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TUESDAY, 19 OCTOBER 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 TUESDAY, 26TH OCTOBER, 2021** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Wendy Walters

CHIEF EXECUTIVE

Democratic Officer:	Kevin Thomas
Telephone (direct line):	01267 224027
E-Mail:	Democraticservices@carmarthenshire.gov.uk

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

PLANNING COMMITTEE

20 MEMBERS

PLAID CYMRU GROUP - 10 MEMBERS

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

LABOUR GROUP - 4 MEMBERS

- | | | |
|----|-------------------------------|--|
| 1. | Councillor Deryk Cundy | |
| 2. | Councillor John James | Member of Pembrey & Burry Port Community Council |
| 3. | Councillor Kevin Madge | Member of Cwmamman Town Council |
| 4. | Vacancy | |

INDEPENDENT GROUP - 4 MEMBERS

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

NEW INDEPENDENT GROUP – 2 MEMBERS

- | | | |
|----|----------------|--|
| 1. | Vacancy | |
| 2. | Vacancy | |

A G E N D A

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF PERSONAL INTERESTS**
- 3. DETERMINATION OF PLANNING APPLICATIONS**

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**Cyngor Sir Caerfyrddin
Carmarthenshire County Council**

**PWYLLGOR CYNLLUNIO
PLANNING COMMITTEE**

**Adroddiad Pennaeth Cynllunio
Adran yr Amgylchedd**

**Report of the Head of Planning
Environment Department**

26/10/2021

**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.

COMMITTEE:	PLANNING COMMITTEE
DATE:	26.10.2021
REPORT OF:	HEAD OF PLANNING

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL	PAGE NO'S
PL/02032	Proposed build of detached 3 bedroom house at old Church Hall, High Street, Llansteffan, Carmarthen, SA33 5JZ	10-21
PL/02075	Proposed build of detached 3 bedroom house at old Church Hall, High Street, Llansteffan, Carmarthen, SA33 5JZ	22-30
PL/02208	Change of use from residential to children's residential care home from age 7-18. Work involves total renovation of the property and some material changes to the façade of the building (north elevation) at Compton House, Heol Caegwyn, Defach, Llanelli, SA14 7BA	31-37
PL/02254	Proposed demolition and replacement of existing dwelling in poor condition to create new 3 bedroom property at Sunnyside, Capel Seion Road, Pontyberem, Llanelli, SA15 5AR	38-46
PL/02658	The scheme consists of the following elements: (1) proposed bridge with northern and southern approach ramps; (2) shared use path links; and (3) associated fencing at Llanelli Spinal Route A484, Trostre, Llanelli	47-53

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL	PAGE NO'S
E/40436	Change of use from in-formal vehicle parking to self storage containers secure compound (B8 Use Class) re-submission of E/39180 at land adjacent to Station Road Workshops, Station Road, Ammanford, SA18 3SY	55-61
PL/01515	Construction of a rural enterprise dwellinghouse (resubmission of W/39836 refused 03/12/2020) at land part of Trewern Farm, Llysonnen Road, Abernant, Carmarthen, SA33 5EW	62-70
PL/01992	Retention of detached domestic outbuilding at 4 Maes Yr Eglwys, Llansaint, Kidwelly, SA17 5JE	71-76

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	PL/02032
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Application Type	Full Planning
Proposal & Location	PROPOSED BUILD OF DETACHED 3 BEDROOM HOUSE AT OLD CHURCH HALL, HIGH STREET, LLANSTEFFAN, CARMARTHEN, SA33 5JZ

Applicant(s)	IWAN WILLIAMS-EVANS
Case Officer	Paul Roberts
Ward	Llansteffan
Date registered	15/06/2021

Reason for Committee

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

Site

The application site consists of the curtilage of a property known as the Old Church Hall located off the southern side of High Street in the centre of Llansteffan. The building is a single storey timber frame structure that has corrugated metal sheeting cladding on its external elevations and fibre cement panels on its low pitched roof. The front of the hall has a small central projection that provides the access to the building and a further lean-to section that projects up to the footway adjacent to the roadway and is of a partly stone and corrugated sheeting construction. The latter adjoins a low stone wall and railings which front the site.

The building was originally erected as a temporary structure often described as a 'tin tabernacle' which was to provide a church hall in the village while the permanent church hall was being constructed further along the High Street in the 1930s. The building is currently in state of disrepair being partly overgrown with ivy and vegetation with large parts of its corrugated cladding being in a poor corroded condition. Its timber windows are rotten and irreversibly damaged with many being devoid of any glazing and open to the elements. It has an unkempt appearance that is discordant with the appearance of surrounding properties along the roadway that are generally in a good state of repair.

The site is located within a primarily residential area with the village shop being located a short distance to the south west along the roadway. It is flanked on either side by existing residential properties with the houses of Maesgriffith and their parking facilities located to the north and wrapping around the rear of the site. There is a large modern detached dormer bungalow located immediately to the south west.

The site falls within the Llansteffan conservation area which includes the built form of the village as well as the castle and its wider setting. The character of the immediate area derives from the generally uniform appearance of the dwellings with their traditional design and appearance consisting of balanced front facades with symmetrically positioned windows as well as bay window features. These features combined with their traditional painted rendered elevations and slate clad roofs contribute positively to the character of the street scene and wider conservation area. The neighbouring bungalow stands in stark contrast to this general uniformity of design with its modern design, dormer style windows and timber clad elevations.

Proposal

The application seeks full planning permission to demolish the existing church hall and construct a new three bedroom detached house on the site. The site's location within the conservation area means that the demolition of the church hall also requires conservation area consent and this application is also presented to Committee for determination under planning application PL/02075.

The new dwelling is to be of a two storey construction and will be positioned at a comparable depth within the site to the neighbouring houses of Maesgriffith being offset from the common boundaries shared with the properties either side. It will be of modest proportions having a footprint of 6.3 metres by 9 metres with a balanced front façade and comparable ridge and eaves levels to adjacent properties. The dwelling will have painted rendered elevations set above a low facing brick plinth and slated roof with painted timber doors and windows.

Part of the existing stone walling to the front of the hall is to be retained as part of the development and whilst a section of the wall, railings and gated entrance will need to be removed to redevelop the site, they will be retained and reinstated where possible or alternatively replaced on a like for like basis. The existing boundary features either side and to the rear of the hall are to be retained as part of the development and the new dwelling will have the benefit of a small private garden in its side and rear curtilage. No off road parking facilities are provided within the development with vehicles parking to the front of the site as is the case with the existing hall.

The application has been accompanied by a number of supporting documents which include a structural survey of the existing church hall, heritage impact assessment, design and access statement and bat survey of the existing building.

The structural survey concludes that the existing hall is in a very poor condition and confirms that some areas of the building have deteriorated into a dangerous condition. It indicates that the timber structure of the building is suffering from damp ingress and rot and is unlikely to have suitable foundations. Parts of the building have suffered significant damage from water ingress where the timber sole and head plates and supporting timbers, including the floor structure, have rotted and collapsed.

The survey confirms that the cement fibre roof covering is also in a poor condition and leaking and replacing this covering together with the required insulation to bring it up to building regulation standards would mean additional loading on the roof structure. This will require the replacement of the A-frames of the roof which will, in turn, overload the upright supporting posts that form the main supporting structure of the building which will need to be replaced or reinforced. The current supporting frame would not comply with current

building regulations in terms of its design loads and the survey suggests that the current construction of the external walls would also not allow for the installation of insulation that would meet current requirements. Attention is also drawn to the poor condition of the windows and windows in the survey which, it recommends, will all need to be replaced together with the suspended timber floor of the building.

The survey concludes that the poor condition of the building and the extent of the works required to bring it up to modern day standards would not be cost effective and therefore recommends that it be demolished and replaced.

The heritage impact assessment provides a brief assessment of the significance of the building in the village. It draws on the findings of the structural survey in referring to its poor condition which it suggests precludes it from being restored and re-used. The assessment highlights that the building is not listed and was originally built as a temporary structure whose use appears to have been limited since it was built. It suggests that there is no information available to indicate that the building made a significant contribution to local cultural or public life in the village and that it holds little communal value and has no significant symbolic or spiritual value to the community.

The applicant indicates that building has been in the ownership of his family since 1979 when it was used as a storage unit and this use ceased in 2009. The building has since been empty and fallen into its current state of disrepair which the applicant suggests does not make a positive contribution towards the character of the conservation area. Information is provided on the various options considered by the applicant prior to the submission of the current proposal to demolish and replace the building with a new dwelling. The option to restore the building was discounted on the basis of the findings of the structural survey which recommends that the building be demolished. The option of rebuilding the hall was not considered feasible primarily on the basis that there is already a church hall in the village that has been used by the community since the 1930's and the old church hall on the site has been in private ownership and therefore not available for community use for a period of in excess of 40 years. The assessment together with the accompanying design and access statement emphasise the benefits of the development to the wider conservation area in removing the existing unsightly structure and replacing it with a new dwelling whose design and finishes will be in keeping with and enhance the appearance of the existing street scene and that of the wider conservation area.

The application has been accompanied by a unilateral undertaking that will secure a financial contribution towards the provision of affordable housing in the local area.

Finally, it is of note that the application is a resubmission of a previous planning application that was refused by officers under planning application reference PL/0530 in March of this year. The application was refused on the basis of the applicant's failure to provide an up-to-date bat survey of the existing church hall to enable officers to assess the impact of the development upon any bats using the building. The current application includes an appropriate survey which, as mentioned above, confirms the absence of any bats in the building.

Planning Site History

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

- PL/00531 Proposed build of 3 bedroom house on land at High Street. Demolition of existing dilapidated old Church Hall Demolition in a Conservation Area refused - 19 March 2021
- PL/00530 Proposed build of 3 bedroom house on land at High Street. Demolition of existing dilapidated old Church Hall Full planning refused - 19 March 2021
- D4/6161 Stores and workshop Refusal - 10 July 1979

Planning Policy

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

- SP1 Sustainable Places and Spaces
SP9 Transportation
SP13 Protection and Enhancement of the built and Historic Environment
SP14 Protection and Enhancement of the Natural Environment.
GP1 Sustainability and High Quality Design
GP2 Development Limits
H2 Housing within Development Limits
AH1 Affordable Housing
TR3 Highways in Developments – Design Considerations
EQ1 Protection of Buildings, Landscapes and Features of Historic Importance
EQ4 Biodiversity

National Planning Policy

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Llansteffan and Llanybri Community Council – Have raised no objection to the application. The Council request that consideration be given to parking issues associated with the development and that the property's design be in keeping with the character of the conservation area.

Local Member – County Councillor Carys Jones is a member of the Planning Committee and has not commented on the application to date.

Dwr Cymru Welsh Water – Has raised no objection.

Sustainable Drainage Approval Body (SAB) – Has confirmed that the proposal will not require a separate SAB application.

Head of Transport – Has raised no objection

Dyfed Archaeological Trust – Has raised no objection.

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

Summary of Public Representations

The application was publicised with the posting of a site notice to the front of the application site and a notice in the local newspaper. Two letters of representation have been received from neighbouring residents which raise the following issues of concern:-

- The proposal will demolish a building that is of interest and character and has been part of the heritage of the village.
- Lack of parking on an already overcrowded street.
- Loss of privacy to the rear garden of the adjacent properties.
- The finishes of the building should be in keeping with neighbouring properties.
- The proposal does not preserve or enhance the character and appearance of the conservation area.
- Health and safety concerns regarding the demolition works and the removal of any asbestos in the site.
- The proposal is contrary the objectives of the policies of the LDP.
- The application has failed to adequately demonstrate how the proposed new dwelling will take account of the character and amenity of the conservation area.
- It is not sustainable to demolish and rebuild, the most sustainable option would be to reuse the building and not demolish it.
- The building could be converted to a dwelling without a loss to the character of the community.
- No allowance has been made for renewable energy to be incorporated in the development.
- The building has cultural and historic significance in the conservation area which has not been adequately considered in the application.
- Whilst the siting, appearance and design of the new dwelling are contextual to the neighbouring properties, they do not reflect the current scale of the building being removed.
- Lack of reference to the material being used.
- Ecological impact with removal of ivy and other growth associated with the building.
- Lack of surface water drainage details.
- The building brings significant joy and value to the community and the social and historical context of the village and cannot be assumed to be an 'eyesore'.

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

Appraisal

The principal issues in the determination of the application are discussed below.

Principle of the Development and Impact Upon the Character and Appearance of the Conservation Area

The principal policy context for the application is provided by policies SP13 and EQ1 of the LDP which require that development proposals affecting townscapes, buildings and sites of historic interest which make an important contribution to the local character and interests of the area should only be permitted where they preserve and enhance the built and historic environment. These policies reflect the objectives of national planning policy set out in Planning Policy Wales and Technical Advice Note 24 : The Historic Environment, as well as those of The Planning (Listed Buildings and Conservation Areas) Act 1990 of seeking to preserve and enhance the character and appearance of conservation areas.

Technical Advice Note 24 provides specific advice on the demolition of buildings in conservation areas and requires that there should be a general presumption in favour of retaining those buildings which make a positive contribution towards their character and appearance. It recommends that proposals to demolish such buildings should be assessed against the same three broad criteria as those to demolish listed buildings. The first relates to the condition of the building and cost of repair in relation to its importance and value derived from its continued use, while the second considers the efforts made to keep the building in use or secure a new use. The final criteria relates to the merits of the alternative proposals for the site in terms of the acceptability of its design and whether there are benefits for the community that would outweigh the loss resulting from demolition. In instances where it is considered the building makes little or no contribution, the TAN advises that consent for its demolition should not be given without an acceptable proposal to reuse the site.

