

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR
AMGYLCHEDD**

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

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 13 AWST 2020
ON 13 AUGUST 2020**

**I'W BENDERFYNU/
FOR DECISION**

***Ardal De/
Area South***



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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	13 AUGUST 2020
REPORT OF:	HEAD OF PLANNING

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<p>APPLICATIONS RECOMMENDED FOR APPROVAL</p>

Application No	S/40580
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Application Type	Variation of Planning Condition(s)
Proposal & Location	VARIATION OF CONDITION 2 ON S/39644 (PROPOSED FRONT AND REAR EXTENSION WITH NEW DORMER WINDOWS, LIFTING OF EXISTING RIDGE LINE BY 350MM AND ROOF PITCH CHANGE) WE WOULD LIKE TO SUBSTITUTE THE CURRENT APPROVED PLANS TO SHOW THE FOLLOWING CHANGES:EXTEND THE REAR FIRST FLOOR OUT TO THE LINE OF THE GROUND FLOOR EXTERNAL WALL, AND ONE NUMBER NEW ROOFLIGHT TO THE FRONT BEDROOM AT 43 PEN LLWYN GWYN ROAD, BRYN, LLANELLI, SA14 9UH

Applicant(s)	Mr Robert Rees
Case Officer	Zoe James
Ward	Llangennech
Date registered	14 May 2020

Reason for Committee

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

Site

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

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

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

Proposal

The application proposes a variation to condition 2 of the approved planning permission reference. S/39644 for a front and rear extension at the property. Condition 2 of the permission lists the approved plans and the current application seeks to amend the approved plans to extend the rear first floor element of the extension and introduce a new rooflight.

As detailed below, application reference. S/39644 was approved at Planning Committee in January 2020. During the course of this application, the first-floor extension was initially proposed to be the full length of the ground floor although it was then set back around 1.4metres following discussion with the applicant in order to comply with LDP policy requirements regarding subordinacy to the host dwelling and residential amenity. The present application seeks to amend the approved plans and extend the first-floor element out in line with the ground floor by approximately 1.4 metres.

As confirmed during the previous application the proposals are required to provide additional space at the property for medical reasons, the applicant's son is autistic and has attention deficit hyperactivity disorder. Following the approval of the previous application, the applicant and family are temporarily living in a caravan to the front of the property whilst the extension and renovations are being carried out. During this time, it has become apparent that the constant traffic movement and noise from the main road has a significant detrimental impact on their son's health. As such, the front bedroom at the property is no longer a suitable option and he will need to occupy the rear bedroom. In order to accommodate the sensory equipment required within the room and due to the roof design of the property, the first-floor extension is required to be extended slightly. A plan has been submitted in support of the application detailing the sensory equipment proposed and the space requirements. The application has been submitted following the current distress experienced due to the road/traffic noise and in order to amend the previous planning permission granted to ensure the extension will meet the family's specific and individual requirements.

The amended plans also propose the introduction of a new rooflight for bedroom one on the side roofplane. The height of the rear first floor window has also been reduced slightly to allow the applicant's son views out to the proposed sensory garden.

Planning Site History

The following planning application is of relevance:

S/39644 PROPOSED FRONT AND REAR EXTENSION WITH NEW DORMER WINDOWS, LIFTING OF EXISTING RIDGE LINE BY 350MM AND ROOF PITCH CHANGE – Approved at Planning Committee 14/01/20

Planning Policy

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

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

GP1 Sustainability and High Quality Design
GP6 Extensions

[Carmarthenshire Supplementary Planning Guidance](#)

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

Summary of Consultation Responses

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

Llanelli Rural Council - No observations received to date.

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

Dwr Cymru/Welsh Water - No observations received to date.

Planning Ecology – no objections, a bat advisory has been issued.

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

Summary of Public Representations

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

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

- Council does not listen to others in the area.
- Work has already commenced on site which reflects the changes and should not be allowed in the interest of fairness.
- Planning department has not listened or considered requests to visit site.
- Times for construction should be enforced.

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

Appraisal

The principal of a front and rear extension including increasing the ridge height at the property has already been accepted and work has commenced on site. The current application seeks permission to extend the rear first floor element of the extension out in line with the ground floor by approximately 1.4metres and introduce a new rooflight.

