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**WEDNESDAY, 27 JANUARY 2021**

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

I HEREBY SUMMON YOU TO ATTEND A **VIRTUAL MEETING** OF THE **PLANNING COMMITTEE** WHICH WILL BE HELD AT **10.00 AM ON THURSDAY, 4TH FEBRUARY, 2021** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

*Wendy Walters*

**CHIEF EXECUTIVE**

<b>Democratic Officer:</b>	<b>Emma Bryer</b>
<b>Telephone (direct line):</b>	<b>01267 224029</b>
<b>E-Mail:</b>	<b>Democraticservices@carmarthenshire.gov.uk</b>

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

# PLANNING COMMITTEE

20 MEMBERS

## PLAID CYMRU GROUP - 10 MEMBERS

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

## LABOUR GROUP - 4 MEMBERS

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

## INDEPENDENT GROUP - 4 MEMBERS

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

## NEW INDEPENDENT GROUP – 2 MEMBERS

1. Vacancy
2. Vacancy

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

# **A G E N D A**

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- 7. EXCLUSION OF THE PUBLIC**

**THE REPORT RELATING TO THE FOLLOWING ITEM IS NOT FOR PUBLICATION AS IT CONTAINS EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 16 OF PART 4 OF SCHEDULE 12(A) TO THE LOCAL GOVERNMENT ACT 1972, AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) (WALES) ORDER 2007 AS IT RELATES TO INFORMATION RELATING TO "INFORMATION IN RESPECT OF WHICH A CLAIM TO LEGAL PROFESSIONAL PRIVILEGE COULD BE MAINTAINED IN LEGAL PROCEEDINGS. IF FOLLOWING THE APPLICATION OF THE PUBLIC INTEREST TEST THE COMMITTEE RESOLVES PURSUANT TO THE ACT TO CONSIDER THIS ITEM IN PRIVATE, THE PUBLIC WILL BE EXCLUDED FROM THE MEETING DURING SUCH CONSIDERATION.**
- 8. PLANNING REFUSAL REFERENCE S/21597** 85 - 88

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**ADRODDIAD PENNAETH  
CYNLLUNIO,  
CYFARWYDDIAETH YR  
AMGYLCHEDD**

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

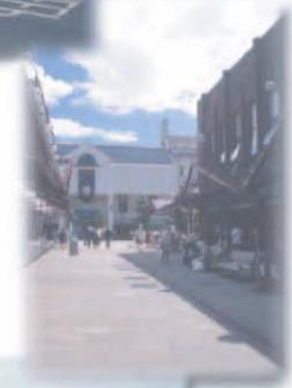
**AR GYFER PWYLLGOR CYNLLUNIO  
CYNGOR SIR CAERFYRDDIN**

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

**AR 04 FEBRUARY 2021  
ON 04 CHWEFROR 2021**

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

*Ardal  
Dwyrain/  
Area East*



**Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yn rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.**

**In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.**

<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>04.02.2021</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**



<b>Application No</b>	<b>E/37499</b>
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<b>Application Type</b>	Full Planning Permission
<b>Proposal &amp; Location</b>	PROPOSAL TO CONSTRUCT 4 NO. DETACHED DWELLINGS AT LAND ADJACENT TO, ERWLON, TALLEY ROAD, LLANDEILO, SA19 7HS

<b>Applicant(s)</b>	MR & MRS MAINWARING, 54 HEOL LLWCHWR, AMMANFORD, SA18 3HF
<b>Agent</b>	MR JON O'DONNELL, 17 VARDRE ROAD, CLYDACH, SWANSEA, SA6 5LP
<b>Case Officer</b>	Kevin Phillips
<b>Ward</b>	Manordeilo & Salem
<b>Date registered</b>	10/07/2018

## 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 area of sloping agricultural land with boundary hedgerow at the eastern side of the B4302 road, adjacent to Erwlon and opposite Brynheulog, Aelwyd, Kimberley and Bron-y-gaer, Rhosmaen in the village of Rhosmaen, Llandeilo. There is a 40 metres length of small woodland at the northern side of the application site with a dwelling Truscoed, Rhosmaen, approximately 86 metres away from the application site further to the North.

## Proposal

The application is for 4 detached houses of similar design on an area of land approximately 60 metres in length and 30 metres in depth. The proposal is for 5 bedroom houses spaced equally across the site with each pair having shared entrances and being handed. The dwellings will have a square form with a stone central protruding front gable for the ground floor hallway and first floor bedroom, rendered elevations, natural slate saddle roofs with attached side garages.

## Planning Site History

P6/12631/87 - BUNGALOW - Full Granted 19/02/1987

P6/11985/86 - RESIDENTIAL DEVELOPMENT (SIX DWELLINGS) - Outline Granted 08/05/1986

P6/9086/83 - TWO DWELLINGS - Outline Granted 26/05/1983

P6/7113/81 - RESIDENTIAL DEVELOPMENT - Full Refused 18/06/1981

P6/7112/81 - RESIDENTIAL DEVELOPMENT - Full Refused 18/06/1981

P6/6159/80 - FIVE DWELLINGS - Outline Granted 10/07/1980

## Planning Policy

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

- Policy SP1 – Sustainable Places and Spaces
- Policy GP1 – Sustainability and High Quality Design
- Policy GP1 Sustainability and High Quality Design
- Policy GP2 – Development Limits
- Policy GP3 Planning Obligations
- Policy H1 Housing Allocations
- Policy H2 Housing within Development Limits
- Policy AH1 Affordable Housing
- Policy TR3 Highways in Developments - Design Considerations
- Policy EQ5 Corridors, Networks and Feature of Distinctiveness
- Policy EQ6 Special Landscape Areas

[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** - Any planning permission shall be subject to the application of 10 highways related conditions

**Local Member(s)** – Councillor J Davies is a member of the Planning Committee and has made no prior comment.

**Manordeilo and Salem Community Council** - No objections.

**Dwr Cymru/Welsh Water** - Having reviewed the plans deposited on your web site in respect of this full application we note that it is silent in respect of the proposed method of surface water disposal. Our mapping system indicates that the only public sewer in the area receives foul water only. We will not receive surface water into this sewer under any

circumstances and therefore recommend that you impose a condition to secure a sustainable means of surface water drainage. We strongly recommend that you take account of the guidance offered by Planning Policy Technical Advice Note 15 (TAN15) section 8 and "Recommended non-statutory standards for sustainable drainage (SuDS) in Wales – designing, constructing, operating and maintaining surface water drainage systems" - 2017 Digital ISBN: 978 1 4734 8768 0" before reaching a decision on this application as it contains no evidence that there has been any evaluation of the surface water runoff destination hierarchy provided at table S1 page 7 of the document.

- 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.

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.

15 representations were received objecting to the proposal, which includes a letter of objection each from the Local MP and AM, and the matters raised are summarised as follows:

- The increased level and speed of traffic along the highway over the years is a highway safety concern and the proposed development adds to this
- The proposed development will result in a loss of privacy for the existing dwellings
- The loss of the mature hedgerow at the site is unacceptable and it is considered that its translocation will not retain an existing habitat
- The design and uniformity of the dwellings is out of keeping from the existing character of the locality and does not conform with or enhance the Tywi Valley Special Landscape area.
- Lack of pedestrian provision fronting the site
- A Tree Preservation order should be applied to the trees to the North of the application site
- The application does not show what development proposals are for the remainder of the land allocated in the LDP
- The application does not provide detail in regard to the requirements of policy AH1 of the LDP
- Loss of view of the Brecon Beacon National Park
- The applicant does not own the land as this is contrary to the records held by the Land Registry
- The Certificate of ownership in the application conveys that the land is not agricultural land
- The Transport Statement submitted by the Highways Consultant is not an accurate reflection of the highway safety issues that are encountered in the locality
- The Automatic traffic counter which is the basis of the Transport Statement submitted should have been sited closer to the application site and not at the lower part of Talley Road

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

## **Appraisal**

### Principle of development

The proposed development is a scheme of 4 frontage dwellings within an area of land that accords with policy Policy H1 and H2 of the Carmarthenshire Local Development Plan, which has allocated the land for housing development; 6 houses. There are no policy objections from forward planning to the proposal, subject to any highway, public service and amenity objections being overcome. The site is adjacent to the settlement within the development limits of the settlement and therefore there is an in principled support for housing.

### Impact upon character and appearance of the area

The site has been allocated for housing development within the LDP and the proposed development would not be out of character and an incongruous form of development in the locality. There is housing adjacent and opposite, and the scheme proposed would represent an efficient and sustainable development that reflects the design aspects of other dwellings within the village.

### Privacy Impacts

The proposed development will be set back approximately 11 metres from the edge of the carriageway and there will be approximately a further 23 metres to properties on the other side of the highway. It is considered that the layout of the proposed dwellings is in line with the character of other properties along Talley Road and there is not considered to be any unreasonable loss of privacy for the residents in the locality. The nearest property is Erwlon, to the south and the plot 1 will be orientated similar to Erwlon and will be set back in line with Erwlon and it is not considered that there will be any loss of privacy for the dwelling as such.

### Highway Impacts

The application has received detailed highway consideration which resulted in the submission of a Transport Statement from the applicant's agent. The Head of Transport supports the proposed development in terms of the proposed accesses and parking facilities; the highway speed signage provided along Talley Road has slowed the speed of traffic to the betterment of all concerned and has therefore allowed for the proposed development to be supported. A Driver Feedback Sign (DFS) along the B4302 / Talley Road remains outstanding and this shall be pursued through a Section 106 Agreement.

### **Response to the issues of objection received**

**The increased level and speed of traffic along the highway over the years is a highway safety concern and the proposed development adds to this**

The application has undergone detailed consideration by the Head of Transport which resulted in the submission of a Transport Statement by the applicant which was accepted by the Head of Transport and resulted in support being received subject to the application of conditions. In the course of the application, the Highways section had determined to

undertake highways improvements along Talley Road and to the stretch of highway to the North of Rhosmaen, along the Talley Road, which has resulted in the creation of a 30mph zone along Talley Road, where it was 40mph previously, and the extension of a 40 mph zone to the North at the outskirts of Rhosmaen, which was all created to provide a reduction in the speed of traffic entering Rhosmaen from the North along Talley Road and traveling along Talley Road from the South. It is considered that this improvement has and will result in a reduction in the speed of traffic entering the village and hence the support having been received from the Head of Transport for the proposed development.

**The proposed development will result in a loss of privacy for the existing dwellings**

The proposed development will be set back approximately 11 metres from the edge of the carriageway and there will be approximately a further 23 metres to properties on the other side of the highway. It is considered that the layout of the proposed dwellings is in line with the character of other properties along Talley Road and there is not considered to be any unreasonable loss of privacy for the residents in the locality. The nearest property is Erwlon, to the south and the plot 1 will be orientated similar to Erwlon and will be set back in line with Erwlon and it is not considered that there will be any loss of privacy for the dwelling as such.

**The loss of the mature hedgerow at the site is unacceptable and it is considered that its translocation will not retain an existing habitat**

The existing hedgerow will be translocated to the rear of the site and therefore the habitat will be retained.

**The design and uniformity of the dwellings is out of keeping from the existing character of the locality and does not conform with or enhance the Tywi Valley Special Landscape area**

There is an extensive mix of dwellings along Talley Road and it is considered that the design proposed includes elements of the dwellings in the locality and as a housing scheme adjacent to the built-up area, it is not considered that the proposal conflicts with the aims of the policy EQ6 in terms of wishing to protect the quality of the Tywi valley Special Landscape area from harmful development.

**Lack of pedestrian provision fronting the site**

A pavement will be provided at the front of the dwellings, which are not provided at other properties along this side of the highway and ensures that highway safety concerns are considered.

**A Tree Preservation order should be applied to the trees to the North of the application site**

The Authority's Arboriculture Officer has considered the Arboricultural Impact Assessment and Method Statement submitted in the application and has acknowledged the importance of the group of trees to the north of the application site and is worthy of a Tree Preservation Order. Two trees are needed to be removed from the group of trees and this is accepted, however it is recommended that the group of trees are managed and a suitable species mitigation planting scheme is provided as a result. This is to be included as a condition to the planning permission.