The structural survey accompanying the application provides a detailed analysis of the condition of the existing hall confirming its poor condition with some parts of the structure having deteriorated to the extent that they are currently in a dangerous condition. Whilst the building forms part of and contributes towards the character and appearance of the wider conservation area, its aesthetic contribution has diminished over time as its condition has deteriorated to its current unkempt appearance. The Authority's built heritage officer has raised concerns regarding the demolition of the building suggesting that it has potential heritage value in light of its previous community use, and a third party respondent supports this view and requests that the building be renovated rather than demolished suggesting that this would also be the most sustainable option for the site.

The building is not listed or of any significant architectural interest, nor is there any evidence to suggest that it is of significant cultural or historic value with its use as a community facility having been on a temporary basis. Moreover, it is of note that it is not identified as a building of architectural or historic interest in the Authority's historic appraisal of the Llansteffan conservation area. Its poor condition and structural deficiencies would require extensive physical intervention and reconstruction works to reuse the building as a community facility or indeed a dwelling and meet current building regulation requirements. The extent of the physical works, including the construction of the new roof and supporting timber frame structure, would be tantamount to a new building within the site as opposed to a renovation. There is also no functional need to retain the building as a hall given it has been replaced by a new permanent facility located a short distance away and the site has been in private ownership rather than community use for in excess of 40 years. The structural survey

recommends that it would not be cost effective to renovate the building up to modern day standards and although this alone is not a sound basis upon which to permit the demolition of the building, nonetheless it is a material planning consideration in that if planning permission is refused for the proposal to replace the building and it is not economically viable to bring the current structure back into a beneficial use, it is likely to continue to lie vacant, deteriorate further and detract from the appearance of the street scene and wider conservation area.

The proposal is therefore considered to accord with the first two criterion of the TAN in that the building is not of any historic significance and its poor condition and structural deficiencies mean that it is not economically viable to repair and renovate the building either as a hall or any alternative suitable use. Moreover, there would be no value derived from its continued use as a community facility.

Turning to the design of the current proposal, the proposed new dwelling will clearly introduce a different built form to the site from that of the existing single storey hall. Nonetheless, its simplistic design reflects the character and dominant features of existing residential properties within the street and ensure that it will not be discordant with their appearance or that of the wider conservation area. The position of the dwelling in the site and distance from the roadway will reflect those of the adjacent properties of the Maesgriffith development while ensuring the living conditions of adjacent occupiers will not be unacceptably harmed. Its painted render elevations, slated roof and the general arrangement, proportions and timber finish of the fenestration will not run contrary to the design features of surrounding properties that contribute positively to the character of the conservation area. Its design also complements the new houses proposed in a development of 16 new dwellings that has recently been granted permission to the rear of the site as an extension of the existing Maesgriffith development. The ridge and eaves heights will reflect those of the adjacent houses and whilst part of the existing stone walling, railings and gated entrance will need to be removed to redevelop the site, they will be retained where possible and reinstated as part of the development to maintain the traditional façade of the site.

The built heritage officer has opined that the general character of the hall and surrounding area is one of double fronted designs and suggests it would be feasible that the new dwelling could reflect this design, while also incorporating a traditional chimney feature. However, the double fronted detached properties along the street are generally much wider than the new dwelling proposed which, given its restricted, would mean that the additional fenestration would appear to have been squeezed into the front elevation thereby appearing awkward and contrived. As to the addition of the chimney, whilst they are a common feature in the wider street scene there are numerous properties that do not have chimneys and its omission from the design does not unacceptably detract from its appearance and would not be a reason upon which to refuse the application.

In terms of the benefits of the proposal, it will provide a new residential use for a vacant and underused site replacing an existing unkempt building that no longer provides a functional role in the village. It will improve and enhance the appearance of the site in the wider conservation area providing a modest sized dwelling while also making a financial contribution towards the provision of affordable housing in local area. It will be located in a sustainable location being compatible with the residential area wherein it is located while also helping to sustain and support its existing community facilities such as the shop, public houses and school which are located a short distance from the site. Moreover, the on-street parking requirements of the new dwelling will be significantly less than that associated with the community hall whereby the proposal will provide betterment in terms of the demand for

on street parking along the roadway, which was a concern raised by the respondents. These benefits are in accord with the policy ethos of both the LDP and national planning policy and outweigh the harm of demolishing the existing building which is in a poor condition and of no historic significance.

The proposal to demolish the building is therefore in accord with the requirements of TAN 24 while its redevelopment will also be in compliance with the wider objectives of Policies SP13 and EQ1 of the LDP and those of national planning policy in that it will enhance the character and appearance of the conservation area.

Other Matters

With regard to the concerns raised regarding the lack of parking, the Head of Transport has raised no objection to the occupiers of the new dwelling parking on the roadway to the front of the dwelling given that its residential use will, as referred to above, reduce the demand for on street in comparison with the site's current extant use as a community hall. In addition, the sustainable location of the site on a bus route and within walking distance of the existing bus stops on High Street will mean that the occupiers will have good access to sustainable means of travel while also being just a short walk from the main services and facilities in the village.

The proposal is therefore to be in compliance with Policies SP1, SP9, GP1 and TR3 of the LDP in terms of its sustainability and highway impacts upon the surrounding area.

As to the concerns regarding the perceived loss of privacy to neighbouring residents. Whilst the new dwelling will have a first floor window that will have an angled outlook towards the rear garden of the neighbouring bungalow and house either side of the site, the extent of the overlooking will be no greater than that normally associated with two adjacent properties in that there will be no direct outlook towards habitable windows or the private area immediately to the rear of the adjacent dwellings. The living standards of the occupiers of these properties will not therefore be unacceptably harmed and the proposal accords with the requirements of Policy GP1 in this regard.

The health and safety concerns raised by the respondents are outside the scope of planning control. In terms of the respondents' suggestion that no allowance has been made for renewable energy provision within the development, whilst this in itself is not a basis upon which to refuse the application, it is of note that the addition of measures such as solar panels to the roof of the new dwelling would detract from its appearance in the wider conservation which is largely devoid of such features.

Concerns regarding the ecological impact of the proposal are unfounded in that the applicant has provided a bat survey of the building which confirms their absence from the building. The existing ivy and other vegetation growth in the site are considered to be of no biodiversity interest.

Finally, with regard to surface water drainage, the modest size of the dwelling will mean that it will not require SAB approval, however, the details submitted indicate that surface water from the new dwelling will be disposed to a soakaway within the site. The detailed design of the soakaway will be considered separately as part of any subsequent building regulation application.

Planning Obligations

The permission granted will be subject to a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 securing a financial contribution towards the provision of affordable housing in the local area.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted, together with the representations received, it is concluded on balance that the proposal is acceptable and in compliance with the policy objectives of the Authority's adopted LDP and national planning policy.

The application is therefore put forward with a favourable recommendation. Members will have noted that the separate application for conservation area consent (PL/02075) to demolish the existing church hall, which is also presented to Committee for determination, is also recommended for approval.

Recommendation - Approval

Conditions and Reasons

Condition 1.

The works hereby granted consent shall be commenced before the expiration of five years from the date of this permission.

Reason:

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

Condition 2.

The development shall be carried out in accordance with the following approved plans and documents received on 7 June 2021, unless otherwise stipulated by conditions:-

- Existing block and location plan (LP01);
- Proposed block and demolition plan (PL-02);
- Proposed floor plans and elevations (PL-03);
- Bat Scoping and Activity Report prepared by Habitat Matters dated May 2021;
- Heritage Impact Assessment;
- Design and Access Statement.

Reason:

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

Condition 3.

The development hereby approved shall be undertaken in strict accordance with the recommendations contained in Section 5 of the bat survey report prepared by Habitat Matters dated May 2021 received on 21 September 2020.

Reason:

In order to ensure that there is no detriment to the maintenance of the favourable conservation status of Bat species

Condition 4.

No development site clearance shall take place until a details of a scheme of biodiversity enhancements proposed as part of the development have been submitted to and approved in writing by the local planning authority. The scheme shall include the provision of bird nesting and bat roosting boxes and the development shall be implemented in accordance with the approved details.

Reason:

In the interests of biodiversity.

Condition 5.

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 landscaping. The scheme shall include details of both hard and soft landscaping works, and the soft landscaping works shall include planting plans, written specifications, schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate.

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 interests of visual amenity.

Condition 6.

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 provide an appropriate photographic record of the building.

Condition 7.

No development or site clearance shall take place until a plan indicating the positions, height, design, materials and type of boundary treatment to be retained and erected as part of the development has been submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the dwelling is occupied.

Reason:

In the interests of visual amenity.

Condition 8.

Before the development hereby permitted is brought into use, the first floor landing window proposed in the northern side elevation of the dwelling, as shown in the proposed floor plans and elevations (PL-03) received on 7 June 2021, shall be fitted with obscured glazing and any part of the window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason:

To safeguard the living conditions of adjacent occupiers.

Notes/Informatives

Note 1.

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

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

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

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

Note 2.

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

Note 3.

The applicant is advised that this planning permission is subject to a Unilateral Undertaking requiring the payment of a financial contribution of £7,370.01 towards the provision of affordable housing.

Application No	PL/02075
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Application Type	Demolition in a Conservation Area
Proposal & Location	PROPOSED BUILD OF DETACHED 3 BEDROOM HOUSE AT OLD CHURCH HALL, HIGH STREET, LLANSTEFFAN, CARMARTHEN, SA33 5JZ

Applicant(s)	IWAN WILLIAMS-EVANS
Case Officer	Paul Roberts
Ward	Llansteffan
Date registered	16/06/2021

Reason for Committee

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

Site

The application site consists of the curtilage of a property known as the Old Church Hall located off the southern side of High Street in the centre of Llansteffan. The building is a single storey timber frame structure that has corrugated metal sheeting cladding on its external elevations and fibre cement panels on its low pitched roof. The front of the hall has a small central projection that provides the access to the building and a further lean-to section that projects up to the footway adjacent to the roadway and is of a partly stone and corrugated sheeting construction. The latter adjoins a low stone wall and railings which front the site.

The building was originally erected as a temporary structure often described as a 'tin tabernacle' which was to provide a church hall in the village while the permanent church hall was being constructed further along the High Street in the 1930s. The building is currently in state of disrepair being partly overgrown with ivy and vegetation with large parts of its corrugated cladding being in a poor corroded condition. Its timber windows are rotten and irreversibly damaged with many being devoid of any glazing and open to the elements. It has an unkempt appearance that is discordant with the appearance of surrounding properties along the roadway that are generally in a good state of repair.

The site is located within a primarily residential area with the village shop being located a short distance to the south west along the roadway. It is flanked on either side by existing residential properties with the houses of Maesgriffith and their parking facilities located to the north and wrapping around the rear of the site. There is a large modern detached dormer bungalow located immediately to the south west.

The site falls within the Llansteffan conservation area which includes the built form of the village as well as the castle and its wider setting. The character of the immediate area derives from the generally uniform appearance of the dwellings with their traditional design and appearance consisting of balanced front facades with symmetrically positioned windows as well as bay window features. These features combined with their traditional painted rendered elevations and slate clad roofs contribute positively to the character of the street scene and wider conservation area. The neighbouring bungalow stands in stark contrast to this general uniformity of design with its modern design, dormer style windows and timber clad elevations.

Proposal

The application seeks conservation area consent to demolish the existing church hall within the site and has been submitted in association with a separate application for full planning permission to demolish the building and construct a new three bedroom detached house on the site. This separate application is also presented to Committee for determination under planning application PL/02032

The new dwelling is to be of a two storey construction and will be positioned at a comparable depth within the site to the neighbouring houses of Maesgriffith being offset from the common boundaries shared with the properties either side. It will be of modest proportions having a footprint of 6.3 metres by 9 metres with a balanced front façade and comparable ridge and eaves levels to adjacent properties. The dwelling will have painted rendered elevations set above a low facing brick plinth and slated roof with painted timber doors and windows.

Part of the existing stone walling to the front of the hall is to be retained as part of the development and whilst a section of the wall, railings and gated entrance will need to be removed to redevelop the site, they will be retained and reinstated where possible or alternatively replaced on a like for like basis. The existing boundary features either side and to the rear of the hall are to be retained as part of the development and the new dwelling will have the benefit of a small private garden in its side and rear curtilage. No off road parking facilities are provided within the development with vehicles parking to the front of the site as is the case with the existing hall.

The application has been accompanied by a number of supporting documents which include a structural survey of the existing church hall, heritage impact assessment, design and access statement and bat survey of the existing building.

The structural survey concludes that the existing hall is in a very poor condition and confirms that some areas of the building have deteriorated into a dangerous condition. It indicates that the timber structure of the building is suffering from damp ingress and rot and is unlikely to have suitable foundations. Parts of the building have suffered significant damage from water ingress where the timber sole and head plates and supporting timbers, including the floor structure, have rotted and collapsed.

The survey confirms that the cement fibre roof covering is also in a poor condition and leaking and replacing this covering together with the required insulation to bring it up to building regulation standards would mean additional loading on the roof structure. This will require the replacement of the A-frames of the roof which will, in turn, overload the upright supporting posts that form the main supporting structure of the building which will need to

be replaced or reinforced. The current supporting frame would not comply with current building regulations in terms of its design loads and the survey suggests that the current construction of the external walls would also not allow for the installation of insulation that would meet current requirements. Attention is also drawn to the poor condition of the windows and windows in the survey which, it recommends, will all need to be replaced together with the suspended timber floor of the building.

The survey concludes that the poor condition of the building and the extent of the works required to bring it up to modern day standards would not be cost effective and therefore recommends that it be demolished and replaced.