The main considerations comprise the impact on the character and appearance of the host dwelling, the impact on residential amenity and the material factors in this case comprising the applicant's son's medical conditions and subsequent requirements for the property.

Firstly, turning to the impact on the character and appearance of the host dwelling. The proposal is to increase the rear first floor extension to be in line with the ground floor extension. Whilst this will reduce the appearance of subordinacy from the present approval, it will not have a detrimental impact on the external appearance of the dwelling and moreover will not be visible from the front street scene.

In terms of the impact on amenity of neighbour properties, the application is supported by a plan showing the sun path. The plan shows that the resultant change/shadowing on the neighbouring property is negligible. The additional extension at first floor is also not considered to result in an adverse impact by way of overbearance to warrant refusing the proposal when considering the material factors relevant to this proposal. It is worth highlighting no objection has been confirmed to be received from no. 45 neighbouring the property to the east and the applicant has advised they have discussed the proposal with them.

The material factors presented in this application comprise the requirement for the applicant's disabled son to occupy the rear first floor bedroom due to the distress caused by the traffic noise. As demonstrated by the submitted plan, in order for the rear bedroom to be suitable in size to accommodate the necessary equipment the proposed extension is required. As a result, the material factors in this case are considered to outweigh any negligible impact on neighbouring amenity as a result of the proposal. Furthermore, the neighbouring property do not oppose the amendment given no written objection has been received.

The provision of an additional roof light to the east roof plan will be above eye level and therefore will not result in loss of privacy to the detriment of neighbouring properties.

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

The application site has been visited as part of the consideration of the property in line with the current guidance regarding social distancing. No requests have been received in relation to neighbouring properties as part of this application. There are also no conditions imposed on the permission regarding construction hours, hours of construction are governed under other legislation (The Control of Pollution Act 1974 and Environmental Protection Act 1990) as such it is not considered necessary to restrict this further via planning conditions. Work has commenced on site including demolition of the existing rear single storey extensions, as permitted under permission S/39644.

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

Planning Obligations

None

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The

decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

After careful consideration of the scheme as submitted, along with third party comments received and the material factors of pertinence to this case, it is concluded on balance that the proposed alterations are acceptable. Whilst the increase in the size of the first floor rear extension will not present a subordinate relationship to the host dwelling, this will not be visible from the street scene and this coupled with any negligible impact on the amenity of neighbouring occupiers is considered to be outweighed by the benefits provided to the applicant's family through the proposal.

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

Conditions

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the following plans and documents:-
 - Site Location Plan scale 1:1250 received 23 July 2020;
 - Existing Floor Plans and Elevations drawing no. A100-001 received 23 July 2020;
 - Proposed Floor Plans and Elevations drawing no. A100-002-2 received 6 May 2020;
 - Proposed Block Plan drawing no. A100-003-3 received 6 May 2020;
 - Proposed Sun Paths drawing no. A100-004 received 6 May 2020;
 - Sensory Equipment Plan drawing no. A100-11 received 13 July 2020.
- 3 Notwithstanding the details specified on the Proposed Floor Plans and Elevations, details/samples of the proposed materials shall be submitted to and approved in writing by the Local Planning Authority within three months from the date of this permission. The development shall be carried out in accordance with the approved details thereafter.
- 4 Before the development hereby permitted is first brought into use the bathroom/shower room window and the reading room window at first floor level (as shown on Proposed Floor Plans and Elevations drawing no. A100-002-2) shall be fitted with obscure glazing and shall be permanently retained in that condition thereafter.
- 5 No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reasons

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

Notes

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

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

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

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

- 2 Comments and responses received from consultees and third parties can be found on the Authority's website (www.carmarthenshire.gov.uk). They may also relate to other permissions or consents required or include further advice and guidance.
 - Please see the relevant responses on this application and the original permission. S/39644 from the Planning Ecologist and Dwr Cymru Welsh Water and refer to the recommendations and advice contained therein.