**The application does not show what development proposals are for the remainder of the land allocated in the LDP**

Whilst the LDP housing allocation for the site is for 6 dwellings, it is considered that 4 houses at this site is acceptable and does not compromise the housing figures for Rhosmaen significantly. The application as submitted retains the small woodland along the highway to the North of the site and therefore it is considered that the proposed housing number and the amenity space retained in a satisfactory proposal. The proposal has not received an objection form the Forward Planning section and therefore there is no justification to refuse the application on this issue.

**The application does not provide detail in regard to the requirements of policy AH1 of the LDP**

A draft UU has been received and the Planning Permission will not be released until the completed and correct UU has been received and accepted.

**Loss of view of the Brecon Beacon National Park**

The residents of Truscoed convey that they will lose the view of the Brecon Beacons national Park. Truscoed is set approximately 86 meters away from the application site to the North, at an elevated position in relation to the application site and it is considered that this is not a material planning consideration that justified refusal of the application.

**The applicant does not own the land as this is contrary to the records held by the Land Registry**

The applicant has signed Certificate "A" within the application form which relays that the applicant owns the land and I do not have any detail that confirms to the contrary that they do not own it.

**The Certificate of ownership in the application conveys that the land is not agricultural land**

It is clearly the case that the land is presently agricultural land and there is no substance in what has been relayed in the letter of objection received to object to the proposed development.

**The Transport Statement submitted by the Highways Consultant is not an accurate reflection of the highway safety issues that are encountered in the locality**

The Transport Statement received by the Authority which assesses the existing highway status and justifies the case for the proposed development, has been considered by the Head of Transport, being the Authority's expert in highway related matters, which has resulted in support to the proposed development subject to conditions. The improvement to the highway status through traffic calming measures, as relayed above, has and will result in a reduction in traffic speed, and the visibility splay provisions and pavement fronting the site, results in a scheme that is supported by the Head of Transport.

## **The Automatic traffic counter which is the basis of the Transport Statement submitted should have been sited closer to the application site and not at the lower part of Talley Road**

National standards recommend that measurements for spot speeds shall be taken on the approaches to the scheme extents, rather than fronting the site. For example, distances are not specified as this depends on the Stopping Site Distance required i.e. speed limit or available visibility splays.

Consideration also has to be given as to where the apparatus can be located and secured. In this instance an automatic speed survey was undertaken in the form of pneumatic tubes. The tubes and associated equipment must be secured to public apparatus such as street lighting or utility posts. The survey undertaken has been accepted by the Local Highway Authority to determine 85<sup>th</sup> %ile vehicle speeds on approach to the development site. Notwithstanding the above, the SSL along this section of Talley Road has been reduced to 30mph, requiring visibility splays of 2.4m x 43m. The proposed splays exceed this and actually meet the Stopping Site Distances calculated from the speed survey undertaken (85<sup>th</sup> %ile speeds).

## **Planning Obligations**

A Draft Unilateral Undertaking for Affordable Housing as required by AH1 of the LDP has been received and the Planning Permission will not be released until the completed and correct UU has been received and accepted.

A Section 106 financial contribution of £4,000, towards the provision of a Driver Feedback Sign (DFS) along the B4302 / Talley Road is required and Planning Permission will not be released until the Section 106 for the aforementioned has been secured, or the contribution paid to highways directly for the aforementioned requirement.

## **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 application has received a detailed consideration which saw hurdles to overcome in terms of highway difficulties. This has now been resolved and the improvements to the highway requirements, which reduces the traffic speed and the provision of accesses that satisfy highways requirements for housing development within the settlement limits of the village, thereby allowed for this report to be presented to the Planning Committee.

The Forward Planning section has been consulted and it has been conveyed that the proposal is situated on land that is allocated for residential purposes in the LDP and therefore accords with Policy H1 Housing Allocations. Whilst it is acknowledged that not all of the site is to be utilised in this proposal, the small remainder of the site offers the

potential for an additional couple of houses in the future. Therefore, there are no policy objections to the proposal subject to any normal public service, amenity and highway objections being overcome.

After careful consideration of the scheme as submitted it is concluded on balance that the proposal is supported subject to conditions.

## **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 schedule of plans and information:

- Location and Block Plan
- Proposed Site layout (008), received 20 April 2018
- Plots 1&3 – Proposed Ground Floor Plan (001), received 20 April 2018
- Plots 1&3 – Proposed First Floor Plan (002), received 20 April 2018
- Plots 2&4 – Proposed Ground Floor Plan (003), received 20 April 2018
- Plots 2&4 – Proposed First Floor Plan (004), received 20 April 2018
- Plots 1&3 - Proposed Elevations (005), received 20 April 2018
- Plots 2&4 - Proposed Elevations (006), received 20 April 2018
- Proposed Typical Section 1:40 scale (013), received 20 April 2018
- Tree Protection Plan 1:250 scale, received 20 April 2018
- Existing and Proposed Street Scene plan (010), received 20 April 2018
- Arboricultural Impact Assessment and Method Statement, received 22 August 2018

*Reason:*

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

### **Condition 3.**

The new vehicular accesses shall be laid out and constructed strictly in accordance with Carmarthenshire County Councils (Highways and Transport services) Typical Layout No. 4 (specification for which is attached to this planning permission), prior to the commencement of any other work or development. Thereafter they shall be retained, unobstructed, in this form in perpetuity.

*Reason:*

In the interest of highway safety.



**Condition 4.**

The vehicular accesses into each plot shall at all times be left open, unimpeded by gates or any other barrier.

*Reason:*

In the interest of highway safety.

**Condition 5.**

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

*Reason:*

In the interest of highway safety.

**Condition 6.**

Prior to any use of the accesses by vehicular traffic, visibility splays of 2.4 metres x 46 metres to the south side and 2.4 metres x 52 metres to the north side, shall be formed and thereafter retained in perpetuity, either side of the centre line of the accesses 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 interest of highway safety.

**Condition 7.**

The accesses, 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 accesses, visibility splays, or turning areas, is to be obstructed by non-motorised vehicles.

*Reason:*

In the interest of highway safety.

**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 interest of highway safety.

**Condition 9.**

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

*Reason:*

In the interest of highway safety.

**Condition 10.**

Prior to the commencement of any part of the development herewith approved, a 1.8 metre wide footway shall be provided along the entire site frontage together with tactile crossing points at both northern and southern extents of the site, with the B4302 Road. 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 interest of highway safety.

**Condition 11.**

Prior to the commencement of the development hereby approved, a suitable species mitigation planting scheme for the loss of trees referred to in the Arboricultural Impact Assessment and Method Statement (condition 2), shall be submitted for approval by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

*Reason:*

In order to provide mitigation for the loss of habitat.

**Condition 12.**

Prior to the commencement of the development hereby approved, a Percolation test appropriate for the proposed 4 dwellings shall be submitted for approval by the Local Planning Authority.

*Reason:*

To ensure that the site can accommodate the surface water run-off from the proposed development.

**Condition 13.**

Prior to the commencement of the development hereby approved, detail in relation to the boundary treatments for the dwellings shall be submitted for approval by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

*Reason:*

In the interest of visual amenity.

**REASONS FOR GRANTING PLANNING PERMISSION**

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

- It is considered that the proposed development complies with Policy H1, H2, AH1, GP1, GP2, GP3 and TR3 of the Carmarthenshire Local Development

Plan, 2014 (LDP) in that the proposed dwellings are not detrimental to the character and appearance of the area and it is not considered there are any significant impacts in relation to local amenity. Sufficient amenity space is provided for the proposed dwellings with appropriate parking and accesses provided.

## **NOTES**

### **Note 1**

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

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

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

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

### **Note 2**

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

### **Note 3**

The development herewith approved shall be subject of a Section 106 financial contribution of £4,000, towards the provision of a Driver Feedback Sign (DFS) along the B4302 / Talley Road.

### **Note 4**

This Planning Permission is tied to an Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 that an Affordable Housing Contribution (policy AH1 of the Carmarthenshire Local Development Plan) shall be payed to Carmarthenshire County Council with 50% upon beneficial occupation of each dwelling-house and 50% upon the disposition of each dwelling-house.

### **Note 5**

Any amendment or alteration of an existing public highway in connection with a new development shall be undertaken under a Section 278 Agreement of the Highways Act 1980. It is the responsibility of the developer to request the Local Highway Authority to proceed with this agreement and the developer is advised that the total costs of entering

into such an agreement, as well as the costs of undertaking any physical works on site, shall be met by him.

**Note 6**

The required footway and tactile crossing points shall be provided under a Section 278 Agreement with the LHA.

**Note 7**

It is the responsibility of the developer to contact the Streetworks Manager of the Local Highway Authority to apply for a Streetworks Licence before undertaking any works on an existing Public Highway.

**Note 8**

Developers shall take positive measures to prevent surface water ingress to this site from the adjacent highway. All surface water from the development herewith approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway. No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.

<b>Application No</b>	<b>E/39651</b>
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<b>Application Type</b>	Full Planning Permission
<b>Proposal &amp; Location</b>	CONSTRUCTION OF THREE DWELLINGS (PHASE 1 OF A LARGER SCHEME) INCLUDING COMMUNITY CAR PARK, ESTATE ROAD AND ASSOCIATED DETAIL, LAND OPPOSITE CWMIFOR HALL, CWMIFOR, MANORDEILO, LLANDEILO, SA19 7AL

<b>Applicant(s)</b>	
<b>Agent</b>	JCR Planning, UNIT 2, CROSS HANDS BUSINESS WORKSHOPS, HEOL PARC MAWR, CROSS HANDS, SA14 6RE
<b>Case Officer</b>	Kevin Phillips
<b>Ward</b>	Manordeilo & Salem
<b>Date registered</b>	17/10/2019

## Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties and the Local Member has requested that the application be considered by the Planning Committee.

## Site

The application site is the frontage of an agricultural enclosure at the western end of the village of Cwm lfor. The site fronts the C2162 road through the village, is opposite the village hall, a bungalow "Derw" and St Paul's Church and to the north east there is a further dwelling "Homestead". Land to the west and south of the site is agricultural land lined by mature hedgerows.

## Proposal

The application is for three dwellings (phase 1 of a larger scheme) including a community car park, an estate road and open amenity area and sustainable drainage space. The car parking area has 13 vehicle spaces, including disabled parking spaces, to serve the needs of the village hall and is to be provided at the north east corner of the site with the estate road to serve the one dwelling and the future development of the site, is located approximately metres south of the northern boundary of the site, with two dwellings further to the south of the proposed estate highway, fronting the C2162 road. The

proposed estate road leads to an open amenity area at the rear of the aforementioned dwellings with a further 6 visitor car parking spaces at the north east side which will serve the needs of a future housing development of approximately 17 dwellings.

## Planning Site History

E/16584 – RESIDENTIAL DEVELOPMENT AND COMMUNITY CAR PARK Outline Planning Permission 07/01/2013

## Planning Policy

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

- Policy SP1 – Sustainable Places and Spaces
- Policy GP1 – Sustainability and High Quality Design
- Policy GP2 – Development Limits
- Policy GP3 Planning Obligations
- Policy H1 Housing Allocations
- Policy H2 Housing within Development Limits
- Policy AH1 Affordable Housing
- Policy TR3 Highways in Developments - Design Considerations

[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** - Any planning permission shall be subject to the application of 14 highways related conditions.

**Public Rights of Way Officer** - Footpath 44/143 abuts the proposed development site to the west. If the application is approved, reference should be made to the Applicant/Developer of the existence of the footpath and to the legal requirement not to obstruct or encroach upon the Public Footpath at any time.

**Manordeilo and Salem Community Council** - Support the comments made by Dyfed Archaeological Trust regarding the need for an archaeological condition to be placed upon the application. In addition there is support for the comments from the Planning Ecology team and the need for the proposed development to ensure the maintenance and potential enhancement of biodiversity in the area in line with the County Council's wellbeing commitments on biodiversity.

**Local Member(s)** - Councillor J Davies is a member of the Planning Committee and has conveyed the following comments;

“ Having examined the detailed plan for the above development I would like to thank the developer for providing the community hall with 13 parking spaces. However it is unfortunate that the access road leading into the car park is exactly opposite the entrance to the property on the other side of the road and will therefore cause the occupants a great deal of distress as the hall is used often during the night throughout the winter. If the

planning officer therefore approves this application I would like for it to be brought before the planning committee.”

**Dwr Cymru/Welsh Water** - No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network and the applicant may need to contact DC/WW for any connection to the public sewer.