The heritage impact assessment provides a brief assessment of the significance of the building in the village. It draws on the findings of the structural survey in referring to its poor condition which it suggests precludes it from being restored and re-used. The assessment highlights that the building is not listed and was originally built as a temporary structure whose use appears to have been limited since it was built. It suggests that there is no information available to indicate that the building made a significant contribution to local cultural or public life in the village and that it holds little communal value and has no significant symbolic or spiritual value to the community.

The applicant indicates that building has been in the ownership of his family since 1979 when it was used as a storage unit and this use ceased in 2009. The building has since been empty and fallen into its current state of disrepair which the applicant suggests does not make a positive contribution towards the character of the conservation area. Information is provided on the various options considered by the applicant prior to the submission of the current proposal to demolish and replace the building with a new dwelling. The option to restore the building was discounted on the basis of the findings of the structural survey which recommends that the building be demolished. The option of rebuilding the hall was not considered feasible primarily on the basis that there is already a church hall in the village that has been used by the community since the 1930's and the old church hall on the site has been in private ownership and therefore not available for community use for a period of in excess of 40 years. The assessment together with the accompanying design and access statement emphasise the benefits of the development to the wider conservation area in removing the existing unsightly structure and replacing it with a new dwelling whose design and finishes will be in keeping with and enhance the appearance of the existing street scene and that of the wider conservation area.

It is of note that the application is a resubmission of a previous planning application that was refused by officers under planning application reference PL/00531 in March of this year. The application was refused on the basis that the corresponding application for full planning permission to redevelop a new dwelling on the site (PL/00530) was refused by officer's given the applicant had failed to provide an up-to-date bat survey of the existing church hall to enable officers to assess the impact of the development upon bats. To grant conservation area consent without planning permission having been granted to redevelop the site would have been contrary to advice contained in Technical Advice Note 24 and be harmful to the character and appearance of Llansteffan Conservation Area, whereby the existing building could be demolished without redeveloping the site.

The current application for full planning referred to above and which is also presented to Committee for determination under planning application PL/02032, has addressed this previous reason for refusal in that it is accompanied by an up to date bat survey that confirms that there are no bats using the existing building.

Planning Site History

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

PL/00531 Proposed build of 3 bedroom house on land at High Street. Demolition of existing dilapidated old Church Hall
Demolition in a Conservation Area refused - 19 March 2021

PL/00530 Proposed build of 3 bedroom house on land at High Street. Demolition of existing dilapidated old Church Hall
Full planning refused - 19 March 2021

D4/6161 Stores and workshop
Refusal - 10 July 1979

Planning Policy

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

SP13 Protection and Enhancement of the built and Historic Environment
EQ1 Protection of Buildings, Landscapes and Features of Historic Importance

National Planning Policy

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Llansteffan and Llanybri Community Council – Have raised no objection to the application. The Council request that consideration be given to parking issues associated with the development and that the property's design be in keeping with the character of the conservation area.

Local Member – County Councillor Carys Jones is a member of the Planning Committee and has not commented on the application to date.

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

Summary of Public Representations

The application was publicised with the posting of a site notice to the front of the application site and a notice in the local newspaper. Two letters of representation have been received from neighbouring residents which raise the following issues of concern :

- The proposal will demolish a building that is of interest and character and has been part of the heritage of the village.
- Lack of parking on an already overcrowded street.
- Loss of privacy to the rear garden of the adjacent properties.
- The finishes of the building should be in keeping with neighbouring properties.

- The proposal does not preserve or enhance the character and appearance of the conservation area.
- Health and safety concerns regarding the demolition works and the removal of any asbestos in the site.
- The proposal is contrary the objectives of the policies of the LDP.
- The application has failed to adequately demonstrate how the proposed new dwelling will take account of the character and amenity of the conservation area.
- It is not sustainable to demolish and rebuild, the most sustainable option would be to reuse the building and not demolish it.
- The building could be converted to a dwelling without a loss to the character of the community.
- No allowance has been made for renewable energy to be incorporated in the development.
- The building has cultural and historic significance in the conservation area which has not been adequately considered in the application.
- Whilst the siting, appearance and design of the new dwelling are contextual to the neighbouring properties, they do not reflect the current scale of the building being removed.
- Lack of reference to the material being used.
- Ecological impact with removal of ivy and other growth associated with the building.
- Lack of surface water drainage details.
- The building brings significant joy and value to the community and the social and historical context of the village and cannot be assumed to be an 'eyesore'.

Appraisal

The principal issues in the determination of the application are discussed below.

Principle of the Development and Impact Upon the Character and Appearance of the Conservation Area

The principal policy context for the application is provided by policies SP13 and EQ1 of the LDP which require that development proposals affecting townscapes, buildings and sites of historic interest which make an important contribution to the local character and interests of the area should only be permitted where they preserve and enhance the built and historic environment. These policies reflect the objectives of national planning policy set out in Planning Policy Wales and Technical Advice Note 24 : The Historic Environment, as well as those of The Planning (Listed Buildings and Conservation Areas) Act 1990 of seeking to preserve and enhance the character and appearance of conservation areas.

Technical Advice Note 24 provides specific advice on the demolition of buildings in conservation areas and requires that there should be a general presumption in favour of retaining those buildings which make a positive contribution towards their character and appearance. It recommends that proposals to demolish such buildings should be assessed against the same three broad criteria as those to demolish listed buildings. The first relates to the condition of the building and cost of repair in relation to its importance and value derived from its continued use, while the second considers the efforts made to keep the building in use or secure a new use. The final criteria relates to the merits of the alternative proposals for the site in terms of the acceptability of its design and whether there are benefits for the community that would outweigh the loss resulting from demolition. In instances where

it is considered the building makes little or no contribution, the TAN advises that consent for its demolition should not be given without an acceptable proposal to reuse the site.

The structural survey accompanying the application provides a detailed analysis of the condition of the existing hall confirming its poor condition with some parts of the structure having deteriorated to the extent that they are currently in a dangerous condition. Whilst the building forms part of and contributes towards the character and appearance of the wider conservation area, its aesthetic contribution has diminished over time as its condition has deteriorated to its current unkempt appearance. The Authority's built heritage officer has raised concerns regarding the demolition of the building suggesting that it has potential heritage value in light of its previous community use, and a third party respondent supports this view and requests that the building be renovated rather than demolished suggesting that this would also be the most sustainable option for the site.

The building is not listed or of any significant architectural interest, nor is there any evidence to suggest that it is of significant cultural or historic value with its use as a community facility having been on a temporary basis. Moreover, it is of note that it is not identified as a building of architectural or historic interest in the Authority's historic appraisal of the Llansteffan conservation area. Its poor condition and structural deficiencies would require extensive physical intervention and reconstruction works to reuse the building as a community facility or indeed a dwelling and meet current building regulation requirements. The extent of the physical works, including the construction of the new roof and supporting timber frame structure, would be tantamount to a new building within the site as opposed to a renovation. There is also no functional need to retain the building as a hall given it has been replaced by a new permanent facility located a short distance away and the site has been in private ownership rather than community use for in excess of 40 years. The structural survey recommends that it would not be cost effective to renovate the building up to modern day standards and although this alone is not a sound basis upon which to permit the demolition of the building, nonetheless it is a material planning consideration in that if planning permission is refused for the proposal to replace the building and it is not economically viable to bring the current structure back into a beneficial use, it is likely to continue to lie vacant, deteriorate further and detract from the appearance of the street scene and wider conservation area.

The proposal is therefore considered to accord with the first two criterion of the TAN in that the building is not of any historic significance and its poor condition and structural deficiencies mean that it is not economically viable to repair and renovate the building either as a hall or any alternative suitable use. Moreover, there would be no value derived from its continued use as a community facility.

Turning to the design of the current proposal, the proposed new dwelling will clearly introduce a different built form to the site from that of the existing single storey hall. Nonetheless, its simplistic design reflects the character and dominant features of existing residential properties within the street and ensure that it will not be discordant with their appearance or that of the wider conservation area. The position of the dwelling in the site and distance from the roadway will reflect those of the adjacent properties of the Maesgriffith development while ensuring the living conditions of adjacent occupiers will not be unacceptably harmed. Its painted render elevations, slated roof and the general arrangement, proportions and timber finish of the fenestration will not run contrary to the design features of surrounding properties that contribute positively to the character of the conservation area. Its design also complements the new houses proposed in a development of 16 new dwellings that has recently been granted permission to the rear of the site as an

extension of the existing Maesgriffith development. The ridge and eaves heights will reflect those of the adjacent houses and whilst part of the existing stone walling, railings and gated entrance will need to be removed to redevelop the site, they will be retained where possible and reinstated as part of the development to maintain the traditional façade of the site.

The built heritage officer has opined that the general character of the hall and surrounding area is one of double fronted designs and suggests it would be feasible that the new dwelling could reflect this design, while also incorporating a traditional chimney feature. However, the double fronted detached properties along the street are generally much wider than the new dwelling proposed which, given its restricted, would mean that the additional fenestration would appear to have been squeezed into the front elevation thereby appearing awkward and contrived. As to the addition of the chimney, whilst they are a common feature in the wider street scene there are numerous properties that do not have chimneys and its omission from the design does not unacceptably detract from its appearance and would not be a reason upon which to refuse the application.

In terms of the benefits of the proposal, it will provide a new residential use for a vacant and underused site replacing an existing unkempt building that no longer provides a functional role in the village. It will improve and enhance the appearance of the site in the wider conservation area providing a modest sized dwelling while also making a financial contribution towards the provision of affordable housing in local area. It will be located in a sustainable location being compatible with the residential area wherein it is located while also helping to sustain and support its existing community facilities such as the shop, public houses and school which are located a short distance from the site. Moreover, the on-street parking requirements of the new dwelling will be significantly less than that associated with the community hall whereby the proposal will provide betterment in terms of the demand for on street parking along the roadway, which was a concern raised by the respondents. These benefits are in accord with the policy ethos of both the LDP and national planning policy and outweigh the harm of demolishing the existing building which is in a poor condition and of no historic significance.

The proposal to demolish the building is therefore in accord with the requirements of TAN 24 while its redevelopment will also be in compliance with the wider objectives of Policies SP13 and EQ1 of the LDP and those of national planning policy in that it will enhance the character and appearance of the conservation area.

Planning Obligations

No

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted, together with the representations received, it is concluded on balance that the proposal is acceptable and in compliance with the policy objectives of the Authority's adopted LDP and national planning policy.

The application is therefore put forward with a favourable recommendation. Members will have noted that the separate application for planning permission (PL/02032) to demolish the existing church hall and construct a new dwelling on the site, which is also presented to Committee for determination, is also recommended for approval.

Recommendation - Approval

Conditions and Reasons

Condition 1.

The works hereby granted consent shall be commenced before the expiration of five years from the date of this permission.

Reason:

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

Condition 2.

The development shall be carried out in accordance with the following approved plans and documents received on 7 June 2021, unless otherwise stipulated by conditions:-

- Existing block and location plan (LP01);
- Proposed block and demolition plan (PL-02);
- Proposed floor plans and elevations (PL-03);
- Bat scoping and activity report prepared by Habitat Matters dated May 2021;
- Heritage Impact Assessment;
- Design and Access Statement.

Reason:

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

Condition 3.

No development, demolition or site clearance works shall take place until details of a contract for carrying out the work to redevelop the site in accordance with the details approved under planning permission reference PL/02032 has been submitted to and approved in writing by the local planning authority. The details shall include confirmation that all pre-commencement conditions imposed on the planning permission (PL/02032) have been discharged together with a scheme for the proposed phasing and timing of the development. The development shall be undertaken in accordance with the approved details.

Reason:

To safeguard the character and appearance of the conservation area.

Notes/Informatives

Note 1.

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

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

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

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

Note 2.

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

Application No	PL/02208
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Application Type	Full Planning
Proposal & Location	CHANGE OF USE FROM RESIDENTIAL TO CHILDREN'S RESIDENTIAL CARE HOME FROM AGE 7-18. WORK INVOLVES TOTAL RENOVATION OF THE PROPERTY AND SOME MATERIAL CHANGES TO THE FAÇADE OF THE BUILDING (NORTH ELEVATION) AT COMPTON HOUSE, HEOL CAEGWYN, DEFACH, LLANELLI, SA14 7BA

Applicant(s)	MR CHRISTOPHER GRIFFITHS, FUTURE VISION CHILDCARE LTD, COMPTON HOUSE, HEOL CAEGWYN, DREFACH, LLANELLI, SA14 7BA
Case Officer	Sophie Berry
Ward	Gorslas
Date registered	27/07/2021

Reason for Committee

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

Site

The application site relates to an empty residential home. However, the property has been used for a variety of commercial enterprises in the past including a post office and a café.

The site is located off a private access road on the south-western side of Heol Caegwyn, adjacent to the junction with Heol Blaenhirwaun and Heol Cwmmawr / the B4310, Drefach. It is located outside of but immediately adjacent to the designated settlement boundary of Drefach. It is bordered by greenfield land to the east and south, and garages to the west.

There are bus stops located approximately 45m to the east of the site on Heol Cwmmawr. The 'Café' bus stops feature shelters and easy access kerbing, they are served by the 128, 129 and 166 providing access to local centres such as Llanelli and Ammanford.

Proposal

The proposal seeks full planning permission to change the use of this empty residential property to a children's care home for children ages 7-18. A total of 19 Full time staff and 2 part-time staff will be employed at the home.

Overall the number of bedrooms within the property will remain at 5. The existing living room will be converted to a reception and office area. Two bedrooms on the first floor will be combined into one larger room and a living room provided in the basement area.

Externally it is proposed to retain the central door-way but replace the shop-front style façade with two flanking windows. The upper central window at first floor level will be split into two, of proportionate size to the existing windows.

It is proposed to demolish the existing garages to the rear of the property and provide a total of 7no. parking spaces to the side and rear.