Application No	S/40617
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Application Type	Householder
Proposal & Location	PROPOSED GARAGE EXTENSION AND FIRST FLOOR BEDROOM EXTENSION AT 6 LLYS PENDDERI, LLANELLI, SA14 9PY

Applicant(s)	MR MATHIAS
Agent	MR MAIELLO
Case Officer	Zoe James
Ward	Bynea
Date registered	20 May 2020

Reason for Committee

This application is being reported to the Planning Committee following a call-in request by Cllr Deryk Cundy and following the receipt of more than one objection from third parties.

Site

The site comprises the curtilage of a detached dwelling at no. 6 Llys Penderri in Bynea. The dwelling is set centrally within the plot with car parking and driveway to the front of the dwelling and amenity garden area to the rear. The front elevation includes the main entrance and existing integral garage located to the eastern side. At the rear of the property is a single storey conservatory. The property has a red brick finish with dark grey roof tiles.

The site is bordered by the estate road of Llys Penderri to the north, residential properties to the east and west and the recently developed residential development of Parc Brynderi to the south.

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

Proposal

The application seeks full planning permission for a garage extension and first floor extension at the property. The existing integral garage is proposed to be converted into living accommodation through the internal reorganisation of the downstairs and creation of a larger open plan kitchen/dining room and separate utility room. At first floor, the proposal involves

the creation of a new larger bedroom 1 complete with en suite and dressing area. A Juliette balcony is proposed from bedroom 1 on the rear elevation. The first-floor extension covers the existing ground floor, measuring approximately 7.8m in length and 3.7m wide. To the west, a new single storey garage extension is proposed. The garage extends some 3m wide with a depth of 4.5m. The existing garage door is proposed for the front elevation of the new garage with a new access door proposed for the rear elevation. The garage will be set back from the front elevation of the dwelling. The applicant has advised that the garage is to be used for storage purposes with sufficient space for parking on the front driveway.

To accommodate the first-floor extension a front gable is proposed with a pitched roof for the single storey garage extension. The proposed extension is to be red brick finish with dark roof tiles to match the existing dwelling.

Planning Site History

The site has the following planning history:-

D5/13237	Dwelling house and garage Approved	01 October 1990
D5/12972	Access road to serve proposed residential development Outline planning permission	25 July 1990
D5/12229	Residential development – 11 dwellings Refused	13 November 1989
D5/166	Private housing Refused	21 October 1974

Planning Policy

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

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

GP1 Sustainability and High Quality Design
GP6 Extensions
EQ7 Biodiversity

[Carmarthenshire Supplementary Planning Guidance](#)

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

Summary of Consultation Responses

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

Llanelli Rural Council - No objections.

Local Member(s) - Councillor Deryk Cundy has requested that the application is brought to Planning Committee and that a site visit is undertaken.

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

Dwr Cymru/Welsh Water – Standard comments, no objections.

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

Summary of Public Representations

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

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

- The proposed garage is too close to boundary wall and will compromise the wall foundations.
- The gap between boundary wall and the proposed garage is too small and will be unable to access the wall for maintenance.
- Building the garage will require workers to be sited on wall or position scaffolding in border which contains mature shrubs.
- Property is below level of number 6 and garage will appear overpowering and reduce amount of light received.
- Juliette balcony and large glazed area on back wall will have a clear view over neighbouring back garden, diminishing enjoyment of home.
- No view for the applicant as they have 240 new houses beyond.
- Property has a room above the garage but instead has a dormer window which is less obtrusive.
- Garage conversion proposes a side entrance and full-length side window facing property. If wooden fence was removed full views would be afforded to property.
- Garage conversion and first floor extension results in raising roof line and extending forward. As the sun moves from east to west a significant period of evening sunshine would be lost from garden which would curtail enjoyment of outdoor time having an adverse effect on wellbeing.
- The increased wall/roof height would decrease the amount of light received to side of property.

- Concerns regarding the impact on the gas flue and impact on air quality as a result of the first-floor extension.
- The addition of a side entrance will have detrimental impact on the appearance of the area as all properties have traditional front and back doors.