**Dyfed Archaeological Trust-** The proposal is for residential development and this is located in close proximity to the known line of a Roman Road and it is recommended that a condition is applied to any planning permission that a written scheme of investigation is submitted for approval by the Local Planning Authority.

**Sustainable Drainage Approval Body(SAB)-** As the development construction area proposed is likely to be greater than 100m<sup>2</sup>, the developer will need to apply for SAB approval.

**Corporate Valuer-** The viability of the development has been considered in detail and it is considered that this phase of the development, included in the planning application E/39651, is unviable with or without an affordable housing contribution.

In coming to this conclusion the developer’s agent’s appraisal has been considered and in some instances substituted their submitted figures for my own. This initial phase of the development has to bear a number of higher costs upfront for the development of only 3 dwellings. Some of these costs should not arise for the later phase(s) and should mean that the future phases will be viable –therefore it may be prudent to consider retaining the right to reassess the viability of Phase 1 once the Local Planning Authority receive the Planning Applications in respect of the further phases.

Please note that the advice above is consistent with advice that the Valuations Section provided to an officer in relation to two planning applications considered in Kidwelly, where it was also deemed to be unviable to seek affordable housing contribution for the first phase due to the high upfront costs, but it is expected that Phase 2 & 3 would be viable.

**National Grid-** No Objection to the above proposal which is in close proximity to a High-Pressure Gas Pipeline – Feeder. No objection as identified location is outside of easement.

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.

18 representations objecting to the proposal were received, and the matters raised are summarised as follows:

- The proposed development will cause highways safety problems along the highway
- The proposed main access road and the access for the dwellings fronting the highway will result in a loss of privacy for dwellings and the lights from the vehicles exiting onto the road will impact upon the living conditions of the dwellings opposite
- The proposed car park is too small and should be sited opposite the village hall
- There should be only one access to the site and the plots fronting the highway should have rear entrances only
- The loss of the mature hedgerow at the site is unacceptable

- There is not requirement for the housing development at the village which does not have appropriate amenity space or infrastructure to support it

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

## **Appraisal**

### **Principle of the development**

The proposed development is an initial phase of housing for 3 dwellings, a car parking area to serve the needs of the village hall, an access road to serve one of the aforementioned dwellings and a possible further 17 dwellings within an area of land that accords with policy Policy H1 Housing Allocations of the Carmarthenshire Local Development Plan, which has allocated the land for housing development. SC30/H1 of the LDP designates the site for 25 dwellings. There are no policy objections to the proposal subject to any highway, public service and amenity objections being overcome.

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

The site has been allocated for housing development within the LDP and the proposed development would not be out of character and incongruous form of development in the locality. There is housing, a village church and hall opposite and the scheme proposed would represent an efficient and sustainable development that reflects other dwellings within the village.

### **Privacy Impacts**

Plots 2 and 3 of the proposed development will front the public highway with plot 3 facing opposite the village hall and plot 2 facing “Derw”. The proposed dwellings will be set back approximately 7.5 metres from the edge of the carriageway and there will be approximately a further 26 metres to “Derw” opposite. It is considered that the layout of the proposed dwellings is in line with the character of other properties along the highway through Cwm Ifor and there is not considered to be any unreasonable loss of privacy for the residents in the locality.

### **Biodiversity Impacts**

A number of issues were raised and resolved in terms of a badger survey and landscaping, however it remains that the hedgerow fronting the site has yet to be finalised in terms of translocation and therefore a condition is to be applied to require this detail to be submitted and agreed before any development progresses.

### **Highway Impacts**

The village of Cwm Ifor has the C2172 highway as the main arterial route through the village which leads from the A40 trunk road and leads to the North to the rural hamlet of Horeb. The road through the village serves two housing estates and a fair number of individual dwellings that front the highway. This application is for three dwellings, a road to serve a future development and a car park to serve the existing village hall which presently does not have parking facilities and therefore parking for attendees is on the highway. The proposal allows for parking off the highway which reduces congestion problems presently encountered.



## **Response to the issues of objection received**

### **The proposed development will cause highways safety problems along the highway**

The proposed development will allow for vehicles that presently park on the highway for the village hall to park in a designated car parking area and the dwellings will also have parking facilities off the road. Photos have been submitted which show congestion at the highway through the village, however this would appear to have been as a result of visits to the church/ village hall and it remains that it is considered that the proposed car parking area and dwellings will allow for vehicles to park off the highway to improve the present situation.

### **The proposed main access road and the access for the dwellings fronting the highway will result in a loss of privacy for dwellings and the lights from the vehicles exiting onto the road will impact upon the living conditions of the dwellings opposite**

There are numerous individual dwellings along the highway through the village that are sited directly opposite other dwellings, in addition the estate road for Geryllan is sited opposite Beechgrove. It is considered that the proposed dwellings and estate road would not result in a significant harm to the residents of "Derw" and the visitors to the village hall. The dwelling opposite the proposed highway that will junction with the main road through the village, ie Derw, has significant fencing fronting the highway and is set back approximately 25 metres from the highway. It is not considered that the proposal will impact significantly upon the living conditions of the residents.

### **The proposed car park is too small and should be sited opposite the village hall**

The Local Planning Authority has to consider the proposed development submitted in the application and there are no grounds to justify the refusal of the car park area as proposed, which will serve the needs of the village hall and will allow for vehicles to park off the main road.

### **There should be only one access to the site and the plots fronting the highway should have rear entrances only**

The Local Planning Authority has to consider the proposed development submitted in the application and the proposal is supported by the Head of Transport subject to conditions.

### **The loss of the mature hedgerow at the site is unacceptable**

A condition is proposed for the planning permission that requires details of the landscaping and translocation of the hedgerow within/adjacent to the site to ensure adherence to LDP biodiversity requirements.

### **There is no requirement for the housing development at the village which does not have appropriate amenity space or infrastructure to support it**

The LDP has allocated the application site for housing and the site will have an amenity space central to the layout submitted with the application and no objection has been raised by the Forward Planning section.

## Planning Obligations

The viability of the development has been considered in detail and it is considered that this phase of the development, included in the planning application E/39651, is unviable with or without an affordable housing contribution, as required by Policy AH1 of the LDP. This initial phase of the development has to bear a number of higher costs upfront for the development of only 3 dwellings. Some of these costs should not arise for the later phase(s) and should mean that the future phases will be viable –therefore it may be prudent to consider retaining the right to reassess the viability of Phase 1 once the Local Planning Authority receive the Planning Applications in respect of the further phases.

## 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 will adhere to Local Plan policy subject to conditions and the issues of objection raised and addressed above are not considered to justify the refusal of the proposed development.

### 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 schedule of plans and information:

- Site Location Plan and Site Layout plan(LOCBL/0736/001c), received 11 October 2019
- Floor Plan and Elevations (Type B Bungalow)(BG/0736/001ab), received 10 July 2019
- Floor Plan and Elevations (Type G Bungalow)(BG1/AT/001Ag), received 10 July 2019

#### *Reason:*

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

**Condition 3.**

Prior to its use by vehicular traffic, the new access road shall be laid out and constructed with 5.5 metre carriageway, 1.8 metre footways, and 6.0 metre kerbed radii at the junction with the C2162 road.

*Reason:*

In the interest of highway safety.

**Condition 4.**

Plots 2&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. 4 (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 interest of highway safety.

**Condition 5.**

The gradient of the vehicular accesses serving the development shall not exceed 1 in 20 for the first 15 metres from the edge of the carriageway.

*Reason:*

In the interest of highway safety.

**Condition 6.**

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 C2162 road frontage within 2.4 metres of the near edge of the carriageway.

*Reason:*

In the interest of highway safety.

**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 interest of highway safety

**Condition 8.**

Prior to the occupation of any of the dwellings herewith approved, the required access roads and footways from the existing public highway shall be laid out and constructed strictly in accordance with the plans herewith approved, to at least the base course levels, and with the visibility splays provided.

*Reason:*

In the interest of highway safety.

**Condition 9.**

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 interest of highway safety.

**Condition 10.**

Prior to the commencement of any part of the development herewith approved, a 1.8 metre wide footway shall be provided along the application site frontage with the C2162 Road. 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 interest of highway safety.

**Condition 11.**

Plots 1-3:

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

*Reason:*

In the interest of highway safety.

**Condition 12.**

The 6 No. Visitor Car Parking Spaces and Community Car Park shall be hard surfaced in a bonded material, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.

*Reason:*

In the interest of highway safety.

**Condition 13.**

Prior to the commencement of the development a scheme for the translocation of the existing hedgerow fronting the C2162 road to an appropriate location within the application site shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.

*Reason:*

In the interest of highway safety.

**Condition 14.**

No development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of soft and hard landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

*Reason:*

In the interests of visual amenity and the protection of habitat

**Condition 15.**

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

*Reason:*

In the interest of the visual amenity of the area.

**Condition 16.**

Prior to the construction of the dwellings hereby approved details and/or samples of the materials to be used in the construction of the external surfaces of the dwellings shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

*Reason:*

In the interest of the visual amenity of the area.

**Condition 17.**

No development shall take place until a qualified and competent archaeologist has submitted a written scheme of investigation (WSI) for approval in writing by the local planning authority. This WSI will describe the different stages of the work and demonstrate that it has been fully resourced and given adequate time. On behalf of the local planning authority, their archaeological advisors (DAT DM) will monitor all aspects of this work through to the final discharging of the condition. This work will not be

deemed complete until all aspects of the WSI have been addressed and the final report submitted and approved.

*Reason:*

To protect historic environment interests whilst enabling development.

## **REASONS FOR GRANTING PLANNING PERMISSION**

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

- It is considered that the proposed development complies with Policy H1, H2, AH1, GP1, GP2, GP3 and TR3 of the Carmarthenshire Local Development Plan, 2014 (LDP) in that the proposed dwellings are not detrimental to the character and appearance of the area and it is not considered there are any significant impacts in relation to local amenity. Sufficient amenity space is provided for the proposed dwellings with appropriate parking and accesses provided

## **NOTES**

### **Note 1**

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

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

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

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

### **Note 2**

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

**Note 3**

Condition 9 above refers to the entire site and includes parking spaces within each plot applied for, the communal car park as well as the visitor spaces.

**Note 4**

The final choice of surfacing provided to the communal car park area must be appropriate and accessible for all users. Similar consideration is to be made to the provision of spaces for disabled drivers. Consideration must also be made for the on-going maintenance/liability for the communal car park and visitor parking spaces.

**Note 5**

If the applicant intends to offer the proposed estate road for adoption to the highway Authority under Section 38 of the Highways Act 1980, then he is advised to contact the Authority's Highways Adoptions officer Mr Cliff Cleaton, at the earliest opportunity.

**Note 6**

Any amendment or alteration of an existing public highway in connection with a new development shall be undertaken under a Section 278 Agreement of the Highways Act 1980. It is the responsibility of the developer to request the Local Highway Authority to proceed with this agreement and the developer is advised that the total costs of entering into such an agreement, as well as the costs of undertaking any physical works on site, shall be met by the landowner.

**Note 7**

It is the responsibility of the developer to contact the Streetworks Manager of the Local Highway Authority to apply for a Streetworks Licence before undertaking any works on an existing Public Highway.

<b>Application No</b>	<b>PL/00778</b>
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<b>Application Type</b>	Householder Planning Permission
<b>Proposal &amp; Location</b>	ALTERATIONS AND FIRST FLOOR / ROOF EXTENSION SWN Y GAN, LLANGADOG, SA19 9HP

<b>Applicant(s)</b>	MR & MRS E Davies
<b>Agent</b>	DARREN MILLS ARCHITECT
<b>Case Officer</b>	Kevin Phillips
<b>Ward</b>	Llangadog
<b>Date registered</b>	20/11/2020

## Reason for Committee

This application is being reported to the Planning Committee as the applicant is the son of the Local Member.

## Site

The application site is a detached two storey brick dwelling with a hipped roof, adjacent to Llangadog primary school, fronting the A4069 road through the village.

## Proposal

The proposal is to provide a first floor extension for a home office above the existing single storey garage at the eastern side of the dwelling and a bathroom and utility room at ground floor at the rear of the garage. The proposal will have matching materials to the existing and the roof will have a hip to match the existing dwelling and a dormer windows in the front elevation above the garage and the rear elevation above the utility room.