Planning Site History

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

GW/00203 Change of use from shop to dwelling
Full planning permission granted - 05 December 2001

D4/7360 Formation of car park for existing café
Approved - 03 July 1980

Planning Policy

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

SP1 Sustainable Places and Spaces
SP2 Climate Change
SP3 Sustainable Distribution- Settlement Framework
GP1 Sustainability and High Quality Design
GP2 Development Limits
H3 Conversion of Subdivision of Existing Dwellings
EMP2 New Employment Proposals
TR2 Location of Development – Transport considerations
TR3 Location of Development – Design Considerations

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Head of Transportation & Highways - The proposals will result in an intensification of the site but the access arrangements are considered to be suitable for the scale of development. Particularly given the sites previous uses as a post office and café.

The level of visibility from both junctions is reasonable, though the proximity of the access road / Heol Cwmmawr junction, to the B4310 / Heol Cwmmawr junction does impact on northbound visibility when existing the site onto Heol Cwmmawr.

Recommends that planning permission is granted subject to the inclusion conditions.

Head of Public Protection (Noise) – Standard response.

Head of Public Protection (Public Health) – No adverse comment.

Head of Public Protection (Contamination) – No adverse comment.

Gorslas Community Council - That the Council was supportive of the proposal on the basis of the information provided in the planning application and also on the basis that the business model and safeguarding measures as outlined by the organisation to the Community Council are adhered to.

It would be appreciated if the observations could be considered as part of the consideration of the application.

Local Member(s) – Councillors Darren Price and Aled Vaughan Owen have expressed regret that renovation works have commenced prior to planning permission being granted. The community was concerned that the facility would support youths from the youth justice system but the developer has since clarified that the intended use is as a care home to support children in the care of the Local Authority.

The local councillors are “keen to ensure that the site cannot be used for any purpose other than that outlined within the application. If planning officers are minded to approve the application, then we would support strong conditions being applied in order to deliver that. We do not want to see any ‘creep’ away from the current proposed use”.

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

Summary of Public Representations

The application was the subject of notification by way of neighbouring letters and a notice which was displayed on a lamppost outside the site.

Two representations were received objecting to the proposal. The matters raised are summarised as follows:

- Concern over unsupervised residents in the area
- The proportion of social provision in the area is high already;
- The proposal could impact upon the Welsh language;
- The proposal could result in an increase in anti-social behaviour in the area;
- Requests that the council limit the age of occupants to prevent anti-social behaviour;
- More isolated sites would be more appropriate for this type of development.

Appraisal

This application seeks to change the use of this 5-bedroom residential property to a 5-bedroom residential care home for children age 7-18 with some minor external alterations.

The primary concern from local residents is that the proposal could increase anti-social behaviour and have an adverse impact on its character. It is important to note that although

it is within the scope of the local planning authority to restrict the age of occupants for reasons such as highways impact. For example, residents above the age of 18 may drive and this could have an impact on the parking requirement and the committee would have to consider whether the proposed provision was appropriate in this location. However, it is not reasonable to assume that residents of a particular age or background will directly correlate with an increase in anti-social behaviour and to do so would not support the principle of cohesive communities and a more equal Wales set out within The Well-being of Future Generations Act. Neither can it be assumed that to allow a children's care home would have an adverse impact upon the Welsh language and Welsh is a compulsory part of the curriculum in Wales.

The primary matters for consideration in the determination of this application are: the impact of the change of use and physical alterations on the character and appearance of the area; the impact on highways safety, and the impact on residential amenity.

Impact upon Character and Appearance of the Area

The proposal lies outside of and immediately adjacent to the designated settlement boundary of Drefach. However, the character of the site is very much urban as its planning history suggests. Visually, it appears as part of the settlement boundary rather than the adjacent rural land to the south and west.

The external alterations to the property are minimal and will not increase the visual impact of the built form within the countryside and will in fact result in the demolition of two existing curtilage structures. The changes to the façade of the building will improve its overall appearance and ensure that it appears more in-keeping with the residential appearance of other dwellings in the area.

Although the proposal will require the employment of 20 full-time equivalent staff it is not anticipated that there will be more than 5 no. staff on site during each shift. The increase in the frequency and type of traffic movements to the property are relevant in considering the impact of the proposal on the character of the area. Indeed, the previous use as a residential dwelling would not have received so many movements per day as the proposed care home likely will. However, historically, the building was used as a shop/post office and a café historically and both of these uses would have received a much higher frequency of visits by north motor car and pedestrians. The highways impacts of the proposal are discussed below, however, given the proximity of the site to the settlement boundary the proposal would not have an adverse impact on the character of the area and the use of local facilities and shops by employees will have a subsequent beneficial impact on the local economy.

Highway Impacts

Sole access to the site is via a short section of road / parking area located to the west of Heol Cwmmawr, immediately south of its junction with the B4310. The private access road / Heol Cwmmawr junction has reasonable visibility, although it is in close proximity to the Heol Cwmmawr / B4310 junction.

Heol Cwmmawr and the B4310 both have speed limits of 30mph within the vicinity of the site and can accommodate two-way vehicle movements comfortably. They also benefit from footways of reasonable width, located on both sides of the road.

There are bus stops located approximately 45m to the east of the site on Heol Cwmmawr. The 'Café' bus stops feature shelters and easy access kerbing, they are served by the 128, 129 and 166 providing access to local centres such as Llanelli and Ammanford. The location of the proposal is therefore considered to be sustainable.

There is expected to be up to 5 no. staff on site during each shift. Parking is to be provided in line with the adopted CSS Wales Parking Standards. It is stated that 1 space per resident staff and 1 visitor space per 4 beds is required. The proposed 7 no. car parking spaces are therefore able to suitably accommodate staff parking as well as 2 visitor spaces.

The Head of Transportation and Highways does not object to the proposal, subject to the inclusion of conditions, and is of the view that although the proposal will result in an intensification of the site and that the access arrangements are considered to be suitable for the scale of development, particularly given the sites previous uses as a post office and café.

The level of visibility from both junctions is also considered reasonable, though the proximity of the access road / Heol Cwmmawr junction, to the B4310 / Heol Cwmmawr junction does impact on northbound visibility when existing the site onto Heol Cwmmawr.

Impact on Residential Amenity

It has already been clarified above that the age of the children or their background is not relevant in terms of considering the impact on residential amenity and it would be unreasonable to place any form of restriction on the ages of the children living at the property.

The proposal will result in an increase in intensity of people and vehicles using the site and the impact of this in terms of noise generation or disturbance to any neighbouring residents is relevant to the assessment of this application.

The site has no immediate residential neighbours and is bordered by fields to the south and west. The nearest residential dwellings are on the opposite side of Heol Caegwyn and Heol Cwmmar, both primary vehicular routes. Compton House is also just 70metres away from a garage and petrol filling station. Given its location, it is not considered that the proposal will have an adverse impact upon residential amenity through increased noise or disturbance.

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 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

The proposal would result in an increase in the intensity of the use of the building compared to its last known lawful use. However, the location is sustainable and historically the site has been occupied by uses which would have received a higher frequency and number of customers throughout the day. The physical alterations to the property are minimal and will not have an adverse impact upon the character or appearance of the building or adjacent countryside. Furthermore, given its location immediately adjacent to the settlement boundary it is not considered that the proposal would have an adverse impact on the character of the area or upon highways safety.

After careful consideration of the scheme as submitted it is concluded on balance that the proposal the proposal is acceptable and complies with the aforementioned policies of the LDP and it is therefore presented with a recommendation for approval subject to the following conditions.

Recommendation - Approval

Conditions and Reasons

Condition 1.

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

Reason:

to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

Condition 2.

The development shall be carried out in accordance with the details shown on the following schedule of plans and documents:-

- Location plan scale 1:1250@A4;
- Existing and Proposed Site Layout Plan no. RJP/FVC/001 scale 1:200@A2;
- Existing and Proposed Elevations plan no. RJP/FVC/002 Rev 01 scale 1:50 @A2;
- Proposed floor Plans Layout no. RJP/FVC/006 scale 1:200@A2;
- Covering letter dated 26/06/2021.

Reason:

To ensure that only the approved works are carried out.

Condition 3.

The property shall be utilised as a children's care home for children up to the age of 18 and for no other use within Class C2 of the Town and Country Planning (Use Classes) Order 1995 (as amended).

Reason:

To confirm the extent of the permission and in the interest of highways safety.

Condition 4.

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 highways safety.

Condition 5.

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

Reason:

In the interest of highways safety.

Notes/Informatives

Note 1.

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

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

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

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

Note 2.

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

Application No	PL/02254
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Application Type	Full Planning
Proposal & Location	PROPOSED DEMOLITION AND REPLACEMENT OF EXISTING DWELLING IN POOR CONDITION TO CREATE NEW 3 BEDROOM PROPERTY AT SUNNYSIDE, CAPEL SEION ROAD, PONTYBEREM, LLANELLI, SA15 5AR

Applicant(s)	MR BEN PERL
Agent	LEWIS PARTNERSHIP LIMITED – GERAINT PHILLIPS
Case Officer	Sophie Berry
Ward	Pontyberem
Date registered	02/08/2021

Reason for Committee

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

Site

The application site comprises a rectangular plot of land measuring 0.14 hectares. occupies an elevated position above the highway, on the western side of Capel Seion Road, Pontyberem, approximately 0.7km south of Capel Seion. The developed part of the site containing the existing dwelling is relatively flat with the linear rear garden sloping steeply to the north-west.

Although outside of the LDP designated settlement boundary, the site is currently in residential use and occupied by a detached dwelling, forming part of a group of properties flanking this stretch of the road. Owing to its elevated position, the site benefits from extensive views over the countryside to the south and east.

The area is rural in character and much of the highway is lined by mature hedgerows and trees with agricultural land and woodland beyond. Capel Seion Road is flanked by linear residential development comprising a range of traditional and modern dwellings of various sizes and finishes. The application property itself is of no particular architectural merit and the properties immediately adjacent to it are not typical of rural properties being of a semi-detached, bay-fronted design.

The highway is of a good standard and provides sufficient room for two vehicles to pass while travelling in opposite directions with numerous pull-in places.

Proposal

The proposal seeks to demolish the existing three-bedroom, detached dwelling and replace it with a new three-bedroom dwelling of larger proportions and modern design. Its position would not be identical to that of the existing dwelling but instead be moved away slightly from the south-western boundary with the neighbouring property and set back further within the site to provide improved vehicle access and parking.

The existing dwelling occupies a footprint area of approximately 52 square metres with a maximum height of 7.4m (5.2m to the eaves) underneath a pitched, concrete tile roof. The proposed dwelling will have a t-shaped plan with a wide frontage facing the highway and single storey projection to the rear, covered car port to the south-western elevation and wrap-around balcony to the front right corner. In comparison, it will occupy an area of approximately 80 square metres, representing a 54% increase in the footprint of the building, with a maximum height of 7.75m with a pitched roof and glazed dormer windows to the front elevation. It is proposed to be finished in white render with composite feature cladding panels and concrete tile roof. It is also proposed to fit solar panels to the south-elevation roof slope to the rear of the property.

Owing to its position within the site, it will be partially constructed into the bank of the rear garden with a driveway and grass bank providing a buffer between the house and main highway. It is proposed to utilise the existing access.

The application is supported by a bat survey, structural survey, tree survey, drainage report and light tracking analysis. The bat survey report by Gould Ecology (June 2021) confirms that the existing dwelling supports a day roost for a single common pipistrelle bat and recommends a number of mitigation measures. The structural survey concludes that the existing property is in a poor state of repair with clear signs of structural movement that requires considerable remedial work, likely caused by a combination of insufficient foundation depth, poorly constructed foundations, failure of the retaining wall to the front of the property and the influence of tree roots.

Planning Site History

There is no relevant planning history on the application site.

Planning Policy

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

- SP1 Sustainable Places and Spaces
- SP2 Climate Change
- SP3 Sustainable Distribution- Settlement Framework
- SP14 Protection and Enhancement of the Natural Environment
- GP1 Sustainability and High-Quality Design
- GP2 Settlement Limits
- H4 Replacement Dwellings
- TR3 Highways in Developments – Design Considerations
- EQ4 Biodiversity
- EP3 Sustainable Drainage

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Head of Transportation & Highways – Commented no observations.

Sustainable Drainage Approval Body (SAB) - As the development construction area proposed is likely to be greater than 100m², the developer will need to apply for SAB approval.

Head of Public Protection (Noise) – Standard advice.

Head of Public Protection (Public Health) - No adverse comments to make in relation to the application. It is imperative the applicant is aware of the potential for dust nuisance and undertakes the necessary precautionary measures to abate this.

Head of Public Protection (Contamination) – No adverse comment.

Planning Ecology – The submitted survey identified bat use within the building proposed for demolition and therefore A NRW development license will need to be obtained be required prior to the commencement of works. A condition must be included on any consent securing the proposed mitigation as detailed in section 7 Recommendation of the bat report Sunnyside Bat Survey, June 2021.

Planning Minerals – The application is situated within a resource area for category 2 sandstone. It will not extend any further into the resource area, beyond the building line of any of the nearby existing dwellings and would not result in any further sterilisation of the mineral – no objection.

Forward Planning – No objection in principle subject to compliance with policies GP1 and H4 of the LDP.

Building Control – A Building Control application will be required.

Arboricultural Officer – the information submitted is adequate.

Community Council - No observations received to date.

Dwr Cymru Welsh Water – Recommend standard conditions and advisory notes.

