar Y Bryn. The Head of Transport has assessed the scheme and has no objection subject to the imposition of appropriate conditions to ensure necessary access improvements are secured, including the widening of the private road as it passes the plot.

In relation to the ownership of the private road, this is a private matter which the applicant will have secured through the purchase of the plot and does not therefore affect the planning permission.

Potential damage to neighbouring property

The proposal is not directly adjacent to the boundary and trees referred to as there is a road between. Any potential damage to private property is a private civil matter and not material to the determination of this application.

Utilities

The presence of utilities serving the houses which are at a higher level is noted, and the applicant will have to ensure that any sub terranean pipework is either protected or diverted. This is a private matter between land owners.

It is noted that Sustainable Drainage Board approval is needed for surface water under other legislation.

Loss of View

Loss of view is not a material planning consideration.

Planning Obligations

The standard affordable housing contribution based on the internal floor area is applicable in this case.

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 whilst the design is more contemporary than neighbouring properties, it is spit level to use the topography and is not likely to have an unacceptable adverse impact on the character and amenity of the area. There is concern over residential amenity, however the principle of a dwelling on the site was established in 2017 with a reasonable separation distance with neighbouring properties. Any dwelling would have fenestration facing in the general direction of the properties opposite, so the presence of the covered balcony is not likely to have an unacceptable adverse impact on third parties.

The proposal is considered to be in accordance with the above policies so is recommended for approval subject to the submission of a unilateral undertaking in respect of the affordable housing contribution.

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 23 September 2020

1:50 & 1:1250 scale Location Plan, Section & Roof Plan. Drawing No. A106

1:200 scale Existing & Proposed Site Layout Plans & Cross Sections. Drawing No. A107

1:100 scale Proposed Elevations. Drawing No. A104

1:50 scale Proposed Floor Plans. Drawing No. A105

Reason:

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

Condition 3

The new vehicular access shall be laid out and constructed strictly in accordance with Carmarthenshire County Councils (Highways and Transport services) Typical Layout No. 1 (specification for which is attached to this planning permission), prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.

Reason:

In the interests of highway safety in accordance with Policy TR3.

Condition 4

Prior to any use of the access by vehicular traffic, a visibility splay of 2.0 metres x 25 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.6 metres within this splay area.

Reason:

In the interests of highway safety in accordance with Policy TR3.

Condition 5

The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.

Reason:

In the interests of highway safety in accordance with Policy TR3.

Condition 6

The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

Reason:

In the interests of highway safety in accordance with Policy TR3.

Condition 7

Prior to the commencement of any part of the development herewith approved, the private road fronting the site shall be widened to provide a carriageway width of at least 4.1 metres. This work shall be completed to the written approval of the Local Planning Authority and to the specification of the Local Highway Authority.

Reason:

In the interests of highway safety in accordance with Policy TR3.

Condition 8

The ballustrades serving the covered balcony shall be either a solid material or obscurely glazed and remain as such in perpetuity.

Reason:

To protect the amenity of neighbouring properties in accordance with Policy GP1 of the LDP.

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 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.

Note 2

The applicant / developer's attention is drawn to the requirement for an affordable housing contribution of £58.78 per square metre internal floor area as set out in the signed unilateral undertaking.

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)

This page is intentionally left blank

*Ardal
Gorllewin/
Area West*

**ADRODDIAD PENNAETH
CYNLLUNIO, CYFARWYDDIAETH
YR AMGYLCHEDD**

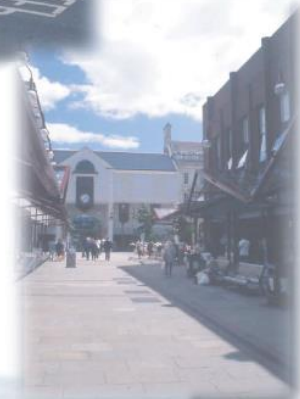
**REPORT OF THE HEAD OF
PLANNING, DIRECTORATE
OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 03 RHAGFYR 2020
ON 03 DECEMBER 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.

COMMITTEE:	PLANNING COMMITTEE
DATE:	03 DECEMBER 2020
REPORT OF:	HEAD OF PLANNING

INDEX - AREA WEST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
W/40612	PROPOSED DEMOLITION AND REBUILDING OF GARAGE INCLUDING EXTENDING THE CURTILAGE AND NEW VEHICULAR ACCESS AT WERN VILLA, MEIDRIM, CARMARTHEN SA33 5QN
PL/00015	GARDEN SHED AT 25 LLANDEILO ROAD, GORSLAS, LLANELLI, SA14 7LL

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL
W/40030	PROPOSED RURAL ENTERPRISE DWELLING TO INCLUDE VEHICULAR ACCESS, AND INSTALLATION OF PACKAGE TREATMENT PLANT AT MOELFRYN, PANTYBWLCH, NEWCASTLE EMLYN, SA38 9JE

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/40612
-----------------------	----------------

Application Type	Full
Proposal & Location	Proposed demolition and rebuilding of garage including extending the curtilage and new vehicular access.

Applicant(s)	Miss Bethan Brown
Case Officer	Charlotte Greves
Ward	Trelech
Date registered	19 th May 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 partly of the two storey detached dwelling and its curtilage known as Wern Villa and an area of land immediately adjacent to the side (west) which front the B class road, approximately mid-way between the primary school and the junction with Drefach Road in the settlement of Meidrim. The house is rendered with a slate roof, with the existing access provision immediately to the side (west) of the house. Adjacent to the existing access is a modest garage building, part stone, part rendered and under a curved metal roof, to the side and rear of which there is a range of dilapidated outbuildings within what is an irregularly shaped area of land, also within the ownership of the applicant. Beyond and adjoining the boundaries of the application site both to the side and to the rear are neighbouring residential properties.

Proposal

The application seeks full planning permission to annex the irregular area of land to form part of the residential curtilage of Wern Villa, the demolition of the existing range of outbuildings on that land and the construction of a new pitched roof garage with a smaller footprint in their place and the creation of a new vehicular access to serve the property.