## Planning Site History

There is no relevant planning history on the application site.



## **Planning Policy**

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

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**

**Llangadog Community Council** - No comments received.

**Local Member(s)** – Councillor A James 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 a site notice and no objections have been received.

## **Appraisal**

The proposal is a first floor and ground floor extension to the eastern side of the dwelling and although larger than the existing extension, it is considered that the extension is of an appropriate design, materials and scale, and adheres to the requirements of the aforementioned Carmarthenshire LDP policy for extensions and it is considered that there are no other material issues that prevent support being given for the proposal.

## **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 is supported.

## 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 works hereby granted consent shall be carried out strictly in accordance with the following approved plans;

- Location plan 1:1250 scale, received 6 November 2020
- Block Plan(03) 1:500 scale, received 6 November 2020
- Proposed Floor Plans, Section & Elevations (02), received 6 November 2020.

*Reason:*

In the interest of visual amenity.

### Condition 3.

The materials used in the extension hereby approved shall match the existing dwelling.

*Reason:*

In the interest of visual amenity.

### Reasons for Granting Planning Permission

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

- The proposed development adheres to the requirements of policy GP6 of the Carmarthenshire Local Development Plan which ensures that proposed development is of a satisfactory standard of design, in terms of siting, size and the use of materials which complement the character and appearance of the existing building or structure and its surroundings and ensures that proposed extension is appropriate to the use of the existing building.

### NOTES

#### NOTE 1

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

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

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

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

**NOTE 2**

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

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*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 04 FEBRUARY 2021  
ON 04 CHWEFWROR 2021**

**I'W BENDERFYNU/  
FOR DECISION**



**Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yna rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.**

**In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.**

<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>04.02.2021</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**



<b>Application No</b>	<b>PL/01002</b>
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<b>Application Type</b>	Householder
<b>Proposal &amp; Location</b>	PROPOSED SINGLE STOREY REAR EXTENSION AND NEW DECKING AREA AT 16 HAULFRYN, BRYN, LLANELLI, SA14 8QL

<b>Applicant(s)</b>	Mr & Mrs Clement
<b>Case Officer</b>	Zoe James
<b>Ward</b>	Llangennech
<b>Date registered</b>	21/12/2020

## Reason for Committee

This application is being reported to the Planning Committee as the applicant is immediately related to an employee of the Planning Service.

## Site

The application site comprises a sizeable semi-detached property located in Haulfryn residential estate, Bryn, Llanelli. The site occupies a corner plot within the residential estate adjacent to an area of public open space to the west accessible via an existing footpath leading from the residential estate. To the east the property is adjoined at ground floor level to neighbouring dwelling no. 17 Haulfryn. To the rear the site borders open green fields. The street scene is characterised by a variety of different house types and designs including detached properties, semi-detached with dormer windows to the roof and also bungalows.

The host dwelling benefits from ample garden space to the rear of the dwelling and also to the front with a detached garage to the west of the dwelling. The existing rear garden comprises a raised decking area with steps leading down to well-kept lawned garden. To the west the rear garden is bordered with a strong hedgerow, the rear boundary comprises existing vegetation and the east boundary is a block wall for the first part and then a close boarded fence.

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

## Proposal

The application seeks full planning permission for a single storey rear extension and new decking area at the property. The proposed extension is to be partly situated on the existing decking area and will protrude out almost in line with the existing rear elevation of the

detached garage. The extension is proposed to extend from the rear elevation of the dwelling by 4.2 metres with a width of 6.15 metres. Large bi-folding doors are proposed on the rear elevation and a glazed lantern skylight of 3x1.5m is proposed to the flat roof. The submitted plans state that the proposed extension will be constructed using materials to match the existing dwellinghouse, including the UPVC window and door frames etc.

A new raised decking area of two levels is proposed from the rear elevation of the proposed extension. The upper decking area proposed extends from the proposed rear extension and existing decking area at the property, this then leads to steps to a lower decking area further to the north of the site which leads to the grassed garden area. The proposed decking area seeks to work within the topography and changing levels within the site. The existing boundary wall with no. 17 is also proposed to be increased in height slightly.

## Planning Site History

The site has the following planning history:

S/28970 - PROPOSED DOUBLE GARAGE - Full Granted 07/11/2013

S/24589 - FIRST FLOOR EXTENSION AND REAR DECKING AREA - Full Granted 28/04/2011

D5/4934 - SINGLE STOREY EXTENSION - Full Granted 15/05/1980

## Planning Policy

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

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

GP1 Sustainability and High Quality Design  
GP6 Extensions  
EQ7 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 observations received to date.

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

**Sustainable Drainage Approval Body (SAB)** – the property is not located in an area of flood risk and does not require SAB approval.

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

**Local Member(s)** - Councillor Gwyneth Thomas and Councillor Gary Jones have not commented to date.

**Dwr Cymru/Welsh Water** – No comments on the proposal.

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

## **Summary of Public Representations**

The application was the subject of notification by way of neighbouring letter issued to no. 17 Haulfryn and a site notice displayed in the vicinity of the site.

No third-party responses have been received to date.

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

## **Appraisal**

In terms of the principle of development, the planning application proposes a single storey rear extension and new two-tiered decking area at an existing residential dwelling, within development limits and within an established residential estate. Local Development Plan (LDP) Policy GP6 is of relevance. The policy supports residential extensions where they are compatible to the size and character of the existing development and do not adversely affect the amenity of neighbouring properties. The proposal involves a 4.2m by 6.1m single storey extension to the rear elevation. No new windows are proposed on the side elevations of the extension with glazed bi-folding doors proposed on the rear elevation and a roof skylight lantern. As a result, the proposed extension raises no privacy implications. In terms of the impact on the host dwelling, the proposal is considered to be of suitable scale and design as required by Policy GP6. There will be no change to the appearance of the dwelling from the streetscene as a result of the proposal.

The new decking area is proposed to extend beyond the existing decking area at the property to the north at the same height as the existing and then a second lower area proposed with steps onto the grassed garden beyond. In terms of privacy from the proposed decking area, this will largely be as existing at the site, albeit it is noted that the decking area will be extended further into the garden where the existing wall height is at a slightly lower level. From review of the photos, it appears that the neighbouring property also have an existing raised patio area and that there is already a degree of mutual overlooking. Whilst the patio area is proposed to extend out, it will be offset from the eastern boundary by approximately 2.9m. The existing east boundary wall is also proposed to be increased in height to 1.8metres at the top and then stepping down to 1.6metres. The applicant has advised that this has been discussed and agreed with residents of no. 17. No comments or objection have been received from the neighbouring property on the planning application in relation to the proposal. The proposed lower decking is not considered to raise any privacy matters as the existing wall will screen any views to the neighbouring property from this area.

The proposal does not impact upon the highway network, the existing driveway and garage provides sufficient area for parking.

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

## **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 it is concluded on balance that the proposed extension and decking area are acceptable. The extension is considered to be compatible to the character and appearance of the existing property and the amenities of adjacent occupiers will not be adversely affected by the proposed extension or decking as a result of the height increase to the existing boundary wall.

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

## **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 details shown on the following plans:-

- Site Location Plan, Proposed Block Plan, Existing and Proposed Floor Plans drawing no RCL/001 received 16 December 2020;
- Existing and Proposed Elevations scale 1:100 drawing no. RCL/002 received 21 January 2021.

*Reason:*

In the interests of visual amenity and to confirm the extent of the permission.

### **Condition 3.**

The materials to be used in the construction of the external surfaces of the extensions shall be as referred on Proposed Elevations and match those used in the existing building.

*Reason:*

In the interests of visual amenity.

## **Notes**

### **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 responses received from consultees and third parties can be found on the Authority's website ([www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)). They may also relate to other permissions or consents required or include further advice and guidance.

- Please see the relevant response from Dwr Cymru Welsh Water and refer to the recommendations and advice contained therein.

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**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 04 FEBRUARY 2021  
ON 04 CHWEFWROR 2021**

**I'W BENDERFYNU/  
FOR DECISION**

*Ardal  
Gorllewin/  
Area West*



**Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yn rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.**

**In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.**



<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>04.02.2021</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>W/39819</b>
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<b>Application Type</b>	FULL
<b>Proposal &amp; Location</b>	CHANGE OF USE OF LAND TO RESIDENTIAL CURTILAGE AND BARN CONVERSION TO AN ANNEX OF THE MAIN DWELLING GELLI DRYGAR, TRAWSDRE ROAD, CEFNEITHIN, LLANELLI, SA14 7HL

<b>Applicant(s)</b>	MR & MRS N. DURBIN
<b>Agent</b>	NICOLE JONES ARCHITECT
<b>Case Officer</b>	EILIAN JONES
<b>Ward</b>	GORSLAS
<b>Date registered</b>	21 NOVEMBER 2019

## Reason for Committee

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

## Site

The site consists of a farm known as Gelli Drygar, located adjacent to the A48, near Foelgastell. The farm contains the farmhouse and various outbuildings within the yard. All buildings are grouped relatively close together, albeit the farm access separates the house from the outbuildings. The site access connects to an unclassified rural lane which is generally in a north-south alignment. Historically, it would appear that the southern part of the connected to Foelgastell. However, since the construction of the A48, the unclassified road has been severed and is now a no-through road. The northern part of the lane is a traditional narrow rural lane connecting to various C-Class roads with Maesybont being the nearest village or to a formalised junction with the A48 itself.

## Proposal

The proposal involves the conversion and re-use of an agricultural building to provide additional ancillary accommodation to the dwellinghouse. The conversion process would involve alterations to the building, including an extension. Since the building is detached from the dwellinghouse and is located adjacent to the yard, the proposal also involves the change of use of the land to be incorporated in the residential curtilage of the main dwellinghouse.

## Planning Site History

D4/15482 – CONVERSION OF EXISTING FARMHOUSE INTO TWO DWELLINGS  
Full Granted – 14/01/1988

## Planning Policy

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

SP1 Sustainable Places and Spaces  
SP2 Climate Change  
SP3 Sustainable Distribution- Settlement Framework  
SP14 Protection and Enhancement of the Natural Environment  
GP1 Sustainability and High Quality Design  
GP4 Infrastructure and New Development  
H5 Adaptation and Re-use of Rural Buildings for Residential Use  
TR2 Location of Development – Transport Considerations  
TR3 Highways in Developments – Design Considerations  
EQ4 Biodiversity  
EP1 Water Quality and Resources  
EP2 Pollution  
EP3 Sustainable Drainage

[Carmarthenshire Supplementary Planning Guidance](#)

[The following guidance documents are considered relevant to the determination of this application:](#)

[Caeau Mynydd Mawr SPG](#)

[Nature Conservation and Biodiversity SPG](#)

[Adaption and Re-use of Rural Buildings for Residential Use SPG](#)

[Placemaking and Design SPG](#)

[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 5 Nature Conservation and Planning (2009) seeks to ensure that protected species, habitats and designated sites are both protected and conserved by the planning system.

TAN 6 Planning for Sustainable Rural Communities (2010) seeks to provide practical guidance on the role of the planning system in supporting the delivery of sustainable rural communities.

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

**Gorslas Community Council** - No written observations received to date.

**Local Member(s)** - No written observations received to date.

**Head of Transportation & Highways** - No objections to the proposal subject to conditions.

**Head of Public Protection** - No adverse comments to make on the proposal.

**Drainage Officer** – No objections to the proposal.

**Natural Resources Wales** – No objections to the proposal. Advise that a European Protected Species Licence would be required.

**Dwr Cymru/Welsh Water** – 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 site notice.

4 representations were received, 4 objecting, and the matters raised are summarised as follows:

Increase in traffic and highway safety

Concerns that the proposal would not be solely residential and that it could be potentially use for business/commercial use which would not be compatible with neighbouring uses

Proposal would set a precedent and history of refusals for residential development in the area

Impact on Ecology/Biodiversity, including trees and Caeau Mynydd Mawr

Impact on residential amenity, including loss of privacy, noise and anti-social behaviour

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

## Appraisal

The proposal involves the conversion and re-use of an agricultural building to provide additional ancillary accommodation to the dwellinghouse. The conversion process would involve alterations to the building, including an extension. Since the building is detached from the dwellinghouse and is located adjacent to the yard, the proposal also involves the change of use of the land to be incorporated in the residential curtilage of the main dwellinghouse.