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

Summary of Public Representations

The application was the subject of notification by way of neighbouring letters and a site notice displayed outside the site. A total of 2no. neighbour objections have been received and the matters raised are summarised as follows:-

- The proposal is large compared to the existing building;
- Concern that it may not be in-keeping with the rest of the street;
- Concern regarding the impact of the proposal on the existing drainage system and seek assurance that the existing pipes can withstand additional usage to prevent blockages or issues in the future;
- Owing to its position, the proposal will block light to 2 The Ridge;
- The proposal will overlook the newly approved extension at 2 The Ridge and impact on privacy;
- The proposal restricts access for service use at 2 The Ridge and would be better positioned further away from the boundary.

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

Appraisal

This application seeks permission to demolish the existing, structurally unsound dwelling and construct a replacement three-bedroom dwelling with car port and balcony.

The primary considerations in the determination of this application are:- impact of the proposal on the character and appearance of the area; impact on the amenities of neighbouring properties and utility services, and whether ecological enhancement can be achieved.

Principle of Development

Policy H4 permits replacement dwellings outside the defined Development Limits. The development is therefore acceptable in principle, subject to compliance with H4, as well as GP1.

The policy states that the potential impact of a replacement dwelling should be carefully considered, particularly where the proposal by virtue of scale may have visual and amenity implications. Proposals should therefore respect the character of the area with the design and scale of any replacement regulated accordingly. The policy sets the following criteria for compliance:

- A. The replacement dwelling is located on the footprint of the existing dwelling, unless an alternative location within the existing curtilage brings significant environmental, landscape or visual improvements;
- B. The existing building is not a temporary structure, nor the subject of a temporary consent;
- C. The design and materials of the replacement dwelling are appropriate to the character and appearance of the area;
- D. The scale of the proposed dwelling is not disproportionate in size to the existing dwelling;
- E. There are no adverse effects on access, parking or utility services, or on local amenity;
- F. There are no adverse effects on nature conservation interests, the setting or integrity of the historic environment and the landscape/ townscape;
- G. The existing dwelling is demolished immediately prior to, or upon, its replacement.

Policy GP1 aims to ensure that a high quality of design is achieved in new developments and that proposals confirm with and enhance the character and appearance of the site and

that there is no significant impact on amenity of neighbouring residents and embraces opportunities to improve biodiversity.

The compliance of the proposal with these policies will be discussed in greater detail below.

Impact upon Character and Appearance of the Area

The existing dwelling is of no particular architectural merit and is positioned immediately adjacent to the boundary with 2 The Ridge. The curtilage is large and occupies a wide frontage to the highway which is mainly taken up by the existing driveway.

The replacement dwelling is proposed to be positioned more centrally within the plot, set back behind the line of the existing dwelling and constructed into the bank to the rear, leaving the majority of the rear garden unengineered.

The increased set-back from the highway and minimal increase in height compared to the existing dwelling will ensure that its increased width will not make for an overbearing structure.

Neighbouring residents are concerned with the increase in size of the dwelling compared to the existing property. However, although its footprint is larger, the increased distance from the boundary with no. 2 The Ridge and siting of a single storey car port between the new dwelling and its neighbour will reduce the cramped appearance and character of the existing dwelling, enhancing the relationship between the two plots.

Capel Seimon Road, although rural in character, exhibits a large variety in terms of the design and size of residential properties that lie along its flanks. Some are of more traditionally rural character than others. This section of Capel Seimon Road is not typified by dwellings of a particular rural character. The modern design of the dwelling will not therefore appear at odds with the character or appearance of the area and the materials proposed to be utilised in its construction are considered appropriate within this context.

Impact on Residential Amenity and Utility Services

As discussed above, the proposal will be set further away from the neighbouring residential boundary and set back further from the highway. The design is sympathetically integrated with the existing form of the rear garden to ensure that it does not appear overly large or overbearing to the neighbouring dwellings.

Owing to its position and orientation in relation to the sun, it is not considered that the proposal will result in a significant loss of light to its neighbours. This is supported through the provision of the light tracking analysis submitted as part of the application.

A single, small window is proposed at first floor level in the south-western elevation of the proposed dwelling, and this will serve a bathroom. The proposal will not therefore have an increased impact in terms of overlooking and loss of privacy. A condition will be added to any permission granted to ensure this window is fitted with obscure glazing.

The neighbour objection letters raise the issue of drainage, and the application is accompanied by a drain report which has examined the condition of the pipes serving the site. The survey identified some cracks and fractures in the pipework but not to the extent where replacement is recommended. There is no reason to believe that the property, which

includes the same number of bedrooms to the existing dwelling, will result in any significant harm to the existing drainage system serving the site. Dwr Cymru Welsh Water have recommended standard conditions which will be attached to any planning permission granted.

Biodiversity Impacts

The submitted bat report confirms that the existing dwelling is a bat roost. The Council's ecologist is satisfied with the recommendations made within the submitted report and has no objections to the proposal subject to compliance with those recommendations and advised a bat license will need to be obtained from NRW.

Similarly, the arboricultural officer is satisfied with the submitted tree information, which proposes the removal of a small number of large trees within the application site. This is justified in that these trees may have resulted in structural damage to the existing property.

Other Matters

The proposal provides enhanced parking compared to the existing dwelling and the Head of Transportation & Highways has offered no observations in relation to the proposal. The Head of Protection has not offered any objections.

The application is situated within a resource area for category 2 sandstone. It will not extend any further into the resource area, beyond the building line of any of the nearby existing dwellings and would not result in any further sterilisation of the mineral.

Planning Obligations

The property is for a replacement dwelling and therefore there is no requirement for a contribution towards affordable housing in policy.

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 existing dwelling is of no architectural merit and is in a poor structural condition. Its loss will not be detrimental to the character or appearance of the area. Although of larger proportions and in a different position within the site, the proposal offers significant amenity and visual improvements which outweigh the impact of its increased proportions which will contribute towards visual and residential amenity for neighbouring dwellings and future occupants of the replacement dwelling. It will also offer enhanced off-road parking to the benefit of highways safety and ecological enhancement will be provided through the implementation of mitigation measures suggested in the submitted bat report.

After careful consideration of the scheme as submitted it is concluded on balance that the proposal is acceptable and complies with the aforementioned policies of the LDP and it is therefore presented with a recommendation for approval subject to the following conditions.

Recommendation – Approval

Conditions and Reasons

Condition 1.

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

Reason:

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

Condition 2.

The development shall be carried out in accordance with the details shown on the following schedule of plans and documents:-

- Existing Site & Location Plan (01) 1:500, 1:2500 @ A3
- Proposed Site Plan (05) 1:200, 1:500 @A2
- 3D Views and Sections (05A) @ A1
- Existing Elevations & Floor Plans (02) 1:50 @A1
- Proposed Floor Plans & Site Plan (03A) 1:50 @A1
- Tree Survey Plan @A4 dated 25.03.2021
- Drain Report by Siddell Environmental Services Ltd dated 23 September 2020
- Tree Survey
- Structural Report reference 20332
- Bat Survey (June 2021) by Gould Ecology

Reason:

To ensure that only the approved works are carried out.

Condition 3.

No development shall commence until a scheme for the mitigation of dust has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during all stages of demolition and construction. Vehicles transporting materials which are likely to cause dust onto and off site shall be suitably covered.

Reason:

In the interests of amenity and to accord with Policies GP1 and EP2 of the Carmarthenshire Local Development Plan 2014.

Condition 4.

No development shall commence until details of existing ground levels, including those of adjacent properties, and proposed finished ground and floor levels have been submitted to

and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason:

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

Condition 5.

The development hereby approved shall be carried out strictly in accordance with the proposed mitigation as detailed in section 7 Recommendation of the bat report Sunnyside Bat Survey, June 2021.

Reason:

In the interests of biodiversity and to accord with Policies EQ4 and SP14 of the Carmarthenshire Local Development Plan.

Condition 6.

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

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Condition 7.

The window shown on the approved plan in the south-western elevation at first floor level, serving the bathroom, shall be fitted with obscure glazing in perpetuity. No additional windows shall be formed in the south-western elevation of the dwelling hereby approved

Reason:

In the interest of residential amenity.

Notes/Informatives

Note 1.

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

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

The commencement of development without firstly meeting in full the terms of any Conditions which require the submission of details prior to the commencement of

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

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

Note 2.

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

Note 3.

Warning: a European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

Application No	PL/02658
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Application Type	Full Planning
Proposal & Location	THE SCHEME CONSISTS OF THE FOLLOWING ELEMENTS: (1) PROPOSED BRIDGE WITH NORTHERN AND SOUTHERN APPROACH RAMPS; (2) SHARED USE PATH LINKS; AND (3) ASSOCIATED FENCING AT LLANELLI SPINAL ROUTE A484, TROSTRE, LLANELLI

Applicant(s)	CARMARTHENSHIRE COUNTY COUNCIL – THOMAS EVANS
Agent	ATKINS – MR JACK LORRAINE
Case Officer	Gary Glenister
Ward	Bigyn
Date registered	14/09/2021

Reason for Committee

This application is being reported to the Planning Committee as Carmarthenshire County Council has a financial interest in the proposal.

Site

The application site is part of the former Dafen branch railway line between Halfway and Trostre Road, Llanelli. The former railway line has been truncated by the A484 and is therefore in two sections within the application site.

The route of the former line is in part elevated above the surrounding ground on a low embankment and has overhead lines present along the southern section, so the easement route is kept clear of tree canopies. The route of the proposal is therefore evident in its surroundings. The route is however overgrown with low level vegetation but both northern and southern sections are navigable on foot. The land either side of the embankment has trees and scrub, with an overgrown area of deposited material between the southern site and the parcel of land currently being developed for a supermarket.

The section to the North of the A484 is an extension of an existing public footpath which runs between Halfway traffic lights and the residential area of Nightingale Court and Kingfisher Court. The route passes to the rear (South East) of three properties in Nightingale Court and also the rear of the Hafan y Coed Nursing Home.

The section to the South of the A484 runs to the South East of St Georges Court, Llwynycfarthwch and the New Dock Stars rugby field and links to the newly formed shared

use facility on Trostre Road which provides a link to Coedcae School. The railway alignment continues through Penyfan Quarry to link to Llanelli Station and on the coastal path and Pentre Awel.

Proposal

The proposal is part of the strategic cycle route which extends from the M4 junction 48 to the Millenium Coastal Path with proposed development of Pentre Awel and on to the Millenium Coastal path

There are three elements to the proposal.

Firstly a proposed bridge across the A484 with northern and southern approach ramps.

The bridge is of a lattice style which is reminiscent of traditional railway architecture and is a common style used elsewhere when cycle routes are formed along former railways. The bridge has a 5m clearance to the road which will allow larger vehicles to pass beneath. The northern ramp is formed by gradually increasing the ground level of the existing railway alignment, however the southern ramp requires more engineering work with the formation of a circular ramp from the height of the bridge back down to the railway alignment below.

Secondly, shared use paths ranging from 3-4m linking the bridge to the existing cycle paths either side of the route to form part of the strategic cycle route.

Thirdly, associated fencing along the route.

Planning Site History

No previous applications have been received on the application site.

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
- TR4 Cycling and Walking
- EQ4 Biodiversity

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Head of Transportation & Highways – Has no observations.

Public Rights of Way – Has no objection, however the route of the existing footpath needs to be protected for walkers during construction.

Natural Resources Wales – Has no objection to the proposal.

The Coal Authority – Has no objection to the proposal.

Dwr Cymru / Welsh Water – Has no objection subject to there being no impact on existing utilities. The application is aware of the pipelines present and the scheme is being designed accordingly.

Sustainable Drainage Approval Body (SAB) – the site is not in a flood zone. SAB approval will be required as the scheme is greater than 100sqm.

Llanelli Town Council - No observations received to date.

Local Member(s) – Councillors J Edmund and E Morgan have not commented to date.

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

Summary of Public Representations

The application was the subject of notification by way of 5 Site Notices.

No representations have been received to date.

Appraisal

Principle of Development

The scheme is part of the sustainable cycle network. The proposed bridge and shared use facility will facilitate the connection of the existing recently constructed path along the A4138 corridor to the Coast by providing the missing link between Halfway and Trostre Road.

The railway alignment has been truncated by the construction of the A484 and hence a bridge is necessary to provide safe crossing. The alignment is a former railway alignment so the principle of re-using the corridor for active travel is considered to be acceptable.

The southern side of the A484 is earmarked for redevelopment as part of a Mixed Use allocation so the principle of development has been established in the LDP and the cycle route will serve this area if developed.

Design

The proposed bridge uses a lattice frame design which is seen elsewhere on the cycle network nationally. The design is reminiscent of railway architecture and is therefore appropriate in the context of a former railway.

Biodiversity

The application has been accompanied by supporting information in respect of the scheme. It is noted that there is low level vegetation and some loss of trees to provide the ramp down

on the southern side of the A484, however the proposal provides protection for the trees either side of the proposed path. The scheme includes biodiversity rich landscaping and the installation of bird boxes, bat boxes and hibernacula as enhancement, therefore on balance, the scheme is not likely to have an unacceptable impact.

Residential Amenity

The proposal would traverse an area which has no formal access and passes the rear of several properties. It is noted however that the use for cycling and walking is relatively quiet and is therefore unlikely to cause loss of amenity through noise and disturbance.

Public Right of Way

Concern has been raised regarding the potential impact on the existing public right of way during construction period. This has been considered during formulation of the scheme and the necessary signage and safeguards to pedestrians have been planned into the construction methodology.

Planning Obligations

Not applicable.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted, it is concluded on balance that the proposal would be part of the strategic cycle network and would have a significant contribution to the implementation of the network by connecting the route across the A484.

The majority of the route can be formed on the base of the former railway alignment, however the ramps would require engineering works. There are residential properties close to the route, however the nature of the proposal being to facilitate non-motorised vehicles ensures that there is unlikely to be issues of noise and disturbance from the users of the route.