The proposed garage would be rectangular in footprint measuring 8.45m in length and 6.75m wide. The height of the garage would be 5.8m to ridge and 3.1m to eaves. The walls of the garage would be finished in smooth painted or textured render with UPVC windows and doors to match the existing property. The proposed floor plan indicates that

the ground floor would be used for vehicles and tools and space within the roof would be utilised for additional storage purposes. This area would be served by 3 rooflights which would be on the front elevation roof plane.

The proposed footprint of the garage would be smaller than the footprint of the existing outbuildings, which would result in the garage being set back further in the site. As the block plan demonstrates this would allow space for increased parking within the site and also an area for turning which the site currently does not have.

Where the existing outbuildings from the boundary with the properties of Croft House and The Knoll a new 1.8m high timber fence is proposed to be erected. In addition where the existing access is proposed to be stopped up a new 1m high stone wall is to be erected along the property frontage.

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

Meidrim Community Council – Has not responded to consultation.

Local Member(s) – County Councillor Jean Lewis is a member of the Planning Committee and has made no prior comment.

Head of Highways and Transport – No objection subject to conditions.

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

Summary of Public Representations

The application was the subject of notification by way of neighbouring letters. Six third party representations were received from 5 different households objecting to the proposed development and the issues raised are summarised as follows:

- The proposed design is not in keeping with the area.

- The proposed new building is substantially larger than the existing buildings, particularly in height.
- The facilities to be provided within the garage are unusual in a domestic garage and the need for a first floor is questioned given the intended use.
- Potential for later change of use to be applied for to a dwelling, holiday let or business use which may have noise generating impacts in a residential area.
- Proximity of proposed garage to boundary.
- Privacy and overlooking impacts.
- Overbearing and overshadowing impacts.
- Loss of light.
- Impact on view from property.
- Impact on value of property.
- Noise disturbance arising from demolition and construction.
- The adequacy of publicity of the planning application.

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

Appraisal

Principle of Development

The extension to the existing curtilage of the dwelling is considered to form a logical extension immediately beyond the existing boundary of the property into an area adjacent to existing dwellings. This area is located within the settlement limits and inclusion of this area as part of the curtilage of the dwelling would facilitate the provision of a new access, increased parking and a turning area within the site. There are no objections on grounds of highway safety.

The principle of a domestic garage in this location associated with an existing dwelling would be acceptable.

As such the principle of the proposed development is considered to also comply with Policies GP 1, GP 6 and TR3 in this regard.

It is noted that the objections received to the proposal are not in relation to the principle of the development as such but largely focus on the impacts of the proposed garage and related issues. In particular, the height of the garage.

Scale and design of the proposed garage

The garage proposed, despite being higher than the existing outbuildings it is to replace, would be subordinate to the main house, the proposed materials are considered to be compatible with those on the existing dwelling and surrounding buildings and as such would have an acceptable appearance within the context of the existing and surrounding dwellings. It is considered that the design of the proposed garage would respect of the design of the existing dwelling and surrounding developments and would therefore not cause any adverse impacts to the character and appearance of the surrounding area.

Whilst concern is raised that the garage would be much larger than the existing buildings on site, the footprint of the proposed garage would in fact be reduced and furthermore, the demolition of the existing dilapidated outbuildings and the proposal to include this area as part of the curtilage of Wern Villa would overall improve its appearance notwithstanding the additional highway benefits that the proposal would achieve.

It is therefore considered that the proposal would comply with Policy GP6.

Residential Amenity

It is considered that the scale, including height, of the new garage is acceptable and together with its siting and proximity to the boundaries of the application site would be acceptable so as not to cause any significant adverse impacts upon residential amenity in terms of overbearing impact and overshadowing/loss of light.

There would be no overlooking impacts that would result in a loss of privacy to neighbours given the absence of any fenestration facing in the direction of neighbouring properties.

Other matters

It has been stated that inadequate publicity of the planning application has been undertaken. The Authority is satisfied that publicity, in this case by way of neighbour consultation letters, has been carried out in accordance with the relevant legislation.

Third parties consider that the proposal would have an impact on the view from their property and also an impact on the value of their property. Such issues are not material planning considerations.

Concern has also been raised regarding the noise from demolition of the existing garage and also construction activities. It is unlikely, given the scale of the development and the fact that any impact would be temporary, that impact arising from demolition and/or construction would be significant. It is not considered necessary to impose any conditions relating to construction hours given that this is governed under other legislation, namely (The Control of Pollution Act 1974 and Environmental Protection Act 1990).

Further concerns raised by third parties relate to the applicant's intentions in respect of the use of the proposed garage both when built and in the future. The information included within the application states that the garage is required for domestic purposes. A condition will be included to restrict the use of the garage for private domestic purposes only.

In terms of the applicant's future intentions, this is irrelevant to the merits of the current proposal and any further proposals to develop the site would be considered on its own merits and subject to the relevant planning controls and policy at that time.

Highways Impacts

The application proposes a new access, parking and turning area which is to replace the existing access and parking space which is to be stopped up. The Head of Highways and Transportation has been consulted on the proposed development and has no objection to the proposed development subject to conditions which include a requirement to stop up the existing access and also to restrict the use of the garage for domestic purposes only. The conditions recommended will be included in any planning permission.

Biodiversity

The application has been reviewed by the Council's Planning Ecologist who has no objection to the proposals which include the demolition of existing buildings. A bat advisory note is to be sent to the applicant with any planning permission granted.

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 plans received 11th May 2020:-

- 1:1250 scale Location Plan;
- 1:200, 1:100, 1:50 scale Proposed Block Plan, Floor Plans, Sections and Elevation.

Reason:

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

Condition 3

The garage hereby approved 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.

Condition 4

The new vehicular access shall be laid out and constructed strictly in accordance with Carmarthenshire County Councils (Highways and Transport services) Typical Layout No. 1 (specification for which is attached to this planning permission), prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.

Reason:

In the interests of highways safety in accordance with Policy GP 1 and TR 3 of the LDP.

Condition 5

There shall be no gate or other obstruction within the first 5m of the highway boundary. Any gates shall open inwards into the site only.

Reason:

In the interests of highways safety in accordance with Policy GP 1 and TR 3 of the LDP.