Planning history indicates that permission was granted for the conversion and extension of the main dwellinghouse into two separate units of accommodation. Correspondence with the applicant and agent explains that in 1988 the property contained two separate

residential units but there was a familial link between the two. Due to subsequent need for additional care to be provided for some occupants, the building was adjusted and became a single dwellinghouse.

#### Principle of Development, Design, Impact on Visual Amenity and the Character, Appearance and Integrity of the Countryside

It is understood that there are several generations of the family residing in the main house and that the elder members require day to day care, which is largely provided by younger members. The younger generation have children and the existing farmhouse does not have sufficient space to accommodate their needs as they intend to continue living as a single family. The agent has clarified that extending the farmhouse would not provide sufficient space but since there was an agricultural building nearby that was not being used, it was determined that its conversion and adaptation would be their preferred option.

Whilst the agricultural building is detached, it is within the farmyard and within close proximity to the farmhouse, thereby enabling care to be provided within the family, whilst retaining some semi-independent living between different generations. The agent has clarified that the applicant wishes to keep the farm as one planning unit and do not intend to separate the titles. The proposal therefore is considered as a form of ancillary annex to the main farmhouse rather than forming separate units of accommodation. The application is therefore assessed on that basis, whereby the existing farmhouse, the proposed converted agricultural building and the extended curtilage would be kept as one planning unit.

The site is located outside the development limits of a defined settlement and, therefore, is deemed to be in the countryside. Development in such areas are strictly controlled, largely to protect the character, appearance and integrity of the countryside and direct the majority of developments to urban and sustainable locations. Notwithstanding this, certain developments are permitted within the countryside provided that their use and need is justified. In the case of this particular planning application, the principle of the proposal and several detailed aspects of the scheme is considered largely against Policies H5 and GP6 of the LDP.

The proposal involves a traditional stone and rendered barn which is rectangular in shape. It has a pitched roof, currently covered by corrugated metal sheeting. Whilst the barn is located on sloping ground, it has a uniformed eaves and ridge heights.

In the context of Policy H5 of the LDP, whilst limited information has been submitted to demonstrate that attempts have been made to secure an alternative business use, it is concluded that given the remote location of the site, its close proximity to the farmhouse and to the farmyard, it would not be conducive in attracting another business. It has been deemed to be surplus to requirements in terms of agricultural need which was evident during the site visit whereby it was subject to limited storage use and other barns were available and in use. It is therefore considered that criterion a) of Policy H5 has reasonably been met.

With regards to criterion b) of Policy H5, it is acknowledged that the overall aim of the project is to provide ancillary accommodation to the farmhouse rather than forming a separate dwelling. Given the subordination of the residential use of the barn to the main farmhouse and that the proposal would not inhibit the wider site to continue undertaking agricultural activities under a single planning-unit, it is considered that this criteria has

been met. Furthermore, given the number of buildings within the yard, it is considered that the proposed conversion of one of those buildings would be subordinate with reasonable balance between residential and non-residential buildings at the site.

Criterion c) of Policy H5 requires any residential conversion to contribute to the provision of affordable housing. In the case of this application, the scheme is essentially a householder proposal, providing additional habitable floorspace to an existing dwellinghouse, albeit in a detached building. As such, it is considered in this particular instance that the proposal would not generate the need to secure contributions. Notwithstanding this, it is considered reasonable and necessary to impose a condition which restricts the use of the building for purposes which are ancillary to the main farmhouse. This would enable contributions to be secured should there be any attempt in future to apply for planning permission to create a separate residential unit, thereby promoting sustainable development and meeting the affordable housing objectives of the LDP. Also such a condition would be necessary to avoid any doubt or ambiguity surrounding the extent of any permission issued, given that the description of the development is that of an annex, supported by evidence of need for ancillary accommodation for an expanding family, spanning several generations but living as a single-planning unit with some members offering care and support to others within the household. Having regard to the above, it is considered that criterion c) of Policy H5 is met.

With regards to criteria d) and e) of Policy H5, a structural survey has been submitted indicating that the building is capable of being converted with extensive alteration, extension or re-construction. Notwithstanding this, there would be changes being made, the most noticeable would be the construction of a new roof, the need to install a ring beam to support the walls and an extension on the rear elevation.

With regards to the new roof and ring beam, this would involve raising the eaves height of the building by approximately 600mm which is the minimum needed to install the ring beams. With the inclusion of a new roof on top, the overall height of the barn would be increased by approximately 700mm. Whilst this increase is not ideal, it is concluded that the overall character and appearance of the building would not, on balance, be unduly harmed. This is especially when this would enable a consistent eaves and ridge height across the building with no significant change in the pitch of the main roof, which are key to reflecting the character of the existing building.

With regards to the extension, this would be located on the rear. It is understood that the building did historically have a structure in this position however this has been demolished many years ago with no clear evidence on its size, design or appearance. Some remnants of the ruin of this structure is visible, and a section of the main part of the building has been left as an opening. Nevertheless, having regard to the above, it is considered that a limited extension in this location could be accepted, in principle, without unreasonable harm to the character and appearance of the host building and the wider countryside setting. This is reinforced by this part of the elevation being devoid of any significant architectural features due to the large opening and it being on the rear.

Following extensive negotiation, the scale and size of this extension has been reduced to ensure that it would not represent an extensive extension in the context of criteria d) and e) of Policy H5. The proposed extension would measure 4m x 5.3m with a pitched roof reaching maximum heights of 2.2m (eaves) and 3.9m (eaves). It would be finished in

render and slate and have a scale and design which is subordinate to the main part of the building.

The building is located in a rather remote location and away from significant or prominent views in the landscape. This is largely due to the sloping nature of the topography and the building appearing in a sunken position when viewed from the nearest public position which is an unclassified road and is a no-through road. This public position is at an approximate distance of 50m and screened by various trees, hedgerows and grazing fields.

It is considered that the proposal with the proposed alterations and extensions, would not, on balance, result in unreasonable harm to visual amenity or to the wider countryside setting. This traditional agricultural building demonstrates sufficient architectural quality to be considered appropriate for conversion in the first instance whilst sufficient features would be retained following the proposed alterations and extensions, with some additional visual benefits derived from a slate roof finish instead of metal sheeting and original stonework repaired. It is however considered necessary to impose a condition for the agreement of all external finishes, to ensure that they are appropriate and sympathetic to this building and its rural surroundings. It is also considered necessary to impose conditions for the joinery of all windows, doors, openings and roof lights to be agreed and also full details of the external flue, so that they are sympathetic to the character and appearance of the building. A further condition removing permitted development rights is also reasonable and necessary to ensure that any future extensions of alterations made to the building is brought under planning control. Subject to this, it is considered that the proposal, on balance, satisfies criteria d) and e) of Policy H5.

Due to the nature of the proposal, the extent of the residential curtilage of the property would be extended. This however has been kept to a minimum, as demonstrated by the revised location and block plans which shows a small maintenance pathway around the side and rear of the building to be converted with a marginal larger space for a small patio area at the rear. Limiting the outdoor space surrounding the converted building reinforces the rationale for the proposal which is to provide ancillary accommodation to the main farmhouse and not form a separate dwelling, especially since the main farmhouse already has adequate provision of outdoor amenity space.

Policy GP6 is also considered relevant since this proposal would essentially represent an enlargement of the residential curtilage of Gelli Drygar and the provision of an annex extension for ancillary purposes to that property. Having regard to the assessment made under Policy H5, it is concluded that the proposal, subject to conditions, would also be compatible with the criteria of Policy GP6.

Whilst it is acknowledged that this proposal would effectively provide a large annex containing 4 bedrooms with all facilities capable of independent occupation, the proposal is assessed on its own merits and what has been applied for is an ancillary annex to Gelli Drygar farmhouse whereby there is a justified need for the development and that it would be kept as one planning unit. It is also recognised that the majority of the development would derive from utilising an existing building and the alterations and extension made to be building would not, on balance, result in unreasonable harm to visual amenity or to the wider countryside setting. Regard is also given to recent decisions made by the Planning Committee relating to rural development proposals and how such Policies have been more broadly interpreted (examples: W/39684, W/39913 and PL/00101).



## Residential Amenity

The proposal is generally in a remote location and away from immediate neighbouring properties. The nearest neighbouring property is Gelli Drygar Cottage which is located on the corner between the unclassified road and the private drive leading to the application site. The distance between this neighbouring property and the agricultural building to be converted is approximately 30m and approximately 14m separates the building and the neighbouring curtilage. The proposal is largely associated with an existing building albeit an overall increase in height of approximately 700mm and a single-storey extension at the rear. The application site however is located on a lower level and the private access drive, trees and hedgerows separate the two curtilages. No windows within the converted building would directly face the neighbouring property. The first-floor window on the side elevation serving a bedroom would have an indirect relationship, largely facing the private drive leading to the site and the adjacent field. Furthermore, there would be sufficient distance, screening and topographical factors present to ensure that there would not be any unreasonable harm to the amenities of the neighbouring property.

Whilst there may be a degree of noise and disruption to the neighbouring property during the conversion process, these matters are unfortunately a by-product of any development, from domestic extensions to larger developments. However, it is considered that these matters would be temporary and do not hold significant weight in the determination of this application to withhold permission. Once the conversion process is completed, it is considered that its use as an ancillary annex to Gelli Drygar farmhouse would not generate significant levels of adverse noise nor would a residential use in principle, lead to anti-social behaviour or unreasonable harm to the amenities of this neighbouring property. It is considered that no other property would be directly affected by the proposal. The Public Protection Department of the Council do not have any objections to the proposal.

It is noted that concerns have been raised about a potential commercial use arising from the proposed development. However, the proposal is assessed on the basis of what is applied for, namely an ancillary annex to Gelli Drygar farmhouse with the plans demonstrating a domestic use which is compatible with neighbouring uses. Notwithstanding this, it is considered reasonable and necessary to impose a condition which restricts the use of the building for purposes which are ancillary to the main farmhouse which would ensure that it would not become a separate dwelling house or for uses which are materially commercial.

## Ecology/Biodiversity

The proposal would not involve the felling of any trees or would unduly affect any significant landscape features surrounding the site. The proposal would however largely involve utilising an existing building and given its condition and rural location, an ecological survey report has been submitted. The report indicates that there is evidence of bats using the building and, as such, a European Protected Species Licence would be required which is a separate consenting process. Notwithstanding this, the Council's Ecologist and Natural Resources Wales do not have any objections to this planning application subject to conditions for the development to be carried out in accordance with the ecological survey report, an agreement of ecological enhancements and the agreement of any external lighting.

The site is located within the catchment of the Caeau Mynydd Mawr Special Area of Conservation. Since this proposal would be an ancillary annex to Gelli Drygar farmhouse which largely utilises an existing building, it is considered that it does not generate the need for contributions towards ecology.

### Drainage and Utilities/Infrastructure

The site is not within a flood risk area defined by Welsh Government Technical Advice Note 15. Since the proposal is deemed as householder development and likely to be below the requirements for separate SAB approval, further details on drainage was requested during consideration of this planning application. Since the development largely utilises an existing building with only a relatively small extension and changes to the outdoor spaces, it is considered that the proposal would not generate any significant increase in surface water or flood risk. It is understood that the intention of the proposal is to create soakaways which would lead into the grazing field at the rear of the building. Percolation tests have been submitted and reviewed by the Council's Drainage Officer who is satisfied that this would be possible, and no objections are raised.

Limited details have been provided with regards to foul water, however it is understood that the site is not within reasonable proximity to a public sewer and that the current farmhouse utilises a private system. The application forms indicate that a septic tank would be used. Welsh Water and Natural Resources Wales have not raised any objections to the proposal. Since this proposal would be an ancillary annex to Gelli Drygar farmhouse, it is considered that the proposed arrangements are acceptable and would not generate pollution. It is however considered reasonable to impose a condition which restrict surface water from discharging into the foul drainage system. Given the proximity of the proposed converted building to the existing farmhouse, it is considered that the site would have other utilities and infrastructure necessary to support the proposed development.