The scheme has been designed to re-purpose a historic railway for active travel and has provided ecological enhancement. The proposal is therefore considered to be in accordance with the above policies and is recommended for approval.

Recommendation – Approval

Conditions and Reasons

Condition 1.

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

Reason:

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

Condition 2.

The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans received 9 September 2021:-

- 1:100 scale Proposed Site Plan;
- 1:1250 & 1:50 scale Route Plan and Cross Section;
- 1:500 scale A484 Active Travel Bridge;
- 1:500 scale A484 Active Travel Bridge – South;
- 1:20 & 1:200 scale General Arrangement / Elevation Plan 1 of 2;
- 1:20 & 1:100 scale General Arrangement / Elevation Plan 2 of 2;
- 1:1000 scale Vegetation Clearance;
- 1:500 scale Soft Landscape Plan;
- 1:500 scale Soft Landscape Plan – Vegetation Retention and Removal;
- NTS Construction Access.

Reason:

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

Condition 3.

The development shall take place strictly in accordance with the following:

- Recommendations for mitigation set out in Section 4 of the Ecological Impact Assessment (Atkins, July 2021)
- Soft Landscaping Plans General Arrangement Sheets 1 and 2 CA03-ATK-XX-ZZ-DR-LA-401001 and CA03-ATK-XX-ZZ-DR-LA-401002 (Atkins, July 2021)

Reason:

In the interests of ecology in accordance with the Environment Act Wales 2016. And Policy SP1, SP14 and GP1 of the LDP.

Condition 4.

No development shall take place until a lighting plan / strategy has been submitted to and approved in writing by the Local Planning Authority. This shall contain details of the location and specification of any external luminaires and any light control measures to be put in place to ensure that adjacent vegetated areas remain unlit.

Reason:

In the interests of ecology in accordance with the Environment Act Wales 2016. And Policy SP1, SP14 and GP1 of the LDP.

Condition 5.

No development shall take place until a method statement for vegetation clearance to avoid impacts on, reptiles, bats, badgers, breeding birds and surrounding mature trees has been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of ecology in accordance with the Environment Act Wales 2016. And Policy SP1, SP14 and GP1 of the LDP.

Condition 6.

No development shall take place until a method statement for clearance of Japanese Knotweed and Himalayan Balsam, both invasive non-native species (INNPS) from within the application site has been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of ecology in accordance with the Environment Act Wales 2016. And Policy SP1, SP14 and GP1 of the LDP.

Notes/Informatives

Note 1.

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

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

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

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

Note 2.

Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website.

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	E/40436
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Application Type	Full Planning
Proposal & Location	CHANGE OF USE FROM IN-FORMAL VEHICLE PARKING TO SELF STORAGE CONTAINERS SECURE COMPOUND (B8 USE CLASS) RE SUBMISSION OF E/39180 AT LAND ADJACENT TO STATION ROAD WORKSHOPS, STATION ROAD, AMMANFORD, SA18 3SY

Applicant(s)	MR STEVE AITKEN
Agent	DAVIES RICHARDS DESIGN LTD.
Case Officer	Andrew Francis
Ward	Ammanford
Date registered	16/04/2020

Reason for Committee

This application is being reported to the Planning Committee following a resolution at a previous Planning Committee (25th August 2020) to determine the application following the submission of a Flood Consequences Assessment and subsequent consultation response by Natural Resources Wales.

Addendum to Previous Report

The report previously presented to the Planning Committee is presented, unedited below, to remind Members of the application and the issues at the site. When this application was heard at its last visit to the Planning Committee on the 25th August 2020, in order to give the applicant the fairest chance and as a Flood Consequences Assessment (FCA) had not been submitted with the application at that point, despite the application site being within the C2 Flood Zone, as defined by the Welsh Government, the Planning Committee would re-examine this application when a FCA was prepared and submitted to support the application and was assessed by Natural Resources Wales (NRW).

Following the above, NRW have responded advising that:-

The FCA utilises information obtained from the NRW hydraulic model and acknowledges that the development will be at risk of flooding in both the 1%+cc and 0.1% scenarios. A1.14 in TAN15 states that a development should be flood free during the 1%+cc event, therefore the development is not compliant as the site will experience flooding up to depths of approximately 0.2m. The FCA identifies that the floor level of the storage containers will be 150mm above ground, however this will still result in flooding to the containers,

notwithstanding this, the development site, as denoted by the red line boundary, is not shown to be flood free.

During the 0.1% scenario, the FCA identifies that the depth of flooding experienced on the site is within the tolerances outlined in A1.15 of TAN15. Whilst we can confirm that this is correct, the velocity of floodwater across the site will be up to 2m/s during a 0.1% event which significantly exceeds the tolerances relating to velocity.

The FCA states that “The proposals pose no change to the flood morphology of the elsewhere catchment, and do not therefore pose an increase in risk.” This does not sufficiently demonstrate that there will be no increase in flood risk elsewhere. The storage containers will take up an area of flood storage and therefore could cause an increase in flood risk to the surrounding land. A1.12 in TAN15 states that a development must not increase flood risk elsewhere. The FCA has not sufficiently demonstrated that the development will have no impact upon third party land. In addition, the submitted site plan indicates that the site will be levelled and therefore in addition to the storage containers, this land raising could have a further impact upon flood risk elsewhere.

The FCA does not currently demonstrate compliance with TAN15 and has not fully assessed the potential impacts of the development. Therefore, the FCA must be updated to ensure that it demonstrates compliance with TAN15 and has assessed the potential impacts of the development upon third party land.

Based on this information, the time the Applicant has had to provide sufficient information to satisfy Natural Resources Wales and the Local Planning Authority, and the fact that based on the current information, the application still fails to satisfy TAN15, as well as continuing to attract an objection from the Head of Transport, there is no option but to recommend that this application is REFUSED.

Application as Previously Presented

Site

The application site is a rectangular flat area of land situated to the south of Station Road (C2130) which measures approximately 60 metres in depth by 23 metres in width for a total area of 1225 m² or 0.3 of an acre (0.12 Ha). The application site has an obvious step down to a lower level approximately half way along its depth. Both distinct levels are flat and gravelled with the area closest to Station Road used as an informal car parking area to serve the retail units and gym that occupy the adjacent buildings to the west. The lower level can also be used for parking, though this is less busy. Beyond this area to the south is a large flat field constrained on both sides, to the east by the River Loughor and to the west by train tracks that travel north to Llandeilo. These train tracks constrain the application site to the west also and necessitate a Level Crossing on Station Road approximately 33 metres from the access to serve the application site.

The area is in mixed use with retail units to the west, a further education college beyond these further to the west, residential units to the east and north east, and industrial units to the north. The applicant has a site of existing storage units off Shands Road to the north.

The application site is situated within a C2 Flood Zone, as defined by the Development Advice Maps associated with Technical Advice Note (TAN) 15.

Proposal

This planning application seeks to change the use of the land from informal vehicle parking to self-storage containers within a secure compound, similar to what the applicant has at his site off Shands Road to the north.

In order to provide the security required, a 2 metre high green security fence set into a low level blockwork wall is proposed around the southern and eastern boundaries, with a 2.4 metre high blue palisade fence proposed along the northern boundary, with the pavement. The eastern fencing and mature boundary with the railway line is to be retained.

The existing compacted stone surface is to be retained and improved to provide a more level surface for the containers.

Planning Site History

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

E/39180 Change of use from informal vehicle parking to self storage containers secure compound (B8 Use Class)
Full planning refused - 19 December 2019

E/29054 Proposed change of use of an existing warehouse (Class B8) into a studio/gym (Class D2)
Full planning permission - 12 December 2013

AM/00143 Second hand car sales
Full planning permission - 11 December 2001

E/02889 Second hand car sales
Withdrawn - 4 January 2002

Planning Policy

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

SP1 Sustainable Places and Spaces
SP2 Climate Change
EMP2 New Employment Proposals
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.

[Technical Advice Note 15 - Development and Flood Risk - 2004](#)

Summary of Consultation Responses

Head of Transportation & Highways – Recommends the same refusal response as the previous application (E/39180) as the details submitted are exactly the same. The Head of Transport recommended that this application be refused

- The proposal seeks to construct self-storage containers on an existing car parking area which currently serves existing businesses such as:
 - Functional7 Strength & Conditioning Gym;
 - B+R Factors;
 - Amman Upvc;
 - ‘It Only Tickles’ (Tattoo Parlour).
- Planning history suggests that the gym (E/29054) and tattoo Parlour (E/19997) have conditions imposed securing the same area for purposes of car parking.
- There is a lack of supporting information with the application to mitigate for the loss of car parking provision.
- There is a lack of information relating to the number of containers, vehicular access within the site and car parking to serve the proposal.

Head of Public Protection - No objections to the proposal.

Ammanford Town Council – Fully supports the schemes that bring new business but have concerns regarding the aesthetic appearance of the storage containers should they be in full view. Would have no objection to a landscaping scheme to enhance the site.

Local Member - Councillor D. Harries has requested that this application be presented before the Planning Committee and wishes to address the Committee.

Natural Resources Wales – Advises that as no Flood Consequences Assessment (FCA) has been submitted, the advice given for the previous application (E/39180) remains the same. The application should be supported by a FCA to demonstrate the risks and consequences of flooding can be managed to an acceptable level, as the site is within a Zone C2, as defined by the Development Advice map referred to under TAN15 – Development and Flood Risk. Without this, TAN 15 requires that the application be refused.
Please see addendum above

Coal Authority – No objections to this proposal.

Network Rail – Initially raised queries regarding the proximity of the level crossing. On providing the requested information, no further comments have been received.

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

Summary of Public Representations

The application was the subject of notification by way of a site notice.

No comments have been received as a result.

Appraisal

The application is proposed within a generally mixed use area and, as such, would not appear particularly incongruous, especially given the industrial land opposite to the north and industrial/retail units to the west. The addition of fencing would also be considered to be generally acceptable at this location, given the proximity of the railway line and set back from the highway. As the comments of Ammanford Town Council note, the site is on a gateway to the town and the visual aspect could be improved with some landscaping, but this would have to ensure that highway visibility would be retained.

As such, in general, it is considered that the development of this site to accommodate storage units would not be detrimental to the general character or appearance of the site or area, instead comfortably resting with the units to the west and north. The fencing may initially appear to be a harsh visual addition, though this can be mitigated with further landscaping if necessary and appropriate.

By virtue of the type of development and the existing site's location, there would be no issues surrounding loss of privacy or amenity for occupiers of any neighbouring buildings. Furthermore, there is no biodiversity value on the site currently.

However, the Head of Transport maintains his previous objection to the proposal stating that the proposed development does not make adequate provision for the parking of vehicles clear of the public highway. In making this objection, they advise that the planning permissions for the adjacent gym and tattoo parlour both have conditions imposed securing the current application site for the purposes of car parking. The other businesses also use the area for parking. Further to this, the application submitted does not include any supporting information to mitigate for this loss of car parking provision.

In addition to the parking issues, it is also noted that there is a lack of information relating to the number of containers, vehicular access within the site and car parking to serve the proposal, which relates to the lack of information supplied with the issue of flood risk, discussed below.

Related to the issue of Highways, Network Rail raised queries regarding this application and the potential impact regarding the level crossing. The agent provided the answers to these queries and Network Rail have not offered any further comments.

The main issue with this application, as it was with the previous application, which was refused under delegated powers, is the issue of Flood Risk. TAN 15 is explicit regarding what should be done in the case on Zone C2 areas, where no FCA is submitted to support the application. As the supporting plan shows, the site is clearly within the highest risk area. Part of the reason a FCA is required is not to save the containers and their contents from flooding as these are clearly low on the list of vulnerabilities. The FCA is required to assess what risk these containers might have in the event of a flood as they may displace water into the nearby residential properties which are highly vulnerable or, in the worst case scenario, what damage they may cause if they were to become untethered and float.

The River Loughor is situated less than 50 metres to the west and the large flat field directly to the south is part of the natural flood plain for this part of the river. This, the second application submitted without any means to assess the flood risk the proposal may have, beyond what TAN 15 and the Development Advice Maps offer is clearly a departure from nationally established planning policy.

Planning Obligations

There are no planning obligations related to this application.

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 such businesses would generally be supported in suitable locations within Carmarthenshire, the lack of information submitted with relation to flood risk and the clear local and national policy objections that this creates in relation to TAN 15 – Development and Flood Risk. Approving this application would be a serious departure to national planning policy and as such, despite any merits this application may have, this application can only be recommended for refusal.

Recommendation – Refusal

Reasons for Refusal

Reason 1.

The proposal is contrary to the requirements of section 6, 7, and tests under Table A1.14 and A1.15 of Technical Advice Note (TAN) 15 Development and Flood Risk in that the proposal development is located within an area at risk of flooding (Zone C2), as defined by the development advice map referred to under TAN 15 (July 2004). The available flood map information confirms the site to be within the 1 in 100 year and 1 in 1000 year probability flood outline, and the applicant has declined to provide the necessary justification and assessment of consequences evidence. In the absence of such evidence, to demonstrate that the risks and consequences of the site flooding can be managed to an acceptable level, the development cannot be approved.

Reason 2.

The proposal is contrary to the provisions of section 6.6.22 of Planning Policy Wales Edition 10 (December 2018) in that the proposal development is located within an area at risk of flooding (Zone C2), as defined by the development advice map referred to under TAN 15 (July 2004). The available flood map information confirms the site to be within the 1 in 100 year and 1 in 1000 year probability flood outline, and the applicant has declined to provide the necessary justification and assessment of consequences evidence. In the absence of such evidence, to demonstrate that the risks and consequences of the site flooding can be managed to an acceptable level, the development cannot be approved.

Reason 3.