Condition 6

The means of vehicular access as shown on the 1:200, 1:100 and 1:50 Scale Proposed Block Plan, Floor Plans, Sections and Elevation received 11th May 2020 into the site shall be permanently stopped up, and the public highway reinstated to the written approval of the Local Planning Authority, prior to the new means of vehicular access herein approved, being brought into use.

Reason:

In the interests of highways safety in accordance with Policy GP 1 and TR 3 of the LDP.

Condition 7

The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.

Reason:

In the interests of highways safety in accordance with Policy GP 1 and TR 3 of the LDP.

Condition 8

The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

Reason:

In the interests of highways safety in accordance with Policy GP 1 and TR 3 of the LDP.

Condition 9

The access shall be hard surfaced in a bonded material for a minimum distance of 5.0 metres behind the nearside edge of carriageway, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.

Reason:

In the interests of highways safety in accordance with Policy GP 1 and TR 3 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).

Application No	PL/00015
-----------------------	-----------------

Application Type	Householder
Proposal & Location	Garden Shed, 25 Llandeilo Road, Gorslas, Llanelli, SA14 7LL

Applicant(s)	Mr. Eifion James
Agent	
Case Officer	Eilian Jones
Ward	Gorslas
Date registered	3 September 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 property forms part of a small cluster of dwellings located behind the more established row of dwellings located along the public Llandeilo Road frontage (A476). The small cluster of properties, inclusive of the application property, are accessed via a private road located between 23 and 33 Llandeilo Road. This is a no-through road solely providing access to a small number of properties. The site is located in an elevated position to the nearest public position which is the Llandeilo Road frontage and at a distance of approximately 90m. The site is located in a predominantly residential area with all immediate neighbouring properties in residential use.

Proposal

The application seeks consent for an outbuilding located within the curtilage of a domestic property. It is a part retrospective application in that the majority of the outbuilding has already been constructed. It is currently finished with a flat roof but the proposal seeks to retain what has been built albeit modifying the structure to incorporate a pitched roof.

Planning Site History

W/31659 Extension to the front and rear elevations
Granted with Conditions

24 April 2015

Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) (CLDP)

SP1 Sustainable Places and Spaces

GP1 Sustainability and High Quality Design

GP2 Development Limits

GP6 Extensions

TR3 Highways in Developments – Design Considerations

National Planning Policy and Guidance

[Planning Policy Wales](#) (PPW) Edition 10, December 2018 is considered relevant to the determination of this application.

The following [Technical Advice Notes](#) (TANs) published by Welsh Government are considered relevant to the determination of this application:

TAN 12 Design (2016) seeks to promote sustainability principles through good design and identifies how Local Planning Authorities can facilitate this process through the planning system.

Summary of Consultation Responses

Head of Transportation & Highways – The proposal is considered to be below thresholds.

Gorslas Community Council - No observations received to date.

Local Member(s) - Councillor A. V. Owen has not commented to date.
Councillor D. Price has not commented to date.

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

Summary of Public Representations

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

2 representations were received, 2 objecting and the matters raised are summarised as follows:

- Structure too large
- It has been sited too close to boundary
- Loss of view and outlook
- Concerns of potential business use

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

Appraisal

The application seeks consent for an outbuilding located within the curtilage of a domestic property. The property and the majority of its curtilage is within development limits. It would however appear that the garden has been gradually extended over the years and has incorporated a parcel of land which is outside limits and appears to now be established domestic curtilage. The building, which is the subject of this application, is positioned outside but immediately adjacent to development limits.

The application, which has been submitted on householder forms, describes the proposal a garden shed. The majority of the building has already been constructed. It is currently finished with a flat roof but the proposal seeks to retain what has been built albeit modifying the structure to incorporate a pitched roof. The plans indicate that the proposed building measures 4m x 8m with heights of 3m (eaves) and 4.8m (ridge). Due to minor changes in ground levels, part of the garage is positioned on a dwarf retaining wall approximately 500mm high. The plans indicate that the building is set-in from the boundary by approximately 800mm.

The building has been sited towards the south-western corner of the site. It is located in-front of the principal elevation of the dwelling but at a right angle with its front elevation facing towards the property. There is direct access to the hardstanding area surrounding the property which is used for private parking, turning and a degree of amenity space.

The building would have a scale, design and appearance similar to a domestic garage. In this respect, its front elevation which faces the property would have a set of double doors and its orientation allows a natural linkage to hardstanding areas used for parking. The side elevation facing its own garden would have a window and a door. All other elevations would not have any openings.

The main external finishes of the building would be rather low-key materials and colours, namely grey fibreglass cladding for the elevations and slates for the roof. The building would not be significantly visible from public positions with the nearest public position being the Llandeilo Road frontage which is at a distance of approximately 90m. The lane leading to the site is private and unadopted and only provides access to a small number of properties. Some screening is provided by mature trees and hedgerows along the boundaries of neighbouring properties. It is therefore concluded that the degree of public visibility of the development is limited and it would not constitute an unduly prominent or incongruous feature. Furthermore, the character, appearance and design of buildings in the area are mixed and it is considered that this single-storey outbuilding would not result in a harmful visual impact.

The proposed building with the proposed roof modifications, would reflect a single-storey structure and is not considered to be excessively large or out of character with the area. The building, despite being outside development limits, is within a residential curtilage and does not unduly harm or erode the character and appearance of the countryside. It is acknowledged that the building is located close to the rear boundary of 17 Llandeilo Road (and to some degree to 19 Llandeilo Road). At the time of the site visit, it was noted that only heras-type fencing was present to separate the immediate curtilage with No.17. Despite of this, Nos. 17 and 19 benefit from long rear gardens with the development being approximately 80m away from their rear elevations.

The properties of 17 and 19 Llandeilo Road are located on a lower level than the application site with their rear gardens gradually rising and whilst the outbuilding generates a minor degree of localised impact at the far end of the garden, it is considered that this does not unduly harm the overall residential amenities of neighbouring properties. Loss of view is not a material planning consideration whilst loss of outlook is not considered a significant factor given the long distance between the proposed building and neighbouring properties and the extent of outdoor amenity spaces that are not substantially affected.