### Access, Parking and Highway Safety

It is acknowledged that this proposal would provide additional residential space in a relatively remote and rural location, with narrow lanes leading to the site. However, this proposal would be an ancillary annex to Gelli Drygar farmhouse and conditions would be imposed so that it could not form a separate dwellinghouse or for uses which are materially commercial. As such, it is considered that the overall site, inclusive of the proposal, would remain as a single planning-unit and there is sufficient space within the curtilage of the site for parking. Enabling all family members to be present on the site, and being on-hand to offer immediate care, would effectively limit traffic movements to and from the site.

The Highways Authority have carefully reviewed the proposal and on the basis that it would be an ancillary annex to Gelli Drygar farmhouse, with conditions to control its use, they have no objections. It is therefore considered that the proposal would not be unduly detrimental to highway safety or unsustainable in transportation terms.

### Other Matters

In response to other matter raised by third parties which are not already covered within this report, the following response is provided.

Concerns have been raised that this proposal would set a precedent and that there have been refusals for residential uses within the area. Each application is assessed on its own merits and in context to adopted planning policies and guidelines. This submission is for an ancillary annex to Gelli Drygar farmhouse and would largely involve the conversion of an existing building. The proposal has been assessed against the relevant policies and guidelines, in particular Policy H5 of the LDP which specifically considers adaptation and re-use of rural buildings for residential use. Having reviewed the planning history of the area, previous refusals were associated with the construction of a new building for a rural enterprise and had circumstances which were materially different to that presented in this particular application. As such, only limited weight could be attributed to those factors.

## **Planning Obligations**

Due to the nature of the proposal, namely an ancillary annex to Gelli Drygar farmhouse which largely involves the conversion of an existing building, it is considered that this proposal would not generate the need for contributions towards affordable housing or towards ecology (Caeau Mynydd Mawr). Notwithstanding this, it is considered reasonable and necessary to impose a condition which restricts the use of the building for purposes which are ancillary to the main farmhouse. This would enable contributions to be secured should there be any attempt in future to apply for planning permission to create a separate residential unit, thereby promoting sustainable development and meeting the affordable housing objectives of the LDP.

## **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 accords with Policies SP1, SP2, SP3, SP14, GP1, GP4, H5, TR2, TR3, EQ4, EP1, EP2 and EP3 of the LDP.

This agricultural building benefits from architectural merit and is structurally sound and capable of conversion without extensive alteration, extension or re-construction. This agricultural building benefits from architectural merit and is structurally sound and capable of conversion without extensive alteration, extension or re-construction. The proposal, whereby the existing Gelli Drygar farmhouse, the proposed converted building to be used as an ancillary annex to the farmhouse and extended curtilage, would be kept as one planning unit, represents an acceptable form of development which would not, on balance, unreasonably harm the spatial and rural character and appearance of the area or deemed to be contrary to the objective of delivering sustainable development. Furthermore, the proposal would not have any significant adverse effect on visual amenity, highway safety, ecology/biodiversity or drainage infrastructure.

## 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 in accordance with the following schedule of plans and documents:

A – Location Map [dated 17/10/2020, Scale 1:1000 (received 13 November 2020)  
B – Block Plan [dated 17/10/2020, Scale 1:500] (received 13 November 2020)

1 – Existing Floorplan [dated 28/05/2019, Scale 1:100] (received 25 June 2019)  
2 – Existing Elevations [dated 25/05/2019, Scale 1:100] (received 25 June 2019)  
3 – Proposed Floorplans [dated 30/12/2020, Scale 1:100] (received 4 January 2021)  
4 – Proposed Elevations [dated 06/11/2020, Scale 1:100] (received 13 November 2020)

Survey for Bats & Barn Owls [September 2018] (Conducted by N. Bunn, Bat & Barn Owl Surveying Services, received 25 June 2019).

*Reason:*

In the interests of visual amenity, residential amenity, ecology/biodiversity and for the avoidance of doubt or confusion as to the extent of the permission hereby granted.

### Condition 3.

The development hereby approved shall be used for private domestic purposes which is ancillary to the enjoyment of the host dwellinghouse known as Gelli Drygar only and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). At no time shall a separate curtilage be established, or the development be let, leased, sold or otherwise disposed of as separate units of accommodation nor shall the development be used for trade or commercial purposes.

*Reason:*

For the avoidance of doubt or confusion as to the extent of the permission hereby granted and to clarify the nature and justified need of the development and avoid the creation of dwellings in the open countryside. Also, in the interests of sustainable development, highway safety and residential amenities.

### Condition 4.

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 [as amended] (or any order revoking, amending and

re-enacting that Order), no development of the types described in Schedule 2, Part 1, Classes A, B, C, D, E and G shall be carried out to any part of the development hereby approved without the written permission of the Local Planning Authority.

*Reason:*

To exert control over the future development of the site. In the interests of visual amenity and to protect the integrity, character and appearance of the building and the surrounding countryside. Also, in the interests of residential amenity, general amenity and highway safety.

**Condition 5.**

Notwithstanding the submitted plans, no development shall commence until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

*Reason:*

In the interests of visual amenity and to protect the character and appearance of the building, its setting and the wider countryside.

**Condition 6.**

No development shall commence until the size, design, material, appearance and joinery of all windows, doors and external openings (including roof lights) of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented as approved and completed prior to the beneficial use of the approved development.

*Reason:*

In the interests of visual amenity and to protect the character and appearance of the building, its setting and the wider countryside.

**Condition 7.**

No development shall commence until a scheme of ecological enhancements and a timetable for its implementation have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed in accordance with the document Survey for Bats & Barn Owls [September 2018] (Conducted by N. Bunn, Bat & Barn Owl Surveying Services, received 25 June 2019). The scheme shall be implemented in accordance with the approved details and timetable and thereafter retained in perpetuity.

*Reason:*

In the interests of ecology/biodiversity.

**Condition 8.**

Prior to the installation of any external lighting, a detailed lighting plan, focusing particularly on minimising lighting impacts to features of importance to nocturnal wildlife and maintaining flight lines and dark corridors, in accordance with the recommendations within Appendix 2 of the document Survey for Bats & Barn Owls [September 2018] (Conducted

by N. Bunn, Bat & Barn Owl Surveying Services, received 25 June 2019), shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved lighting plan.

*Reason:*

In the interests of ecology/biodiversity.

### **Condition 7.**

Surface water from the development hereby approved shall not at any time discharge into any foul drainage system.

*Reason:*

To prevent overloading of the system, the interests of pollution prevention, to protect the environment and general amenities.

## **Notes**

### **NOTE 1**

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

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

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

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

### **NOTE 2**

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

<b>Application No</b>	<b>PL/00387</b>
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<b>Application Type</b>	Full detailed
<b>Proposal &amp; Location</b>	DEMOLITION OF EXISTING BARN AND CONSTRUCTION OF 2 DWELLINGS LAND ADJACENT TO CAPEL CANOL, CAPEL DEWI, CARMARTHEN, SA32 8AD

<b>Applicant(s)</b>	Mr N Bryant – Casper Homes Ltd
<b>Agent</b>	Harold Metcalfe Partnership
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Llanddarog
<b>Date registered</b>	7 <sup>th</sup> December 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 opportunity within the settlement development limits of Capel Dewi. At this point, Capel Dewi has a mixed character with a former school and chapel and Capel Dewi Hall being an older form of development mixed with more modern single and two storey dwellings. The site slopes gently down in a Southern direction towards the main road.

The site has a stone barn along its eastern boundary which appears to be the remnants of a traditional farm complex associated with Capel Dewi Hall, which is a traditional country dwelling house to the north west. Historic maps indicate that there was a longer range of traditional barns and a more modern agricultural building to the North West which have been demolished to allow the development of two dwellings. A further dwelling is under construction to the West which has recently had planning permission.

The barn has some local historic interest, however it is not listed or recognised as worthy of retention. It is a remnant of the farm complex that was substantially demolished to make way for the two dwellings to the North.

## Proposal

The application seeks full planning permission for the demolition of a stone barn and its replacement with two detached two storey dwellings. Plot 1 had full planning permission in 2020 and is currently under construction.

Plot 2 is a traditional 4 Bedroom saddle roof dwelling fronting onto the main road with a central gable feature at the front and two storey projection to the rear. Externally the dwelling is proposed to be rendered with a reconstituted stone front gable feature.

Plot 3 is a 4 Bedroom detached dwelling with integral garage. The dwelling is of a traditional design with saddle roof fronting the highway and a front gable. Externally the dwelling is proposed to be rendered with reconstituted stone gable and ground floor at the front, under a dark grey flat tiled roof.

The site is laid out with both dwellings facing the main road, with Plot 2 approximately in line with the front of Plot 1 and Plot 3 set back so it is in line with the property to the East known as Capel Ganol and they are proposed to share a driveway.

In terms of private amenity space, Plot 2 has a triangular shaped garden which includes a detached garage. The maximum garden length is 13.5m into the corner and there is a separation distance of approximately 24.5m to the front of the dwelling to the north. Plot 3 is proposed to have a more regular rear garden of on average 9.5m depth and a separation distance between dwellings of approximately 16m to the closest point but 19m to the main front elevation.

A private drainage system is proposed which will be subject to Sustainable Drainage Approval. A hydrological drainage report has been submitted.

A bat and nesting bird report has been submitted which reveals that there are no protected species in the barn. However as an enhancement in accordance with the Environment Act, ecological features are proposed to be installed.

## Planning Site History

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

W/10086 PLOT LAYOUT AND ACCESS - Reserved Matters Granted - Committee  
08/12/2005

GW/04005 SITING OF THREE DWELLINGS WITH NEW VEHICULAR ACCESS -  
Outline Granted - Committee 25/06/2003

GW/04004 CHANGE OF USE FROM REDUNDANT STONE BARN TO DWELLING -  
Full Granted - Committee 25/06/2003

## 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  
H2 Housing within Development Limits  
AH1 Affordable Housing  
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** – has no objection subject to the imposition of appropriate conditions.

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

**Local Member(s)** - Councillor A Davies has no objection however has received concerns from residents over the height of the proposed dwellings and the potential impact on third parties.

**Dwr Cymru/Welsh Water** – has no observations as non mains drainage is proposed. However NRW should be consulted on the discharge of the water.

**Dyfed Archaeological Trust** – recommends refusal as the threshing barn was recorded on the 1887 1<sup>st</sup> ordnance survey plan and is within a historic landscape as defined by CADW so the barn is of regional importance. If approval is granted, there should be a photographic record of the building to record it's historic features.

**Natural Resources Wales** – has no objection however points out that use of non mains drainage will require a permit.

**Sustainable Drainage Approval Body** – states that the site is not at risk of flooding and that SAB approval is needed for drainage which is outside the planning process.

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

## Summary of Public Representations

The application was the subject of notification by way of 2No. neighbour letters.

2No. representations were received objecting and the matters raised are summarised as follows:

- Scale Height and Mass

- The original plan for the site was for the conversion of the barn and a single storey dwelling.
- Loss of amenity
- Loss of privacy
- The proposal would be visually imposing over bearing and oppressive.
- Close proximity to dwelling at the rear.
- Over development / Lack of amenity space for occupants
- Detrimental to the character of the village
- Loss of outlook

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

## **Appraisal**

### Scale Height and Mass

A previous outline application and reserved matters for an access road showed three plots and the retention of the barn. A layout showed two plots along the road frontage with one to the rear along with the barn, however this indicative layout was not adhered to with the development of two houses at a higher level to the rear of the site. Permission was granted for the conversion of the barn separately to the plot layout however this was not implemented.

The proposal is for two storey dwellings on the site in place of the traditional barn. The scale and height is significantly higher than currently evident with the barn, however it is noted that the dwellings to the North and West are also two storey and of a similar scale and height to that proposed, so the proposal would not be out of place within the character and context of the site. The dwellings to the North are also set at a higher ground level so the overall height in the village context is greater than proposed under this application.

### Loss of amenity

The proposed dwellings would present a built form between the now established dwellings and the road which has been absent since their development. The site layout is such that the houses to the rear of the site have been developed first so they overlook the frontage plots. The plots to the front have rear windows which look in the direction of the rear plots, however there would be mutual overlooking between properties and the levels are such that the rear plots would be at a higher level.

Given the levels, the proposed plots are unlikely to be visually imposing over bearing or oppressive as they would follow the built form of the road frontage.

The plots are relatively small however there is a reasonable separation distance between the rear of the dwellings and the front of the properties behind.