The proposal is contrary to SP2 “Climate Change” of the Carmarthen Local Development Plan in that the proposal development is located within an area at risk of flooding (Zone C2), as defined by the development advice map referred to under TAN 15 (July 2004). The available flood map information confirms the site to be within the 1 in 100 year and 1 in 1000 year probability flood outline, and the applicant has declined to provide the necessary justification and assessment of consequences evidence. In the absence of such evidence, to demonstrate that the risks and consequences of the site flooding can be managed to an acceptable level, the development cannot be approved.

Reason 4.

The proposal is contrary to TR3 “Highways in Development – Design Considerations” of the Carmarthen Local Development Plan in that the proposed development does not make adequate provision for the parking of vehicles clear of the public highway. The lack of information relating to the number of containers; vehicular access; and proposed parking to serve the proposal as well as mitigate for the resulting loss of previously designated car parking spaces dictates that planning permission should be refused.

Application No	PL/01515
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Application Type	Full Planning
Proposal & Location	CONSTRUCTION OF A RURAL ENTERPRISE DWELLINGHOUSE (RESUBMISSION OF W/39836 REFUSED 03/12/2020) AT LAND PART OF TREWERN FARM, LLYSONNEN ROAD, ABERNANT, CARMARTHEN, SA33 5EW

Applicant(s)	MR R AND MRS N DAVIES
Agent	EVANS BANKS PLANNING LIMITED – RICHARD BANKS
Case Officer	Graham Noakes
Ward	Trelech
Date registered	17/03/2021

Reason for Committee

This application is being reported to the Planning Committee following a call-in request by Cllr Jean Lewis on the grounds that, *“As this application is being resubmitted because it has been turned down by officers, I kindly ask that this application proceed to be determined by the Planning Committee. It is clear that there is disagreement between officers and applicants as to whether or not the application meets policies.”*

Site

The application site lies approximately 2 miles north of the A40, some 2 miles east of Meidrim. The application site, part of Trewern Farm, is situated off the C2038 Carmarthen to Meidrim road, with the access to the farm being close to where the road bridges over the Afon Cywyn watercourse.

The application is accompanied by a Rural Enterprise Dwelling Appraisal which provides a consideration of the proposal within the context of the policy requirements of Technical Advice Note (TAN) 6 : Planning or Sustainable Rural Communities (July 2010), that describes the holding as extending to *“...43 acres of rolling pasture set predominately south of the compacted farmyard and is used exclusively for grazing and deriving a silage crop. The farmyard accommodates a large portal framed shed complex, which has expanded in recent years in accord with the expansion of the farm business. The yard also contains a twin-unit chalet which was erected some ten years on the farm to provide necessary office and rest room facilities, but now also forms the applicants place of residency.”*

The appraisal details the existing stock as 13 pedigree Limousins in calf heifers, 25 pedigree Limousins with calves at foot, 100 beef cattle per annum, 20+ breeding bulls and 120 ewes.

It is stated that the applicant also rents a further nearby 71 acres which is said to allow for the grazing of the 120 ewes

A 'Feasibility Study' subsequently received during the course of the application differs, in that document refers to 33 acres owned at Trewern, with 54 acres rented one mile away, with a further 10 acres rented land adjoining Trewern. The reference to the stock remains consistent with the figures in the appraisal. The Feasibility Study conveys that the *"main enterprise is the buying and selling of breeding bulls. Mainly beef breed bulls are purchased, and then resold after spending 2 to 3 months on farm. Annual through put is around 60 bulls per annum. Bulls are purchased locally, and will spend on average 2 months on the farm being fed silage and concentrates. The building has a capacity for 20 bulls."*

While the existing agricultural building (1,200m²), chalet and the proposed dwelling site are located on an area of relatively level land, most of the remaining land within the applicants' ownership at Trewern Farm rises steeply from the yard and application site area and is north-east facing.

The application site lies in a rural, open countryside setting, outside of the development limits of any settlement defined in the Local Development Plan

Proposal

The application seeks full planning permission for the erection of a rural enterprise dwelling to be located to the front (east) of the agricultural building, mid-way along the southern flank of the farm access track. The new dwelling being required to replace the existing chalet, approved as a welfare facility/office in July 2013, which the applicant confirms he has resided in since the grant of planning consent, in breach of that permission.

The two-storey house, 10.9m in length by 8.5m in width, is proposed to be of reconstituted stone elevations with a grey tile roof. Internally, over a gross floor area of 150m² a kitchen, living room, lounge, office and utility room are to be provided on the ground floor with four bedrooms and a bathroom on the first floor.

Access is to be achieved directly off the existing farm track.

Planning Site History

The application is a resubmission of an identical application, W/39836 that was refused planning permission on 3rd December 2020 by means of the authority delegated to the Head of Planning for the following reasons:-

- 1 The proposal fails to demonstrate that there is an existing functional need for a full time worker to be present on the site at most times for the proper functioning of the business and therefore does not comply with paragraph 4.4.1. (a) and (b) of Technical Advice Note 6 : Planning for Sustainable Rural Communities (July 2010).
- 2 Insufficient justification has been provided to demonstrate that the rural enterprise is financially sound and economically sustainable, as the level of profit is insufficient to provide a market return for all operators for the amount of management and manual labour input. The proposal is therefore contrary to paragraphs 4.4.1(c) and 4.10 of Technical Advice Note 6 : Planning for Sustainable Rural Communities (July 2010).

- 3 It is evident that the part-time functional need could be fulfilled by other dwellings nearby. Insufficient evidence has been provided to demonstrate why alternative local accommodation is not acceptable. The proposal is therefore contrary to paragraph 4.4.1(d) of Technical Advice Note 6: Planning for Sustainable Rural Communities (July 2010).
- 4 The development is contrary to Policy SP14 (Protection and Enhancement of the Natural Environment) of the Carmarthenshire Local Development Plan in that it is considered that insufficient justification has been provided to support a rural enterprise dwelling at this location. The proposal will have a detrimental effect on the traditional appearance and character of the open countryside at this location.

The following previous planning applications have been received in respect of the application site:-

- | | |
|---------|---|
| W/32981 | Extension to an existing agricultural building
Full planning permission granted - 11 December 2015 |
| W/27753 | Retention of twin unit caravan (chalet) used as office and rest area etc ancillary to farming enterprise centred at Trewern Farm
Full planning permission granted - 30 July 2013 |
| W/11789 | Erection of a new farmhouse
Outline planning refused - 26 April 2006 |
| W/08505 | Erection of farmhouse
Outline planning refused - 22 December 2004 |
| W/07831 | Steel framed side extension to an existing agricultural barn, for use as a general purpose agricultural building
Full planning permission granted - 05 October 2004 |
| W/00227 | Steel framed agricultural building for storage of farm implements crops and housing winter livestock
Full planning permission granted - 06 March 1997 |

Planning Policy

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

- SP1 Sustainable Places and Spaces.
- SP14 Protection and Enhancement of the Natural Environment
- GP1 Sustainability and High Quality Design
- TR3 Highways in Developments – Design Considerations.

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Head of Transportation & Highways – Offers no objection subject to the imposition of conditions.

Public Rights of Way Officer – Highlights the proximity of the public footpath and the legal requirement not to obstruct or encroach upon it either during construction or at any time thereafter.

Valuations Manager – Objects to the application, in that the applicant has failed to successfully demonstrate the viability of the holding along with concerns in respect of the financial and cash flow projections and the functional need for the dwelling.

SAB (Sustainable Drainage Approval Body) – SAB approval is required and construction works must not commence before SAB approval is obtained.

Meidrim Community Council – Has not commented.

Local Members – Councillor Jean Lewis is a member of the Planning Committee and has requested that the application be considered by the Planning Committee.

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

Summary of Public Representations

The application was the subject of notification by way of the posting of a site notice with no representations having been received in response.

Appraisal

The proposal involves the creation of a new dwelling in the open countryside which is which is only permissible in a limited number of exceptions, one of which is the provision within TAN6 that stipulates that one of the few circumstances in which new isolated residential development in the open countryside may be justified is when accommodation is required to enable rural enterprise workers to live at, or close to, their place of work.

To comply with TAN6 it first needs to be established whether the enterprise that the dwelling seeks to be associated with falls to be considered as a Rural Enterprise, defined in TAN6 as, *“land related businesses including agriculture, forestry and other activities that obtain their primary inputs from the site, such as the processing of agricultural, forestry and mineral products together with land management activities and support services (including agricultural contracting) tourism and leisure enterprises”*.

The proposal refers to a land related, agricultural business that can be considered to be a qualifying rural enterprise. The central issue in the determination of the application is whether the relevant criteria (a-e) set out in TAN6 to establish when a new dwelling on an

established rural enterprise may be justified, under paragraph 4.4.1, whereby proposals should only be permitted where they meet these requirements.

Criterion a) of the TAN requires that there is a clearly established functional need for one or more workers to be readily available at most times for the proper functioning of the enterprise; criterion b) requires that this need must relate to a full rather than part-time worker; criterion c) relates to a financial test whereby the enterprise must have been established for at least three years, profitable for at least one of them and be financially sound and have a clear prospect of remaining so; under criterion d) applicants must demonstrate that the functional need cannot be fulfilled by another dwelling or converting an existing building on the holding; criterion e) relates to 'other normal planning requirements' in that proposals must be acceptable from, for example, a siting, design and access perspective.

Functional Requirement

The applicant has advised that the principal reason for requiring a new dwelling on the existing yard is to enable to enable *"the successful business at Trewern Farm to be retained and continue to provide essential employment for the Applicants, whilst also overseeing the 24/7 care of the valuable beef stock.*

The Applicants engage in five principal activities at Trewern Farm –

- 1. Pedigree Limousin Herd – The Applicants rear their own calves as Breeding females and bulls.*
- 2. Bull Sales – Purchases all breeds of bulls from other breeders and holdings throughout the UK to sell to other potential breeders, farmers, locally and widely through www.rhysbullsales.co.uk*
- 3. Barrens/Stores Cattle – Bought from livestock marts and other agricultural holdings to be fattened before being sent to slaughter.*
- 4. Store cattle purchased on behalf of customers and stored on the holding.*
- 5. Sheep – Purchased late August, to lamb in late winter/spring, sold as ewes and lambs or sheep are culled early Summer and lambs are kept to "finish off".*

The submitted Rural Enterprise Dwelling Appraisal conveys the daily routine undertaken by Mr Davies includes entering the 20 bull pens individually, scraping their mats before giving silage, which can take approximately 2 ½ hours in the morning and 2 ½ hours in the evening; attending livestock marts to purchase bulls to sell, barrens & stores; transport bulls and cattle onto the holding; TB testing bulls for sale; calving 25+ pedigree cows, first batch begins calving during the Autumn, second batch begin calving late winter/spring; seasonal work, fertilizer, mowing etc; working the slopes with the farm quad bike.

It is stated that a full-time presence is required at the farm is essential for the successful running of the enterprise, highlighting the need for feeding, to address incidents in inclement weather, livestock accidents and lambing particularly when local roads are impassable in due to snow. The application contends that a constant presence on site means that without that dutiful care, valuable stock would be lost.

A letter of support from Carmarthen Veterinary Centre and Hospital conveys that the applicants pride themselves in the welfare and management of their animals and to aid that a residential property on the land is essential. Reference is given to the poor phone signal

in the area that would mean that there is difficulty in monitoring cows remotely overnight which could lead to a welfare issue if a cow was to calve unattended.

The submitted appraisal seeks to address the relevant criteria as follows:-

Time Test

TAN6 states that it must be demonstrated to be essential for a full-time worker to be readily available at most times, at or in close proximity to the site of need, for an appropriate rural enterprise to function properly.

Although it is not expressly stated in the application, it is clearly implied that there is a need for one full-time worker, the applicant, to be at the site.

Financial Test

TAN6 requires a rural enterprise to be financially sound and should have good prospects of remaining economically sustainable for a reasonable period of time, usually at least 5 years. In support of this element, financial records for the business in years 2018, 2019 and 2020, each of which demonstrate profitability, that were provided in the previous unsuccessful application (W/39836) have again been provided. In addition to which, the Feasibility Study includes a summary of the 'gross margin forecasts' and 'forecast farm profit' for years 2021 to 2025, which again demonstrate financial viability.

Other Dwelling Test

TAN6 requires that the availability of existing alternative dwelling options to meet the identified functional need, and/or of the scope to reorganise the management of an enterprise such that there is no need for a new dwelling.

The applicants presently reside in the chalet on site, approved as a welfare facility/office in July 2013, which the applicant confirms he has resided in since the grant of planning consent, and acknowledges that the residential occupation is in breach of that permission. The applicants advise that the condition of the existing accommodation at Trewern is no longer fit for purpose and as such a new dwelling is required.

In terms of other buildings available for conversion it is accepted that there are no existing buildings suitable for conversion on the site. The applicants convey that an internet search revealed *'very few properties for sale within 3 miles of Trewern. Such properties tend to be located on their own respective farm holdings and at values in excess of £750,000, whilst most individual properties tend to be located within the town of St. Clears, or villages of Meidrim and Talog.'* Other properties identified *'would not meet the needs of Trewern Farm given that they lie over 2-3 miles from the holding and would not allow the Applicants to monitor the welfare of their expensive livestock and provide around-the-clock security, preventing trespass and potential theft of those livestock and farm vehicles and implements.'*

Other Planning Requirements Test

The appraisal conveys that the proposed dwelling has been designed to comply with each criterion of LDP policy GP1 (Sustainability and High Quality Design). It is stated that the design has due regard to the topography of the site, the scale of the dwelling is appropriate for the site and surroundings, utilises materials appropriate to the area, has no adverse

impact on any adjacent land uses or occupiers and has the appropriate parking and service provisions provided.

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

There is a longstanding national policy of general restraint on sporadic development in the countryside. New rural enterprise dwellings remain exceptions to general policy and require particular justification.