The plans indicate that landscaping/trees are located at the end of the rear garden of No.19 Llandeilo Road, adjacent to the side elevation of the proposed building. The features were not present at the time of the site visit. If this is intended to be new planting, it would not be possible for this to be controlled or enforced through the granting of this development since they are features located outside of the application site and on land which is not under the control of the applicant. Notwithstanding this, the development has been assessed on its own merits and it is considered that the development is acceptable in visual and residential amenity terms without any additional landscaping/screening. It is however considered prudent to impose a condition which restricts any windows or openings to be created under permitted development rights on the south-eastern elevation which faces No.19 Llandeilo Road, in the interest of privacy and residential amenity. Whilst concerns have been expressed by neighbouring properties that the building could be used for commercial purposes, the application has been submitted on householder forms and describes the proposal as a garden shed. It is considered that the domestic use of this building is acceptable and compatible with its surroundings however it is considered prudent to impose a condition which restricts any commercial or trade use, in the interests of residential amenity and to protect the residential character of the area.

The Highways Authority have assessed the proposal and has no objection to the development. It is therefore considered that the proposal would not have a detrimental impact on highway/pedestrian safety.

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 complies with Policies SP1, GP1, GP6, TR3 of the LDP in that the provision of the proposed domestic outbuilding is considered appropriate in scale and design and would not have any significant adverse effect on visual amenity, residential amenity, general amenity or highway/pedestrian safety.

Conditions and Reasons

Condition 1

Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 28 December 2018.

Reason:

To comply with Section 73A of the Town and Country Planning Act (as amended).

Condition 2

The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans and documents:

EJ01 – Site/Block Plan (Scale 1:500, received 2 September 2020)

EJ03 – Proposed Layouts [Floor Plan & Elevations] (Scale 1:100, received 2 September 2020)

Reason:

In the interests of visual amenity and for the avoidance of doubt or confusion as to the extent of the permission hereby granted.

Condition 3

The outbuilding hereby approved shall be used for private domestic purposes only which is ancillary to the enjoyment of the dwelling and shall at no time be used for trade or commercial purposes.

Reason:

In the interests of residential amenity, to protect the character of the area and for the avoidance of doubt or confusion as to the extent of the permission hereby granted.

Condition 4

No windows or openings shall be created on the south-eastern elevation of the building hereby approved without the prior written approval of the Local Planning Authority.

Reason:

In the interests of privacy and residential amenities.

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).

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	W/40030
-----------------------	----------------

Application Type	Full
Proposal & Location	Proposed Rural Enterprise Dwelling to include vehicular access, and installation of package treatment plant at Moelfryn, Pantybwloch, Newcastle Emlyn, SA38 9JE

Applicant(s)	Mr Gareth Morgan
Agent	Mr Gareth Flynn
Case Officer	Helen Rice
Ward	Llangeler
Date registered	2 January 2020

Reason for Committee

This application is being reported to the Planning Committee following a call-in request by Cllr Ken Howell. The call-in by Cllr Howell also requests a site visit. However this request was received in February 2020 and therefore prior to current Covid19 restrictions on site visits.

Site

The application relates to an existing farm known as Blaenffos, located in the open countryside approximately 3.5km due south of Newcastle Emlyn.

The farm is centred at Blaenffos where the existing dwelling is co-located with a range of agricultural buildings. Situated in an elevated position, the farm yard is on a plateau whereas the surrounding farm land generally slopes down from south to north, with the field areas to the west and south rising steeply up towards a highpoint known as Pen y Garn.

The application site relates to a field area approximately 1km due south of the main farm yard, within a 66 acre parcel of the holding under the ownership of the applicant with the remaining holding of circa 209 acres in the ownership of the applicant's parents. The application site is at a higher level (circa 240mAoD) than the farm yard area (circa 180mAoD) and in combination with the distance, the farm yard is not clearly visible from the application site. The application site itself is exposed with open far reaching views towards the north east. The site is defined by field boundaries comprising hedgerows and small trees, and gently slopes west to east.

The site is currently accessed via a field gate, with recent works having been carried out to create a hard-surfaced track that leads up to a newly laid concrete slab hardstanding upon which a caravan is located. There are also wooden stable style buildings located to the side of the caravan/concrete slab. There is no planning permission in place for either the stables building or the caravan. However, in terms of the stables, historic aerial photography suggests that a building resembling the stables has been in situ in this location since at least 1999. There is also evidence of a caravan having also been placed on the land, although this appears to have been replaced a few times and, until more recently, appeared to be on the land for storage purposes rather than residential use.

Proposal

The proposal seeks permission for a rural enterprise dwelling on the application site in association with the agricultural holding at Blaenffos. Given that Blaenffos is already served by a dwelling situated on the main farm yard the application is to be viewed as a second dwelling on the existing holding.

The proposed dwelling would be centrally sited within the application site, set back from the highway edge with the creation of a central new access, designed to accord with the Council's Typical layout 1, with the closure of the existing access and its replacement with a native hedgerow. A proposed passing place is also proposed to be provided to the east of the existing access position. A parking and turning area would be provided off the new access along with a detached garage to the side of the proposed dwelling. The remaining land surrounding the proposed dwelling within the application site area would be laid to grass and it appears that the existing stable building would be retained. Due to the relatively level site, no substantial ground works would be required. The 230sqm two storey dwelling would have a lounge, kitchen, dining, utility, sunroom, study and hallway on the ground floor with a master bedroom with en-suite and 3 further bedrooms and family bathroom on the first floor. The walls would be finished in smooth render with natural stonework detailing above window openings, with the proposed single storey porch area finished in natural stonework with the roof finished in natural slates. A package treatment plant would provide foul drainage with details of the surface water drainage subject to further detail but likely to be soakaways subject to satisfactory percolation tests.

The application is supported by a Rural Dwelling Appraisal with supplementary information and Agricultural Questionnaire which gives further details of the existing enterprise and the justification for the proposed second dwelling.

The farm holding extends to some 275 acres, with a suckler herd of 20 cows, 4 followers and 43 beef cattle for finishing with 500 ewes and ewe lambs. 200 acres is used for grazing, 60 acres for silage/hay, with the remaining areas covered by woodland and infrastructure. The enterprise is understood to be trading as an equal partnership between the applicant Mr Gareth Morgan and his parents Mr & Mrs Morgan, with the land ownership split between the partners.