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

Appraisal

In terms of the principle of development, the proposal involves an extension and conversion at an existing residential dwelling within development limits and within an established residential area. Local Development Plan (LDP) Policy GP6 is of relevance. The policy supports residential extensions where they are compatible to the size and character of the existing development. The proposal involves a full first floor extension above the existing garage, measuring approximately 7.8m in length and 3.7m wide. The first-floor extension involves raising the existing roof in line with the first-floor element of the dwelling and the provision of a front gable. A new triple pane window is proposed on the front gable at ground and first floor levels to match the existing style windows at the dwelling. In terms of the impact on the host dwelling and character and appearance of the area, the proposed extension is considered to be acceptable as there are other properties with similar front gables facing the estate road. The extension is also not considered to be overdevelopment for the host dwelling and curtilage of the site.

Turning to concerns raised regarding privacy, to the rear a new Juliette balcony is proposed with two windows at first floor level. At ground floor, the existing garage is proposed to be converted creating a large open plan kitchen and dining room to the rear and utility to the front. Large bi-folding doors are proposed on the rear elevation with a new access door and full-length vertical window proposed to the side elevation at ground floor level to serve the new utility room. Concerns are raised from the neighbouring property in relation to loss of privacy by way of the new first floor rear window and Juliette balcony and also the new ground floor side elevation door and window. The existing dwelling presently has three large windows on the rear elevation which look out onto the rear garden. The Juliette balcony, whilst being slightly closer to the neighbouring property will still face the garden of the application site and with views oriented to the garden. In terms of the side access door and new window proposed, as noted by the neighbour the property benefits from an existing close boarded timber fence along the eastern boundary. A condition is proposed to require this or an alternate boundary treatment to be retained at the property. To the east no new windows are proposed. As such, it is not considered that the proposal will have a detrimental impact on the privacy of neighbouring occupiers.

Concerns are also raised by both objectors in relation to overbearance and loss of light. To the east the first-floor extension is above the existing dwelling. Given the position of the dwelling and the increase in height of approximately 2.2 metres to provide the first floor, there is not considered to be an adverse impact on the neighbouring property by way of overbearance or loss of light. To the west, a new single storey garage extension is proposed measuring approximately 3 metres wide and 4.5metres deep, with pitched roof of 3.9 metres. The garage is proposed to be set back from the front elevation and in line with the rear elevation of the existing dwelling. Whilst the garage is located close to the application site boundary, it is single storey only and does not extend beyond the existing rear elevation of the dwelling. Given the positioning and size, the residential amenity of the neighbouring occupier is not considered to be adversely affected.

As acknowledged the proposed garage is situated close to the boundary wall, nevertheless it is within the application site and is not considered to warrant concerns to refuse the proposal. In terms of the stability of the boundary wall, the extension would require the necessary building regulations.

The proposal does not impact upon the highway network, the existing driveway provides sufficient area for parking. A Bat Survey is being undertaken given the alteration to the roof. This is presently outstanding and will be required before any planning permission is granted.

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

Planning Obligations

None

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted, along with third party comments and the relevant material considerations it is concluded on balance that the proposed extension and alterations are acceptable. The extensions are considered to be compatible to the character and appearance of the existing property and surrounding residential area and the amenities of adjacent occupiers will not be adversely affected by the development.

The proposal is in accordance with the policies of the adopted Local Development Plan and is therefore put forward with a favourable recommendation subject to the below conditions and submission of a bat survey which has been signed off by the Planning Ecologist. No permission can be granted in advance of this being received and authorised.

Recommendation: Approval

Conditions

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

- Site Location Plan, Existing Floor Plans and Elevations received 18 May 2020;
- Proposed Block Plan, Proposed Floor Plans and Elevations received 14 July 2020.

- 3 The materials to be used in the construction of the external surfaces of the extensions shall be as specified on Proposed Elevations and match those used in the existing building.
- 4 The 1.8m high boundary fence along the east boundary between the site and no. 4 LLys Pendderi shall be retained or an alternate boundary treatment of the same height shall be provided and retained thereafter.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interests of visual amenity and to confirm the extent of the permission.
- 3 In the interests of visual amenity.
- 4 In the interest of privacy.

Notes

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

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

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

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

- 2 Comments and responses received from consultees and third parties can be found on the Authority's website (www.carmarthenshire.gov.uk). They may also relate to other permissions or consents required or include further advice and guidance.

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