Having thoroughly appraised the submitted information the application is considered to unfortunately be fundamentally flawed as the holding size is insufficient at 33 Acres (owned) to support the projected figures in its own right. While it is acknowledged that there is a further 64 acres of rented land, this is held on a short term, year to year basis and could be lost at any time. The loss of this land would have a significant impact of the viability of the holding and the ability to service existing debt as well as that additionally sought finance proposed to create the dwelling. The land that is owned is extremely steep and has a north easterly aspect. Although this is suitable for grazing a modest flock of sheep, it has limited potential for stated cropping. This further underlines the holdings limitations and reliance on the rented land.

Whilst the financial and cash flow projections appear to show viability over the next 5 years, there is no guarantee of the continued strength of current market prices throughout that period. As these are only projections, more weight is attributed to the accounts submitted for the last 3 years. Although these show a useful level of turnover, the profits are small and infrequent. There is clearly a significant element of off-site income and time spent transporting livestock as evidenced by the stock lorry. Drawings are similarly small and the case that an agricultural worker's minimum wage is attainable is not proven. Based on actual figures provided the ability of the business to afford the house is also not proven.

With regard to the actual day to day functioning of the enterprise and the need to be on site at all times, this is also unproven. Whilst the feasibility study asserts that the applicant has lived on site for 10 years, the double cabin demountable unit that serves as a welfare facility and office was only granted consent in 2013. Valuation officers have visited the site on several occasions over the last 18 months to find it locked up and no one there. Similarly stocking levels were far lower than those suggested. Whilst it is acknowledged that temporary accommodation might be needed during key lambing and calving periods only, the need to be on site continuously and a new permanent dwelling is not. The number of animals handled by the business is far in excess of that capable of being supported by a holding of this size. Time spent driving and transporting stock elsewhere further illustrates the lack of need for a constant presence at the holding.

In summary, whilst the range of buildings gives rise to an opportunity for a specialist enterprise on a small scale, the business is heavily dependent on short term rented land and off farm income and activities.

Turning to the usual planning requirements for a new dwelling, it is considered that the proposed use of reconstituted stone on the external elevation is not consistent with elevational treatment of the traditional dwellings sporadically dispersed in the area which are primarily of a render or painted render finish. Contrary to the assertion that '*The proposal has therefore sought to draw on those found within the surrounding area to be respectful of local finishes but reduce the cost of construction.*', the use of reconstituted stone is also likely to significantly increase the construction cost and consequently the value of the house, beyond the realm of the affordable occupancy element of the condition that must be imposed on any permission for a rural enterprise dwelling.

Although the applicant in discussion with the case officer during his site inspection was amenable to revising the external appearance and revisiting the overall size of the dwelling, commenting that he only needed a house to meet the needs of him, his wife and infant child, correspondence has subsequently been received in which it is confirmed that the design is not to be revised as '*They have a growing family and a four-bedroomed detached house will not only meet their needs, but also those of the growing farm business and holding.*

After careful consideration of the scheme as submitted, together with the representations received, it is concluded that on the basis of the above the proposal does not comply with the requirements of Welsh Government Technical Advice Note 6: Planning for Sustainable Rural Communities and is therefore recommended for refusal on the following grounds.

Recommendation – Refusal

Reasons for Refusal

Reason 1.

The proposal fails to demonstrate that there is an existing functional need for a full time worker to be present on the site at most times for the proper functioning of the business and therefore does not comply with paragraph 4.4.1. (a) and (b) of Technical Advice Note 6 : Planning for Sustainable Rural Communities (July 2010).

Reason 2.

Insufficient justification has been provided to demonstrate that the rural enterprise is financially sound and economically sustainable, as the level of profit is insufficient to provide a market return for all operators for the amount of management and manual labour input. The proposal is therefore contrary to paragraphs 4.4.1(c) and 4.10 of Technical Advice Note 6 : Planning for Sustainable Rural Communities (July 2010).

Reason 3.

It is evident that the part-time functional need could be fulfilled by other dwellings nearby. Insufficient evidence has been provided to demonstrate why alternative local accommodation is not acceptable. The proposal is therefore contrary to paragraph 4.4.1(d) of Technical Advice Note 6: Planning for Sustainable Rural Communities (July 2010).

Reason 4.

The development is contrary to Policy SP14 “Protection and Enhancement of the Natural Environment” of the Carmarthenshire Local Development Plan in that it is considered that insufficient justification has been provided to support a rural enterprise dwelling at this location. The proposal will have a detrimental effect on the traditional appearance and character of the open countryside at this location.

Reason 5.

The proposed development, if granted, would be contrary to Policy GP1 “Sustainability and High Quality Design’ of the Carmarthenshire Local Development Plan (2014) in that the proposed use of reconstituted stone in the construction of the external elevations of the new house shall neither conform with nor enhance the character and appearance of the area, considered to be the open countryside beyond the development limits of the nearby settlements, where the traditional dwellings primarily have either render or painted render elevations.

Application No	PL/01992
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Application Type	Householder
Proposal & Location	RETENTION OF DETACHED DOMESTIC OUTBUILDING AT 4 MAES YR EGLWYS, LLANSAINT, KIDWELLY, SA17 5JE

Applicant(s)	MR AND MRS B & J STONE
Agent	EVANS BANKS PLANNING LIMITED
Case Officer	Charlotte Greves
Ward	St Ishmael
Date registered	27/05/2021

Reason for Committee

This application is being reported to the Planning Committee following a call-in request by the Local Member as "the application is in a conservation area where there is a variety of scale and design of outbuildings. The proposed application does not seem out of keeping with its environs".

At the Planning Committee meeting of 19th August 2021, it was resolved that the application be deferred to enable the Development Management Officer to discuss with the applicant whether they are prepared to make any changes to the design and appearance of the building, which may possibly make the development acceptable within a conservation area.'

Members may recall that a representation was received from the local member in support of the application on the basis that the application had the support of the local community; the building was only noticeable at close quarters; the applicant would be forced to sell the property should the application be refused.

Since the Planning Committee meeting of the 19th August 2021 the applicant's agent has submitted an amended plan for consideration which detail the following amendments:

1. Remove the two window openings to the roadside elevation, and to cover those former openings with timber cladding to match the existing timber finish.
2. Replace the existing roller shutter door with a pair of solid timber doors opening inwards.
3. Paint the remaining window openings to the garden elevation in a dark brown colour to match the re-colouring of the timber cladding.
4. Apply a natural stone finish to the lower walling to match existing stone finishes on adjoining boundary walls.

The Built Heritage Officer has responded to re-consultation advising that the amended proposals fail to address the concerns as previously raised, recommending that as a minimum, in order to seek to retain the structure as constructed, that is considered inappropriate in its design especially the roof, that consideration should also be given to the incorporation of the following:

1. The roadside elevation be stone clad to the roof;
2. The retention of the timber cladding is not considered appropriate, as timber cladding is not readily prevalent within the conservation area, and in addition this rough sawn timber is especially not appropriate, and replicates timbers used for non-visible purposes not external cladding. Nonetheless timber cladding is not prevalent, and stone would be preferred for the 3 visible/ faces or at the very least the roadside and garage door elevation, with the side elevation facing the garden (B) being self-coloured render in a stone colour. The elevation facing the garden could remain clad if preferred;
3. The windows on elevation B be omitted, which overlook a neighbour's garden; and
4. If no windows were visible from a public highway, then perhaps consideration could be given to their retention not painting. This may mean that the small window next to the now timber garage doors should be replaced with timber or omitted.

Notwithstanding the above, the Built Heritage Officer advises that this would still be a large building with an irregular shaped roof within the conservation area. However, if minded to approve with amendments, the amendments should be meaningful.

Having been advised of the Built Heritage Officer's comments that the amended proposal is again not supported, along with the advised further amendments noted above, the applicants have confirmed that they shall not be making further amendments and request that the amended plan, that the Built Heritage Officer considers to be unacceptable, is presented to the Planning Committee, conveying that as a young family, they state that they do not have the resources to extend the amount of stone work to roof level.

They point to the changes proposed in the revised plan, i.e. stone to be added to lower walls, painting the timber cladding a dark brown colouring to resemble typical garden fencing, removal of frontage windows, removal of roller shutter doors and painting of remaining side upvc windows. They consider that such changes are more than a sympathetic and genuine attempt by the applicants to be reasonable and integrate the detached garage into the local surroundings.

Having due regard to the measures proposed in the amended plan; the representation of the local member; the advice of the Built Heritage Officer, it is considered, on balance, that the revised proposal has a harmful impact upon the conservation area and it is recommended that planning permission is refused.

Application as Previously Presented

Site

The application site comprises a terraced property, known as 4 Maes Yr Eglwys, which is located in the settlement and Conservation Area of Llansaint. The dwelling has a long rear garden which terminates at Heol Gwermont. The detached outbuilding which is the subject of this application has been erected at the end of the rear garden and immediately fronts Heol Gwermont with direct access off the highway.

Proposal

The application seeks planning permission for the retention of the detached outbuilding. The single storey building has a pentagonal footprint and comprises a mixture of materials, including a combination of blockwork and timber walls, white UPVC windows and a door, a metal roller shutter door and a metal sheet roof. The use of the outbuilding is shown on the submitted plans as a garage, stated to be for domestic purposes.

The plans and supporting information submitted with the application suggest that the building is unfinished and that the Authority is requested to determine the application on the basis that the existing timber walls are to be painted a dark brown colour and the lower wall to be finished in local stone to match adjoining boundary walls.

Planning Site History

- PL/01542 Householder planning permission refused for the retention of detached domestic outbuilding on the 30th April 2021 for the following reason:

“The proposal is contrary to Policy SP13, GP1 and EQ1 of the Carmarthenshire Local Development Plan in that the scale, height, massing and materials of the garage is of a design and appearance that is not acceptable within a conservation area. The proposal is therefore considered to be detrimental of the character and appearance of the site and context within the historic environment.”

- W/34508 Householder planning permission was granted on 16th November 2016 for a two storey extension to rear and construction of detached garage.

Planning Policy

In the context of the Authority’s current Local Development Plan (LDP) the site is located within the Development Limits and Conservation Area of Llansaint. Reference is drawn to the following policies of the Plan:-

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

SP1 Sustainable Places and Spaces
SP13 Protection and Enhancement of the Built and Historic Environment
GP1 Sustainability and High Quality Design
GP6 Extensions
EQ1 Protection of Buildings, Landscapes and Features of Historic Importance.

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales](#) (PPW) Edition 11, February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Head of Highways and Transport – No objections subject to the building being utilised for domestic purposes only.

St Ishmael Community Council – Has not responded to consultation.

Local Member – County Councillor and Deputy Leader of the Council Mair Stephens has made no prior comment.

Built Heritage – Recommendation of refusal on the grounds that the design, scale, height, appearance and materials would fail to preserve or enhance the character and appearance of the Llansaint Conservation Area or reinforce its local distinctiveness and as such would be contrary to Section 72 of the Planning Listed Buildings and Conservation Areas Act 1990, sections 3.9,3.10 and 6.1.15 of Planning Policy Wales 11th edition (2021), Section 6.13 of TAN24, and LDP policies, SP1, SP13, GP1, and EQ1.

Sustainable Drainage Approval Body – SAB approval is not required as the development is less than 100m².

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

Summary of Public Representations

The application was the subject of notification by way of a site notice. No third party representations were received as a result.

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

Appraisal

As stated above, an application for the same proposal has recently been refused by the Local Planning Authority. The current application is for the same proposal and nothing has changed in respect of the development proposed to be retained.

The design of the detached outbuilding, including its scale, height, massing and materials, which is visible from within the Conservation Area of Llansaint from the south, east and west of the site would have a harmful impact on the character and appearance of the site and Conservation Area within which it is located. The proposed development would neither preserve nor enhance the conservation area or its setting and is therefore considered contrary to Policies SP 13, GP 1, GP 6 and EQ 1 of the Local Development Plan for Carmarthenshire adopted December 2014.

The proposed stone and painted timber finishes to the walls would fail to overcome the harmful impact of the development. While the supporting information submitted with the application draws attention to similar neighbouring developments, the application has been considered based on its own merits and the information provided does not provide sufficient evidence or reason to overcome the heritage concerns and to allow the development.

Planning Obligations

Not applicable.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

The principal consideration in the determination of applications for development in conservation areas is the statutory duty placed upon the local planning authority at Section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. This is reflected at paragraph 6.1.6 of 'Planning Policy Wales Ed.11' (February 2021) that sets out the Government objective to safeguard the character of historic buildings and manage change so that their special architectural and historic interest is preserved.

The design of the building, visible from within the Conservation Area of Llansaint from the south, east and west of the site would have a harmful impact on the character and appearance of the site and Conservation Area within which it is located. The proposed development would neither preserve nor enhance the conservation area, or its setting. The proposal is therefore contrary to policies SP 13, GP 1, GP 6 and EQ 1 of the Local Development Plan for Carmarthenshire, adopted December 2014.

After careful consideration of the scheme as submitted it is concluded on balance that the proposal fails to comply with the relevant policies as set out in the local development plan and is therefore recommended for refusal.

Recommendation - Refusal

Reasons for Refusal

Reason 1.

The design of the detached outbuilding, including its scale, height, massing and materials, which is visible from within the Conservation Area of Llansaint from areas to the south, east and west of the site would have a harmful impact on the character and appearance of the site and Conservation Area within which it is located. The proposed development would neither preserve nor enhance the conservation area or its setting and is therefore considered contrary to Policies SP 1, SP 13, GP 1, GP 6 and EQ 1 of the Local Development Plan for Carmarthenshire adopted December 2014.

Notes/Informatives

Note 1.

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).