It is understood that Mr & Mrs Morgan are taking a step back from the day to day management of the business with Mr G Morgan taking on more responsibility. However it is mentioned that Mr & Mrs Morgans' assistance will remain to be required and hence there will be an ongoing need for Mr & Mrs Morgan to continue residing on the holding.

However with Mr Morgan's increasing involvement on the farm, he wishes to remain on the holding albeit in a separate dwelling to his parents.

A partnership agreement between the current land owners has been submitted that explains that Mr Gareth Morgan will take over the farm's management, should planning permission be granted for a second dwelling on the farm. In addition, a signed letter from the applicant's parents has been provided which appears to confirm that the applicant currently runs the farm and has full responsibility.

The submitted information advises that the applicant previously resided at the farmhouse in Blaenffos, and whilst the applicant remains to use Blaenffos as the address for the supporting forms submitted with the application, it is mentioned that he currently resides in the caravan on the application site. This is unauthorised. Following discussions with the Council's Council Tax Department, it has been confirmed that residential Council Tax on a caravan at the application site has been paid for since 1 October 2018. During a site visit to the farm, Officers were advised that the applicant currently resided in the existing farmhouse on the farm with his parents living at an alternative address, however, since that visit the applicant via his agent has advised that the information given to Officers on site was incorrect and that the applicant's parents live at the existing farmhouse at Blaenffos, with the applicant residing at the caravan. However, information held by the electoral roll confirms that Mr Gareth Morgan is the registered person at Blaenffos. This conflicting information has given rise to confusion when dealing with the application especially given its nature being a second dwelling on the farm.

Notwithstanding the above, the submitted rural enterprise appraisal sets out how the proposal meets the various tests for Rural Enterprise Dwellings which is set out in Technical Advice Note 6 : Planning for Sustainable Rural Communities (2010). In summary, the report considers that by reason of the extent of the agricultural holding there is a functional need for an additional 0.5 full time worker, and coupled with the presence of the partnership agreement that the proposal meets the initial tests for a second dwelling on the farm. Furthermore, the submission provides financial details for the last three years to demonstrate viability of the enterprise and advises that there are no other buildings on the farm or in the locality that would meet the need for an additional dwelling. The report also comments that the location of the property would enable greater security of the site, with the agent advising that the proposed site is at the end of the farm lane and as such is deemed to be a suitable location. Further details of the information provided that seeks to address the TAN6 tests is set out in the report below.

Planning Site History

The current application was submitted following a refusal of an identical submission (planning reference W/39177) on 17 October 2019. The reasons for refusal were:

- 1 The proposal is contrary to Section 4.5 of Technical Advice Note 6 : Planning for Sustainable Rural Communities (July 2010) in that insufficient and contradictory information has been submitted to demonstrate the need for a second dwelling to serve the agricultural holding. The submitted appraisal is not accompanied by a secure and legally binding agreement to demonstrate that management of the farm business has been transferred to the applicant nor does the submitted

appraisal confirm that there is an **existing** functional need for an additional 0.5 or more full time worker. The dwelling would therefore be an unjustified form of development in the open countryside.

- 2 The siting of the proposed dwelling is both physically and visually divorced from the established farm complex at Blaenffos resulting in a sporadic form of development in the open countryside, visible from various public vantage points. The proposed siting of the dwelling, away from the complex of livestock and machinery housing, weakens the functional test arguments put forward for the applicant to reside on site to work on the farm and provide security. No details have been provided to justify the proposed siting and no details regarding possible alternative locations have been provided. Reference to the applicant's personal preference to live independently from his parents is not considered sufficient justification for the siting and in any event falls outside the scope of the policy set out in Technical Advice Note 6. The proposal is therefore deemed contrary to section 4.4.1 (e) of Technical Advice Note 6: Planning for Sustainable Rural Communities (July 2010) and Policies SP1 and GP1 of the Carmarthenshire County Local Development Plan (2014).
- 3 The size of the dwelling proposed is not considered to have regard to its potential future use as an affordable dwelling as now required under Technical Advice Note 6: Planning for Sustainable Rural Communities (July 2010). The scale of the dwelling is therefore considered excessive and disproportionate to the needs of the rural enterprise and its potential future as an affordable house.
- 4 Insufficient information has been submitted to ensure that the proposed development would not have an unacceptable impact upon highway safety and thus, based on the current proposals, it is considered that the development would be contrary to Policy TR3 of the Carmarthenshire County Local Development Plan (2014).

The application now before Members has sought to address the above reasons for refusal with the submission of further information such as a partnership agreement, letter from the applicant's parents and amendments to the highways proposals. However, siting and design of the dwelling remains unchanged.

Planning Policy

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

- SP1 Sustainable Places and Spaces
- SP3 Sustainable Distribution- Settlement Framework
- SP5 Housing
- SP14 Protection and Enhancement of the Natural Environment
- GP1 Sustainability and High Quality Design
- TR3 Highways in Developments- Design Considerations

There is no specific policy within the LDP relating to Rural Enterprise Dwellings as this is covered by Welsh Government's Policy for Rural Enterprise Dwellings set out in [Technical Advice Note 6 : Planning for Sustainable Rural Communities \(2010\)](#) and its associated [Rural Enterprise Dwellings : Practice Guidance \(2012\)](#).

Summary of Consultation Responses

Head of Transportation & Highways - No objections subject to the imposition of various highway conditions to secure a satisfactory access, parking and turning layout and provision of the passing bay.

Valuations Manager – has raised several concerns in relation to the proposed development in particular that the location of the proposed new dwelling approximately 1km away from the farm is unrealistic and goes against the animal welfare arguments put forward in the application to justify a second dwelling. It is also stated that a house to serve the farm business needs to be close to the existing farm buildings / complex rather than in a remote location as proposed. Further, that the 230sqm dwelling does not comply with the TAN6 requirements that the property be alternatively available as an affordable dwelling whilst taking into account flexibility to allow for extra office/boot room/utility space associated with a rural enterprise dwelling. It is also stated that should planning permission be granted this needs to be subject to the dwelling being tied to the holding via a Section 106 agreement and a signed legally binding management agreement being in place.

Llangeler Community Council – raise concerns that the erection of an enterprise dwelling at the application site would not blend in with the surrounding environment and neither would it be suitable having regard to the suitability and condition of the road towards the site.