### Detrimental to the character of the village

The proposal for two storey dwelling is considered to be acceptable in the context of the site. There is a mix of single and two storey dwellings in Capel Dewi with the estate situated between the substantial Capel Dewi Hall and two storey dwellings to the East. There is also a former school and chapel in close proximity so there is a mixed character.

The dwelling under construction to the west and the two established properties to the North are all two storey and of a similar height. The barn offers some local character as the remnant of an older farm complex that has been lost to development, however it is now at odds with the development that has grown around it over the last 15 years. On balance the use of stone and render is considered to be an appropriate form of development that is not likely to have a detrimental impact on the character of the site.

#### Over development / Lack of amenity space for occupants

The proposal for two dwellings is not considered to be over development of the site and presents an appropriate road frontage. The rear amenity space is irregular shaped on Plot 2 but offers space for a drive and garage along with small private garden. Plot 3 offers a more regular rear garden of a reasonable length along with a front garden with access, parking and turning area.

#### Outlook

Loss of outlook towards the village 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 there is concern locally, the proposal would complete the development of the small estate. There are properties to the rear at a higher level however the proposal is in keeping with the two storey character of the site.

The barn is said to be of regional importance, however it is not protected and forms the remnant of a larger farm complex that has been largely removed to allow the development of the estate. It therefore now has no context within its setting.

The impact on amenity is not considered likely to be unacceptable given the separation distances between properties so on balance the proposal is considered to be in compliance with the above policies.

## 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 schedule of plans dated 3 September 2020.

1:1250 scale Location Plan.

1:100 scale Plot 2 Proposed Floor Plans and Elevations. Drawing No. C/4734/2

the following plan dated 2 October 2020

1:200 scale Cross Section. Drawing No. 4734/1

the following amended plans dated 14 January 2021

1:200 scale Block Plan

1:100 scale Plot 3 – Proposed Elevations and Floor Plans. Drawing No. C/4734/3A

and the following plan dated 15 January 2021

1:50 & 1:100 scale Proposed Garage Plot 2.

*Reason:*

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

### Condition 3.

No development shall be commenced until details and/or samples of facing brick, cladding and boundary treatment have been submitted to and approved in writing by the Local Planning Authority.

*Reason:*

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

### Condition 4.

No development shall be commenced until full details of sustainable surface water drainage have been submitted to and approved in writing by the Local Planning Authority.

*Reason:*

To ensure sustainable surface water drainage in accordance with Policy SP2 and EP3 of the LDP.

**Condition 5.**

Plot 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. 4 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 of the LDP.

**Condition 6.**

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

*Reason:*

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

**Condition 7.**

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 B4300 Road frontage within 2.4 metres of the near edge of the carriageway.

*Reason:*

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

**Condition 8.**

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

**Condition 9.**

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 of the LDP.

### **Condition 10.**

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

*Reason:*

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

### **Condition 11.**

All works shall be carried out in strict accordance with Section 4.2 Recommendations and Section 5.0 Outline Method Statement of the submitted bat report, Barn at Capel Ganol Bat report, Aug 2020 as follows:

- 4.2 Recommendation 1: 1 x Schwegler 1FR bat tube (or similar) to be embedded in the west elevation of the new dwelling as indicated on the plan in Appendix 5 of the bat report and indicated in Drawing Number C/4734/3A received on 14/1/21.
- 4.2 Recommendation 2: 2 x swallow nest cups to be affixed to the new dwelling in an elevated position on the northern and eastern elevations (as indicated in Drawing Number C/4734/3A received on 14/1/21) and 1 x bird box to be affixed to the new dwelling on the eastern elevation (as indicated in Drawing Number C/4734/3A received on 14/1/21).
- 5.1 Outline Method Statement.
- EXTERNAL LIGHTING: Prior to the installation of any lighting a detailed lighting plan, focusing on minimising lighting impacts near to proposed bat roosts and maintaining dark corridors (see Guidance Note 8 Bats and Artificial Lighting / Bat Conservation Trust and the Institution of Lighting Professionals, 2018), shall be submitted to the local planning authority for written approval.

Full details of a scheme of the referenced enhancements must be submitted to the LPA prior to the commencement of the development and thereafter implemented as approved.

*Reason:*

In the interests of Ecology in accordance with Policy SP14 and EQ4 of the LDP.

### **Condition 12.**

Development shall not begin until a photographic survey of the existing building has been carried out in accordance with guidelines provided by the Local Planning Authority's archaeological advisors – Dyfed Archaeological Trust Development Management. The resulting photographs should be approved by the planning authority prior to the commencement of development and deposited with the regional Historic Environment Record, held and maintained by the Dyfed Archaeological Trust, Corner House, 6 Carmarthen Street, Llandeilo, Carmarthenshire, SA19 6AE, (Tel 01558-823121).

*Reason:*

To record the features of the barn in accordance with Policy SP13 and Policy EQ1 of the LDP.

## Notes

### 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 signed unilateral undertaking which secures a contribution of £67.65 per square metre internal floor area towards affordable housing.

### NOTE 3

The applicant/developer's attention is drawn to the unilateral undertaking which sets out the contribution for affordable housing.

### NOTE 4

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

<b>Application No</b>	<b>PL/00725</b>
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<b>Application Type</b>	Discharge of Condition
<b>Proposal &amp; Location</b>	DISCHARGE OF CONDITIONS 7, 11, 13 & 22 ON W/31728 (DETAILS OF ASSIGNED ARCHAEOLOGIST, CONSTRUCTION METHOD STATEMENT, DETAILS OF HYDROLOGICAL AND ECOLOGICAL CLERK OF WORKS, TV RECEPTION STUDY) LAND NORTH OF ESGAIRLIVING FARM, RHYDCYMERAU, LLANDEILO, SA19 7RG

<b>Applicant(s)</b>	EnergieKontor UK Ltd
<b>Agent</b>	N/A
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Llanybydder
<b>Date registered</b>	05/11/20

## 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 site of the approved turbines is an upland area of the county with a scattering of individual farmsteads and residential properties dispersed within the landscape. The area is characterised by a mix of upland pasture and forestry plantations with an elevation of approximately 354m AOD. The site is to the North of the B4337 which links Llanybydder and Rhydcymerau. A minor road runs to the North and East accessing properties.

Access to the turbines is proposed through a holding known as Esgairliving with use and upgrading of an existing farm track with an improved junction proposed onto the B4337.

The sparsely populated area has a scattering of residential properties. The landscape officer's report on the original application stated that there were 5 dwellings within 1km of the site. None of the dwellings are within 500m which is the guide for larger wind farm development set out in National guidance so whilst not directly applicable provides a guide.

Planning permission for two 100m turbines was approved in 2016 and this application seeks to discharge conditions in respect of this extant permission. Subsequently an



application to amend the turbine type to allow 125m turbines was submitted and refused by Carmarthenshire County Council in 2018. The applicant took the refusal to appeal which was allowed by the Welsh Government on the recommendation of the Planning Inspectorate. However, a third party challenged the Welsh Government and won at the Court of Appeal so the decision was quashed.

## **Proposal**

This application seeks to discharge Conditions 7 (Archaeology), 11 (Construction Method Statement), 13 (Ecology and Hydrology) and 22 (TV Reception) of planning permission W/31728.

Analysis of the conditions, supporting information and consultation responses are set out in the appraisal section below.

It should be noted that this application is for discharge of condition only and is not examining the merits of the scheme itself which has extant planning permission.

## **Planning Site History**

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

W/39299 - NON MATERIAL AMENDMENT TO W/31728 (INSTALLATION AND 25 YEAR OPERATION OF TWO WIND TURBINES, WITH A TIP HEIGHT OF UP TO 100M, AND ASSOCIATED INFRASTRUCTURE INCLUDING TURBINE FOUNDATIONS, NEW AND UPGRADED TRACKS, CRANE HARDSTANDINGS, SUBSTATION, UPGRADED SITE ENTRANCE AND TEMPORARY CONSTRUCTION COMPOUND (MAJOR DEVELOPMENT)) WHICH SEEKS TO SPLIT THE DISCHARGING OF CONDITION 12 INTO TWO PHASES

- Non-Material Amendment Granted 03/09/2019

W/39125 - DISCHARGE OF CONDITIONS 7, 11, 13, AND 21 ON W/31728 (ARCHAEOLOGIST PRESENCE, CONSTRUCTION METHOD STATEMENT, ECOLOGICAL AND HYDROLOGICAL CLERK OF WORKS AND HABITAT MANAGEMENT PLAN)

- Discharge of Planning Condition Refused 26/11/2019

W/34341 - VARIATION OF CONDITION 2 ON W/31728 (TURBINE HEIGHT)

- Variation of Planning Condition Refused - Appeal Upheld 14/02/2018

W/32967 - DISCHARGE OF CONDITION 2 ON W/31702 (INSTALLATION OF INFRA-RED AVIATION WARNING LIGHTS)

- Discharge of Planning Condition Granted 23/11/2015

W/31728 - INSTALLATION AND 25 YEAR OPERATION OF TWO WIND TURBINES, WITH A TIP HEIGHT OF UP TO 100M, AND ASSOCIATED INFRASTRUCTURE INCLUDING TURBINE FOUNDATIONS, NEW AND UPGRADED TRACKS, CRANE HARDSTANDINGS, SUBSTATION, UPGRADED SITE ENTRANCE AND TEMPORARY CONSTRUCTION COMPOUND(MAJOR DEVELOPMENT)

- Full Granted 08/03/2016

## **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

TR3 Highways in Developments – Design Considerations

EQ4 Biodiversity

RE2 Local, Community and Small Wind Farms

[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** - recommends a condition regarding wheel and chassis washing facilities.

**Heath of Public Protection (Noise)** – no request for construction hours was made in respect of the Construction Management Plan, however standard construction times are recommended. It should be noted that the submitted information refers to the separate Condition 9 which sets out the permitted construction times and this discharge of condition is not seeking to amend or contradict the approved condition.

**Head of Public Protection (Dust)** – has no objection to the information supplied however the recommendations will need to be implemented for the condition to be fully discharged.

**Ofcom** – No response has been received to date.

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

## Summary of Public Representations

The application was not subject to public consultation as it is not a Planning Application, however it was published on the weekly list and has been identified by third parties.

Representations have been received from three parties objecting to the discharge of conditions and the matters raised are summarised in the appraisal below.

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

## Appraisal

Condition 7

*The developer shall ensure that a professionally qualified archaeologist is present during the undertaking of any ground works, so that an archaeological watching brief can be carried out. The archaeological watching brief will be undertaken to the standards laid down by the Institute for Archaeologists. The Planning Authority will*

*be informed, in writing at least two weeks prior to the commencement of the development, of the name of the said archaeologist.*

Condition 7 requires a qualified archaeologist to be present during ground works and details of the archaeologist to be provided at least two weeks prior to commencement.

The applicant has provided details of the archaeologist so the condition can be discharged in so far as the archaeologist needs to be identified. Given the fact that the work also needs to be carried out, the condition is hereby **PARTIALLY DISCHARGED**.

Condition 11

*(1) No development shall commence until a construction method statement has been submitted to and approved in writing by the local planning authority.*

*(2) The construction method statement shall include details of -*

- (a) the timing of construction works, including the timing of vegetation removal to avoid the potential for effects on reptiles and nesting birds and European protected species;*
- (b) the wheel washing facilities, including siting;*
- (c) the timing of works and methods of working for cable trenches, foundation works and erection of the wind turbines;*
- (d) the cleaning of site accesses and the adjacent public highway and the sheeting of all heavy goods vehicles taking spoil or construction materials to/from the site to prevent spillage or deposit of any materials on the highway;*
- (e) the pollution control and prevention measures to be implemented including
  - (i) sediment control,*
  - (ii) the bunding of fuel, oil and chemical storage areas,*
  - (iii) sewage disposal,*
  - (iv) measures for the protection of water courses and ground water and soils and,*
  - (v) a programme for monitoring water bodies before and during construction, including details of the action to be taken if monitoring indicates adverse effects on water bodies;**
- (f) the disposal of surplus materials;*
- (g) the management of construction noise (including identification of access routes, locations of materials lay-down areas, details of equipment to be employed, operations to be carried out, mitigation measures and a scheme for the monitoring of noise);*
- (h) the handling, storage and re-use on site of soil;*
- (i) the design and construction methods of the site access track including drainage provisions, and the pollution prevention measures to be implemented to ensure there are no polluting discharges from tracks and disturbed areas including provision to ensure that no polluting discharge from the access tracks and disturbed areas enters any watercourse;*
- (j) the nature, type and quantity of materials to be imported on site for backfilling operations or construction of access tracks;*
- (k) the management of dust;*
- (l) the proposed temporary site compounds for storage of materials, machinery and parking within the sites clear of the highway, including the siting of the*

*temporary buildings and all means of enclosure, oil/fuel and chemical storage and any proposals for temporary lighting, and details of proposals for restoration of the sites of the temporary compounds and works within 12 months of the first export date;*

- (m) the design and construction of any culverts;*
- (n) mitigation measures to be implemented to avoid harm to protected species and minimise damage to Local Biodiversity Action Plan habitats.*
- (o) the restoration of the parts of the site which will be temporarily used for construction; and*
- (p) any other measures set out in the Environmental Report.*
- (q) specific method statements for the cut and fill operations associated with the access track, including details of proposals to maximise the successful establishment of native plant species.*

*(3) Before any wind turbine is removed or replaced a revised construction method statement, dealing with that removal or replacement, shall be submitted to and approved by the local planning authority.*

*(4) The construction method statement shall be implemented as approved.*

There has been internal consultation within the Council and the following matters have been noted.