Local Member(s) - Councillor Ken Howells is a member of the Planning Committee and requested that the application be heard by the committee as he considers that as the farm extends to 270 acres it fully justifies another dwelling for a farm worker. He also requests a site visit to the dwelling although this was requested in February 2020 prior to current Covid restrictions.

Sustainable Drainage Body – has confirmed that a Sustainable Drainage Body consent for the development will be required prior to any works commencing.

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. No representations were received as a result.

Appraisal

The main considerations of this case is whether the proposal complies with Welsh Government's guidance set out in TAN6 in relation to a second rural enterprise dwelling on an existing holding.

TAN6 specifies at paragraph 4.5.1 that it is the Welsh Government's objective to "encourage younger people to manage farm businesses and promote the diversification of established farms. To support this policy objective it may be appropriate to allow a second dwelling on established farms that are financially sustainable".

The policy specifies that to accord with this objective the following tests are required to be met :

Firstly, the **second dwelling test** :

“Where there are secure and legally binding arrangements in place to demonstrate that management of the farm business has been transferred to a person younger than the person currently responsible for management, or, that transfer of management is only conditional upon grant of planning permission for the dwelling. The younger person should demonstrate majority control over the farm business and be the decision maker for the farm business;

or,

There is an existing functional need for an additional 0.5 or more of a full time worker and that person obtains at least 50% of a Grade 2 Standard Worker salary, (as defined by the latest version of the Agricultural Wages Order), from the farm business”.

And provided either of the above are met, the following tests are also required to be met:

financial test - the enterprise concerned has been established for at least three years, profitable for at least one of them and both the enterprise and the business need for the job, is currently financially sound, and has a clear prospect of remaining so;

other dwelling test - the functional need could not be fulfilled by another dwelling or by converting an existing suitable building already on the land holding comprising the enterprise, or any other existing accommodation in the locality which is suitable and available for occupation by the worker concerned;

other planning requirements test - for example siting, sustainability, scale, design and access, are satisfied.

The following sets out how the development addresses each of the above tests:

Second Dwelling Test

As set out above, it is firstly necessary to establish whether the proposal complies with either of the second dwelling tests set out in TAN6.

Dealing with the part time agricultural worker test firstly, the information submitted with the application advises that based on the current stocking levels, the current total hourly requirement equates to 1.2 standard man days, which equates to 1 full time and 1 part time member of staff employed for 40 hours/week. Therefore, based upon the information submitted to date, the holding, at present, does not have an existing functional need for 0.5FTE agricultural worker or more.

However, the applicant is proposing to increase stock numbers through increasing the suckler cow herd from 20 to 50 in the future, which will in turn equate to 1.8 standard man days and therefore in the future the holding would have a functional need for 0.5FTE agricultural workers. However this is based upon the proposed increase in stock not the existing situation. TAN6 specifies that the 0.5FTE requirement needs to be based on the existing functional need and whilst there is presently demand for a part time member of staff, it is not considered that this equates to 0.5FTE at present. Therefore it is not

considered that the proposal fully complies with this element of the second dwelling test at present.

The alternative test is the presence of a secure and legally binding agreement that demonstrates a succession plan is in place, subject to any grant of planning permission. Such an agreement was not submitted with the previous application that was refused, however, a partnership agreement has now been submitted that seeks to address this issue. The agreement put forward sets out that Mr Gareth Morgan (the applicant) would have control over the farm business and would be the decision maker for the business. The partnership agreement specifies, "*The partners have agreed to enter into the Partnership Agreement so as to allow Mr Gareth Morgan to take over the management of the farm business from Mr Gerwyn Morgan and Mrs Mair Morgan, only conditional upon the grant of the Planning Permission for the proposed second dwelling on the farm*".

However, the partnership agreement provided is unsigned and whilst Officers have sought to obtain a signed version to confirm the status of the agreement, the applicant's agent has advised that it will only be signed should planning permission be granted. However, there is a clause in the agreement that specifies that it would only commence on the date of the planning permission and therefore there is no reason why the parties cannot sign the document now as it would only come into force should planning permission be granted. As such, the agreement can only presently be considered as a draft and not a secure or legally binding agreement as required by TAN6.

Therefore whilst Officers consider that there is a prospect of the applicant meeting either the 0.5FTE requirement in the future and/or securing a succession plan, at present this is not the case based on existing stocking levels and the fact that the partnership agreement has not been completed and therefore cannot be classed as being secure and legally binding as required by TAN6. Officers can only therefore come to the conclusion that presently, the proposal does not comply with the second dwelling test set out in TAN6.

Financial test

The agricultural enterprise has been in existence for a number of years and the application has been supported by details of the financial accounts for the farm which indicate that the farm has been profitable for at least one year and it is considered based on the information before the Authority that there is a reasonable prospect that the business will remain viable. The application is therefore considered to comply with this element of the financial test.

However, TAN6 specifies that the enterprise needs to be able to afford to build and maintain the dwelling and that dwellings that are unusually large in relation to the needs of the enterprise should not be permitted. It further explains that it is the requirements of the enterprise rather than of the intended occupier which are relevant to determine the size of the dwelling that is appropriate.

The previous application was refused on the basis that the proposed building was considered to be excessive and would not be deemed an affordable dwelling as also required by TAN6. In response, the applicant has advised the net profit achieved by the holding was enough in one of the last 3 years to cover the applicant's salary and expected mortgage costs and as such is acceptable. Whilst this may indeed be the case, it is also necessary to ensure that moving forward the dwelling is of a size that would be classed

as affordable, again as required by TAN6. In this case, the dwelling is a large 4 bedroom detached property with a gross external floor area of 230sqm (2500sqft), this would compare with a floorspace of 110sqm that is deemed to be an equivalent 4 bedroom affordable dwelling in this location. Officers accept the needs for additional study/utility rooms in association with rural enterprise dwellings and therefore allowances can be made for a larger dwelling than for an affordable dwelling but not more than double the floorspace as is proposed in this instance. Therefore, it is considered that the proposed dwelling, by reason of its excessive scale, fails to have regard to its use as an affordable dwelling contrary to the advice set out in TAN6.