### Highways

Wheel Washing facilities have been sought by further condition, however as this application is seeking to discharge the conditions imposed, a further condition is not possible. The submission has therefore been amended to include the following wording.

*“During the construction phase banksmen would be available at the entrance to the site from the public road to check vehicles in and out and would physically brush clear any debris if present on the wheels and chasses, in addition they would also be equipped with pressure washers and would use these as necessary.*

*Stone and aggregate required for the construction the access tracks, turbine foundations, hardstanding areas will be imported using clean materials. Contractors will ensure that delivery vehicles stay on the new access track and would not be in a position to drag unsuitable material onto the public road.”*

The above puts the onus of responsibility on the site management to ensure that material is not taken onto the public highway. Use of brushes and pressure washers would ensure that where necessary, mud is removed from the vehicles exiting the site onto the public highway.

### Ecology

Reference is made to the requirements of the Habitat Management Plan, however this is Conditioned separately under Condition 21 which would provide a more detailed long terms strategy for managing the site. The CMS cross refers to this more detailed document.

The handling of peat needs special attention and the CMS has been amended to refer to keeping peat in a wet condition to avoid degrading and that micro-siting will endeavour to avoid peat in the first place.

Long term maintenance of drainage channels is sought, however this is something that needs to be included in the long term maintenance through the habitat management plan rather than being confined to the construction period.

### Public Protection

Has no objection to the discharge of conditions in so far as the information on dust control is acceptable. It is noted however that provision 4 includes the requirement for the plan to be implemented, so the condition can not be fully discharge until the works are complete.

In respect of construction times, the report does not seek to amend or contradict the times set out in Condition 9 so whilst there is variance between the public protection comments received in respect of the discharge of condition, Condition 9 is the extant approved condition that needs to be implemented.

### Third Parties

There is concern that the CMS does not address potential run off and slippage onto the road. The CMS has been amended to include monitoring of the access and checking vehicles leaving the site to ensure no material is being deposited on the road.

The CMS does not address translocation of plants along the access track. There is however an ecological clerk of works so any plants that may be of ecological value can be appropriately translocated.

There is no indication of where the stone and cement is coming from – which will impact delivery route. The CMS states that the nature and quantity of the imported material will be depending on a pre-commencement topographical survey. An acceptable delivery route has been determined for the largest vehicles so smaller vehicles are not considered likely to have a detrimental impact.

Reference to the substation and cable route however this is covered by a separate planning application.

Timing – the commencement of development within the bird nesting season would be detrimental to protected species. There is reference to there being no works without an appropriate survey and as stated above, an ecological clerk of works will be employed to ensure that works are done in an appropriate way.

Wheel washing is not covered. This has been added as discussed above.

It is considered that the information submitted is sufficient to **PARTIALLY DISCHARGE** the condition in so far as information is required prior to commencement. A number of issues have been raised which are covered by other conditions and the CMS will need to be implemented as set out before it can be fully discharged.

## Condition 13

*No development shall commence until an ecological clerk of works and a hydrological clerk of works have been appointed in consultation with the relevant planning authority. The ecological clerk and hydrological clerk of works shall be a suitably qualified environmental professional and shall be retained throughout the duration of civil construction works on site to advise on minimizing ecological and hydrological effects of the construction activities.*

The ecological and hydrological Clerk of Works has been identified so the condition can be **PARTIALLY DISCHARGED**. The works will need to be carried out in accordance with their professional advice.

## Condition 22

*No development shall commence until a scheme has been submitted to and approved by the local planning authority providing for the investigation of and remediation of any interference with television reception at any dwelling which lawfully existed or had planning permission at the date of this decision. The scheme shall be implemented as approved.*

A report on the impact on TV reception has been submitted and Ofcom has been consulted.

A survey has been done based on sample locations and it does not claim to be a comprehensive survey of every dwelling within a specified range of the turbine locations. The report opines that there would not be any significant impact on terrestrial television in this location from the Carmel transmitter and there are also 2 alternative transmitters at Mynydd Pencareg and BlaenPlwyf so if for any reason one was affected there are alternatives available which had an acceptable reception strength. The report further opines that there would be no impact on satellite reception and for mitigation if there is an unforeseen impact would be Freesat which would allow free satellite access to television services. The covering letter is clear that there is a sequence of stages to investigate any complaints and that the mitigation would be determined in each case.

Third parties have expressed concern over the report in terms of the larger turbines that the report is predicated upon and the micro-siting coordinates being different to that approved, however the applicant has clarified that neither of these issues would make a material difference to the results and if anything, the assessment of larger machines would be a worst case scenarios as the impact from smaller machines would be less. Any micro-siting differences are likely to be *de-minimis*.

## 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 WCFG Act). The decision takes into account the ways of working set out at section 5 of the WCFG Act).

Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

## **Conclusion**

After careful consideration of the information submitted, it is concluded on balance that the conditions should be partially discharged as set out above and full discharge would follow provided the construction and implementation is in accordance with the conditions.

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## PLANNING COMMITTEE

Thursday, 7 January 2021

**PRESENT:** Councillor A. Lenny (Chair)

**Councillors:**

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

**Also in attendance:**

Councillor K. Davies who addressed the Committee in respect of Planning Application number E/39715

Councillor A. Davies who addressed the Committee in respect of Planning Application number W/40091

Mr G. Morgan, Transport Planner with Atkins Framework

**The following Officers were in attendance:**

L. Quelch, Head of Planning

J. Edwards, Development & Built Heritage Manager

S. Murphy, Senior Solicitor

J. Thomas, Senior Development Management Officer [South]

G. Noakes, Senior Development Management Officer [East]

R. Davies, Development Management Officer [South]

Z.A. Evans, Senior Technician [Planning Liaison]

G. Glenister, Development Management Officer

K Phillips, Development Management Officer

Z.M. James, Development Management Officer [South]

S. Rees, Simultaneous Translator

J. Corner, Technical Officer

M. Evans Thomas, Principal Democratic Services Officer

E. Evans, Principal Democratic Services Officer

M.S. Davies, Democratic Services Officer

E. Bryer, Democratic Services Officer

K. Thomas, Democratic Services Officer

**Virtual Meeting - . - 10.00 am - 12.50 pm**

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors P. Edwards and D. Jones

**2. DECLARATIONS OF PERSONAL INTERESTS**

There were no declarations of personal interests.

**3. AREA EAST - DETERMINATION OF PLANNING APPLICATIONS**

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

E/37678	The proposed installation of a 22.5m telecommunications mast accommodating three no. antennas, two no. microwave dishes, together with remote pole mounted satellite dish, ancillary equipment cabinets and cabling with a fenced compound at land south of Ystrad Ffin, Rhandirmwyn, Llandoverly, SA20 0PG
E/39715	<p><b>Remove overgrowth and creating a new gravel parking area to ease congestion on Penybank Road during match days and training nights at Penybank RFC. Penybank Road, Ammanford, SA18 3QS</b></p> <p>A representation was received from the local member in support of the application on the basis the current parking difficulties being experienced in the area on match/training days would be alleviated by the provision of the proposed parking area, no additional vehicular traffic would be generated, the proposal allowed for the creation of an access to the playing field for the sole use of emergency vehicles and biodiversity mitigation measures were to be introduced as part of the development</p> <p>A general reference was made to developers undertaking site works in advance of submitting a planning application with views being expressed that they must contact the Planning Department if they intended clearing a site for development</p> <p>The Development Management Officer responded to the issues raised during consideration of the report.</p>

#### **4. AREA WEST - DETERMINATION OF PLANNING APPLICATIONS**

##### **RESOLVED**

**4.1 that Planning Application W/40091 be granted contrary to the Head of Planning's refusal recommendation on the basis the Committee considered:**

- a) There was Rural Enterprise Justification for the dwelling based on existing stocking levels, the overall size of the farm acreage and the scale of the farm operations.**
- b) With regard to the siting of the development, there was no other appropriate building on the farm yard, Policy H5 of the LDP had a presumption against the conversion of rural buildings in working use into a residential property, it was inappropriate to build an extension/annexe to the existing farmhouse due to overlooking and any development to the left hand side of the farm complex would preclude future farm development in that area.**
- c) The application complied with the provisions of the Well-**

**Being of Future Generations (Wales) Act 2015 in relation to the generational continuation of farming**

- 4.2 The consent is granted subject to the proposed new dwelling being regarded as a Rural Enterprise Dwelling and tied to the farm complex to prevent its future sale as a separate entity from the farm holding**
- 4.3 That delegated authority be granted to the Head of Planning to impose additional appropriate conditions on the planning consent to include the requirement of a visibility splay at the site entrance for highway safety**

<b>W/40091</b>	<p><b>Rural enterprise dwelling at land at Llwynonnill Fawr, Llanddarog Road, Llanddarog, SA21 8AL</b></p> <p>A representation was received from the local Member in support of the application on the basis the applicants had been involved in farming for some 40 years and now wished to move to the proposed dwelling to allow for family progression for one of their sons to move into the existing farmhouse to help with the farm operations, the farm holding of 90ha (owned) and 20 ha (rented) accommodated 1300 sheep with the intention to diversify into beef cattle, the farm also operated a straw and hay business, as all of the existing farm buildings were in use and unavailable for conversion to a dwelling it was contended the application complied with Policy H5 of the Carmarthen Local Development Plan and that the Rural Policy was intended to promote farming requirements</p> <p>The Committee referred to the report of the Head of Planning detailing the reasons for recommending refusal of application W/40091 on the basis the proposal was contrary to Policies GP1 and GP2 of the Local Development Plan. Whilst having regard to those refusal reasons, the Committee considered the application should be granted contrary to the Head of Planning's recommendation on the basis it was felt that:-</p> <ol style="list-style-type: none"><li>1. There was Rural Enterprise Justification for the dwelling based on existing stocking levels, the overall size of the farm acreage and the scale of the farm operations.</li><li>2. With regard to the siting of the development, there was no other appropriate building on the farm yard, Policy H5 of the LDP had a presumption against the conversion of rural buildings in working use into a residential property, it was inappropriate to build an extension/annexe to the existing farmhouse due to overlooking and any development to the left hand side of the farm complex would preclude future farm development in that area.</li><li>3. The application complied with the provisions of the Well-Being of Future Generations (Wales) Act 2015 in relation to the generational continuation of farming</li></ol>
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	<p>The Committee also felt if the application were to be granted, the proposed new dwelling should be regarded as a Rural Enterprise Dwelling and tied to the farm complex to prevent its future sale as a separate entity from the farm holding. A condition was also to be applied for the provision of a visibility splay at the site entrance for highway safety</p> <p>Officers responded to the issues raised during consideration of the report.</p>
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**5. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE:-**

**5.1. 3RD DECEMBER 2020**

**RESOLVED** that the minutes of the meeting of the Committee held on the 3<sup>rd</sup> December, 2020, be signed as a correct record.

**5.2. 15TH DECEMBER 2020**

**RESOLVED** that the minutes of the meeting of the Committee held on the 15<sup>th</sup> December, 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.]*

# Agenda Item 8

By virtue of paragraph(s) 16 of Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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