Other dwelling test

There is no other dwelling on the holding at present, other than the existing farmhouse at Blaenffos, and whilst there are a range of agricultural buildings on the farm, all appear to be in use and none are considered suitable for conversion into a residential dwelling. Furthermore, given the remote location of the farm, there are no nearby dwellings in the vicinity that would meet the need set out by the applicant. It is therefore accepted that the proposal would meet the other dwelling test set out in TAN6.

Other planning requirement test

TAN6 specifies that applications need to also satisfy other planning requirements such as siting, design, sustainability and access.

Siting

Paragraph 4.12.1 of TAN6 specifies, "the siting of the proposed dwelling should relate closely to the activities for which there is a need. In most cases this will mean that the new dwelling should be sited in close proximity to existing buildings and in the case of dwellings for agricultural enterprises, should not be isolated from the farmstead or in locations that could encourage farm fragmentation. Local planning authorities should resist planning applications for rural enterprise dwellings that are prominent in the landscape".

The application site is considered to be isolated away from the main complex of buildings at Blaenffos where the functional need for someone to be present on site is required. This was a reason for refusal for the previous application as documented above.

The applicant has sought to address the need for a second dwelling in the Rural Dwelling Appraisal. This document specifies that it is essential for the applicant to be living on the site at all times, especially during the calving/lambing season to accord with Animal Welfare guidance, but also to deal with emergencies such as fire and stock escaping. Furthermore, the document specifies that the applicant needs to live close to the farm entrance for security reasons due to potential for rustling and the presence of a nearby public footpath (although there does not appear to be a defined public footpath within the vicinity of the farm). Officers do not dispute these requirements and indeed such reasons are generally accepted as justification for appropriately sited rural enterprise dwellings.

However, in this case the distance between the proposed dwelling and the farm gives rise to significant concerns. The application documentation states that the proposed dwelling is only 400m away from the farm and is at the top of the farm lane. Both these statements are incorrect in that the application site is 1km from the main complex of buildings at Blaenffos, is not at the top of the farm lane but is rather on a separate road to that which the farm lane takes its access from and due to topography and distance

has no clear line of sight to the farm. The justification therefore put forward in the statement regarding the need to be readily available on the farm and provide security by having a presence is contradicted by the choice of siting the dwelling 1km away from the farm. Furthermore, the justification put forward in the application is largely based on the applicant becoming the full time worker on the farm. It is therefore perplexing that the intended full time worker on the farm wishes to reside away and out of sight of the farm buildings and farm lane where the needs of the enterprise are concentrated.

Furthermore, the proposed siting is not centrally located within the wider holding area but is rather on the edge of the southern portion of the two separate parcels of land which is understood to already be within the ownership of the applicant. Therefore, given the siting of the dwelling away from the main farm area, split by distance, topography and intervening public highways, the potential for farm fragmentation is real and further dilutes the argument for a second dwelling on the existing farm.

The applicant has not provided any firm justification as to why this particular location for the second dwelling was chosen rather than what TAN6 clearly advocates, being a dwelling that is close to the existing farm and farm buildings. Whilst the applicant suggests he wishes to live independently from his parents, it is not the personal preference of the applicant that is the determining factor for the siting of such dwellings but rather the needs of the enterprise. Clearly, and as set out in the applicants own supporting document, the needs of the enterprise is concentrated at the farm yard and lane and as such the dwelling needs to be sited as a close as possible to the existing farm. Therefore, without a firm justification to suggest otherwise or any other material considerations, the proposed siting of the dwelling does not meet the needs of the enterprise, is isolated from the existing farm and could potentially lead to the fragmentation of the farm.

In addition to the TAN6 locational criteria, it is also necessary to consider the impact of the dwelling on the wider landscape. In this case, the dwelling is located in an open elevated position, with far reaching extensive views across the Teifi valley. The immediate surrounding area is characterised by open agricultural fields on the upper slopes of elevated ground, defined by low largely windswept hedgerows. Whilst there are scattered dwellings within the wider area, the majority are historic properties associated with historic farmsteads which are co-located with agricultural buildings. It is considered that the proposed dwelling would appear as a standalone dwelling un-associated with an existing farm, in a prominent position with limited natural topography to help assimilate into the wider landscape and thus would appear as a dominant feature that would be prominent with the landscape to the detriment of the character and appearance of the wider area.

The application therefore fails to overcome the previous reason for refusal in terms and remains contrary to paragraph 4.4.1(e) of TAN6 and policies SP1 and GP1 of the LDP.

Access

The proposal has sought to address the previous reasons for refusal in relation to highway matters. In particular the application is now proposing an access that would meet required standards along with the creation of a nearby passing bay. More than sufficient space within the plot would be provided for off-street car parking. As such, the application would not, subject to the imposition of conditions to secure the access and

passing bay provision, have an unacceptable impact upon highway safety and therefore is compliant with policy TR3 of the LDP.

Planning Obligations

The applicant has not provided details of the need for a Section 106 agreement which is understandable given that Officers have raised various issues with the application. Nevertheless, the occupancy of rural enterprise dwellings requires control, which are in most circumstances covered by the standard occupancy condition. However, paragraph 4.13.3 of TAN6 states “authorities may use planning obligations, for example, to tie a rural enterprise dwelling to adjacent buildings or land, to prevent them being sold separately without further application to the authority”. It is considered in this instance, given that the dwelling’s location is so isolated from the hub of the farm and is already located on the southern periphery of the main holding, that it would be appropriate to tie the dwelling to the land. Furthermore, and as advocated by TAN6, in this case, given that it is stated that the applicant’s parents whilst stepping away from the day to day running of the farm, will remain to be employed by the farm and as such it is considered that an occupancy condition would also need to be applied to the existing dwelling on the farm should planning permission be granted.

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 application has failed to address all of the previous reasons for refusal. Whilst Officers accept that the principle of a second dwelling could be considered acceptable in the future, it is not considered, based on the information received that this can be considered compliant at the present time as required by TAN6. This is due to the lack of sufficient information to confirm the need for an additional 0.5FTE or more agricultural worker and only a draft partnership agreement. Furthermore, and more fundamentally, the proposal by reason of the isolated siting of the second dwelling from the main farm contradicts the main arguments put forward in the submission for the need for a second dwelling on the site, and in addition, it is considered that the siting would have an unacceptable impact upon the character and appearance of the area. It is also considered that the overall scale of the dwelling is excessive having regard to its intended use as a rural enterprise dwelling as well as its potential use for an affordable dwelling, with the proposal being more than twice the size of what is deemed as an equivalent affordable 4 dwelling property in the area. Whilst the financial test in terms of the viability of the business is met, along with the lack of another dwelling to meet the need and that previous concerns relating to highways issues have now been addressed, these do not outweigh the clear conflicts with the guidance set out in TAN6 and policies SP1 and GP1 of the Local

Development Plan. The application is therefore recommended for refusal on the following grounds:

Reasons for Refusal

- 1 The proposal is contrary to Section 4.5 of Technical Advice Note 6 : Planning for Sustainable Rural Communities (July 2010) in that the application is not currently accompanied by a secure and legally binding agreement to demonstrate that management of the farm business will be transferred to the applicant upon planning permission being granted nor does the application confirm that there is an **existing** functional need for an additional 0.5 or more full time agricultural worker. Therefore, presently, the dwelling does not meet either of the second dwelling tests set out in TAN6 and would therefore be an unjustified residential dwelling in the countryside.
- 2 The siting of the proposed dwelling is both physically and visually isolated from the established farm complex at Blaenffos resulting in a sporadic form of development in the countryside in a remote, elevated and prominent position visible from various public vantage points and far distances. The proposed siting of the dwelling, away from the complex of livestock and machinery housing at the farm yard some 1km to the north directly contradicts the functional test arguments put forward. Furthermore, the majority of the farm cannot be viewed from the application site area, which counters the arguments put forward for the need for the second dwelling to provide security to the farm lane. No details have been provided to justify the proposed siting and no details regarding possible alternative locations has been provided. Reference to the applicant's personal preference to live independently from his parents is not considered sufficient justification for the siting and in any event falls outside the scope of the policy set out in Technical Advice Note 6. The proposal is therefore deemed contrary to section 4.4.1 (e) of Technical Advice Note 6: Planning for Sustainable Rural Communities (July 2010) and Policies SP1 and GP1 of the Carmarthenshire County Local Development Plan (2014).
- 3 The scale of the dwelling is considered excessive and disproportionate to the needs of a rural enterprise and has failed to have regard to its potential future use as an affordable dwelling as required under Technical Advice Note 6: Planning for Sustainable Rural Communities (July 2010).

This page is intentionally left blank

PLANNING COMMITTEE

Thursday, 5 November 2020

PRESENT: Councillor A. Lenny (Chair)

Councillors:

S.M. Allen, J.M. Charles, J.A. Davies, P.M. Edwards, W.T. Evans, S.J.G. Gilasbey, J.K. Howell, J.D. James, H. I. Jones, C. Jones, D. Jones, M.J.A. Lewis, K. Madge, B.D.J. Phillips, J.E. Williams and D.E. Williams (In place of G.B. Thomas).

Also in attendance:

Councillor A. McPherson who addressed the Committee in respect of Application Number S/40262.

The following Officers were in attendance:

J. Edwards, Development & Built Heritage Manager;
J. Thomas, Senior Development Management Officer [South];
A. Francis, Development Management Officer;
R. Davies, Development Management Officer [South];
Z.M. James, Development Management Officer [South];
Z.A. Evans, Senior Technician [Planning Liaison];
S. Murphy, Senior Solicitor;
M. Evans Thomas, Principal Democratic Services Officer ;
E. Evans, Principal Democratic Services Officer;
E. Bryer, Democratic Services Officer;
R. Lloyd, Democratic Services Officer;
K. Thomas, Democratic Services Officer;
S. Rees, Simultaneous Translator;
J. Owen, Democratic Services Officer (Minute taker).

Virtual Meeting:- 10:00am – 11:20am

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors G.B. Thomas and I.W. Davies.

2. DECLARATIONS OF PERSONAL INTERESTS

There were no declarations of personal interests.

3. AREA EAST - DETERMINATION OF PLANNING APPLICATIONS

UNANIMOUSLY RESOLVED that the following planning application be granted subject to the conditions detailed within the Report of the Head of Planning and / or reported at the meeting:-

PL/00112	ELEVATIONAL ALTERATIONS, BUT NO MATERIAL CHANGE OF USE TO THE BUILDING ITSELF AT FORMER CO-OPERATIVE SUPERMARKET, COLLEGE STREET, AMMANFORD, SA18 3AB.
-----------------	---

4. AREA SOUTH - DETERMINATION OF PLANNING APPLICATIONS

4.1 UNANIMOUSLY RESOLVED that the following planning application be granted subject to the conditions detailed within the Report of the Head of Planning and / or reported at the meeting and submission of a completed Unilateral Undertaking to secure a contribution towards affordable housing:-

PL/00020	PROPOSED SITING OF A DETACHED DWELLING HOUSE - LAND PART OF 1 BAY VIEW, PWLL, LLANELLI, SA15 4BE A representation was received from the Local Member raising concern in relation to the access of the development and its close proximity of the junction and parking area. The Development Management Officer and the Senior Technician [Planning Liaison] responded to the issues raised.
-----------------	--

4.2 RESOLVED that the following planning application be granted subject to the conditions detailed within the Report/Addendum of the Head of Planning and / or reported at the meeting:-

S/40262	CONSTRUCTION OF 7 NO. LOCK UP GARAGES AT LAND OFF ANN STREET, LLANELLI, SA15 1TE A representation was received from the Local Member re-iterating the points detailed within the Head of Planning's written report with the main areas of concerns being: <ul style="list-style-type: none">• The Japanese Knotweed infestation which had not been treated.• Anti-social behaviour – the garages (if built) will give cover to those individuals that perform illegal activities such as drug dealing and use to congregate. The Development Management Officer responded to the issues raised.
----------------	--

5. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 20TH OCTOBER, 2020

RESOLVED that the minutes of the meeting of the Committee held on the 20th October, 2020, be signed as a correct record.

CHAIR

DATE

[PLEASE NOTE: These minutes reflect the order of business itemised on the agenda for the meeting which may differ from that on any webcast recording as applications with members of the public attending to speak would have been dealt with first.]

This page is intentionally left blank