

**Cyngor Sir Caerfyrddin
Carmarthenshire County Council**

**PWYLLGOR CYNLLUNIO
PLANNING COMMITTEE**

**Adroddiad Pennaeth Lle a
Chynaliadwyedd
Adran yr Amgylchedd**

**Report of the Head of Place
and Sustainability
Environment Department**

03/02/2022

**I'W BENDERFYNU
FOR DECISION**

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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	03 FEBRUARY 2022
REPORT OF:	HEAD OF PLACE AND SUSTAINABILITY

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PL/02213	Reserved matters application for two dwellings and associated discharge of conditions 5, 9, 10 and 12 of outline planning permission W/32038 (proposed affordable dwellings (exceptions housing) resubmission of W/29836) at land off High Street, Llansteffan, Carmarthen, SA33 5JN	21-29
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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	PL/01154
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Application Type	Outline
Proposal & Location	RESIDENTIAL DEVELOPMENT AT LAND OFF HEOL GLYNDWR, PONTYATES

Applicant(s)	MESSRS N, P & M GRIFFITHS
Agent	EVANS BANKS PLANNING LIMITED – RICHARD BANKS
Case Officer	Sophie Berry
Ward	Llangyndeyrn
Date registered	03/02/2021

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 is an allocated housing site within the settlement development limits of Pontyates, South West of the B4309 Heol Y Meinciau and to the south of the Maes Glas Estate. As a housing allocation (T3/5/h4), the site forms part of the strategy for the development of the village so the principle of development has been established through the Local Development Plan.

The site is a paddock which is used for grazing and is enclosed by an established hedge boundary with mature trees. There is an outbuilding situated in the Southernmost corner of the site. The site is sloping in nature down from North to South.

The site has a history of three refusals for residential development from 1976 – 1980, however has subsequently been identified as suitable for development in the LDP with a requirement for 20% affordable housing contribution.

Proposal

The application seeks outline planning permission to establish the principle of residential development on the site with an access onto a road known as Heol Glyndwr which leads onto Heol y Meinciau.

An indicative plan has been submitted showing 7 detached houses plus a pair of semi-detached affordable houses fronting onto an estate road. The plans indicate that the detached houses would be self-build plots.

The scale parameters are such that the site could be one or two storey detached dwellings and the semi-detached would be two storey.

The indicative plan also shows a surface water arrangement with individual soakaways and a sustainable drainage system with adoptable surface water basin.

Planning Site History

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

D4/7861	Siting of residential development Refused	11 September 1980
D4/563	Siting of residential development Refused	19 March 1979
D4/2309	Siting of residential development Refused	26 November 1976

Planning Policy

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

SP1 Sustainable Places and Spaces

SP2 Climate Change

GP1 Sustainability and High-Quality Design

GP2 Development Limits

H1 Housing Allocations

H2 Housing within Development Limits

AH1 Affordable Housing

REC2 Open Space Provision and New Developments

TR3 Highways in Developments - Design Considerations

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 – Following amendments, it is recommended that the application is approved subject to conditions.

Llangyndeyrn Community Council – Has no objection to the proposed development and would welcome the two affordable homes.

Local Member(s) - Councillor W T Evans is a member of Planning Committee and has not made prior comment.

Dwr Cymru/Welsh Water – Has no objection.

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

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

Summary of Public Representations

The application was the subject of notification by way of 9No. neighbour letters.

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

- Highway safety;
- Parking;
- Agriculture – there is an agricultural shed to serve this land;
- Loss of amenity through noise, dust and pollution;
- Wildlife.

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

Appraisal

This application seeks outline planning permission, with details of the layout, scale, appearance, and landscaping reserved for future consideration, for the erection of 9no dwellings, including 2no affordable dwellings, on this allocated housing site.

The acceptability of the principle of development is already established through the allocation of the site for 8no dwellings. The proposal is to provide an additional dwelling; however, the indicative plan demonstrates that this can be accommodated within the site whilst meeting the affordable housing requirement.

The primary considerations in the determination of this application are the impact of the proposal on the character and appearance of the area; the amenities of neighbouring properties; highways and parking and features of ecological importance, namely the trees surrounding the site and any bats/nesting birds that may inhabit them.

The applicant has agreed to enter into a S106 agreement with the Council to secure the contribution of £2,463 per plot towards leisure and open space and on-site provision of affordable housing.

Impact on the Character and Appearance of the Area

The application site is located within the settlement boundary and adjacent to existing dwellings within the predominantly residential area of Pontyates.

Appearance and scale of the proposed dwellings have been reserved for future consideration, as has layout. The maximum parameters are such that they would allow for a mix of single storey and two-storey dwellings. The dwellings within the immediate vicinity of the application site are bungalows in the majority, however, there are examples of two storey dwellings and therefore a development comprising a mix of bungalow and two-storey properties would not have an adverse impact upon the character or appearance of the area subject to detailed design. Furthermore, the indicative layout confirms that the density of development on the site would not be at odds with that of the surrounding area. The proposal therefore complies with Policy GP1.

A condition will be attached to any permission granted to control householder permitted development rights in respect of extensions, outbuildings and boundary treatment to ensure that the character of the area is protected.

Impact on Residential Amenity

Each of the dwellings is set within its own plot. All of the dwellings are to be provided within off-street parking and the majority will have sizable gardens, with the exception of the affordable plots where the external amenity space is of smaller yet acceptable proportions.

The layout shows that some 18-20m can be achieved between dwellings on either side of the highway and therefore there will be no adverse impact in terms of overlooking. The dwellings within the site will therefore have an acceptable level of amenity in line with Policy GP1.

A number of objections have been received from local residents, including in relation to the impact of the construction of the proposal and likely increase in noise and pollution. The construction phase will however be temporary and given the residential nature of the development and surrounding area, it is not considered that the proposal will result in any unreasonable impact on noise. A condition will be attached to any planning permission granted to require the submission of the Construction Management Plan to ensure dust and noise during the construction phase are kept to an acceptable level.

Concern has also been expressed as to the impact of the proposal on on-street parking. However, the parking standards meet the relevant requirements. Furthermore, the proposal will improve highway safety at Heol Glyndwr through improved footway provision to the benefit of existing as well as future users. The proposal would not therefore have an adverse impact upon amenity.

Impact on Highways Safety and Parking

The proposed layout provides for all properties to be sufficiently set back from the proposed estate road to allow for parking areas to be formed within front and side curtilages. It has been demonstrated that parking can be provided in line with the adopted CSS Wales Parking Standards.

Footways with widths of 1.8m are proposed along both sides of Heol Glyndwr which is located within the site boundary, providing suitable access to the site for pedestrians whilst retaining sufficient width for two-way vehicle movements (5m road width).

Sole access to the site is from the B4309 via Heol Glyndwr. The B4309 benefits from footway provision on both sides with dropped kerbs generally provided at crossing points. However, the width of the western footway is notably below standards in places, particularly where power/lighting columns are positioned towards the centre of the footway. There are currently no footways alongside Heol Glyndwr; however, this is proposed as part of the application.

Visibility from the Heol Glyndwr/B4309 junction is reasonable; however, the positioning of a power / lighting column to the south does impede southbound visibility as well as impacting pedestrian accessibility.

Further information was sought as part of the initial highways' comments, the following requested information/details have been provided:

- Although indicative at this stage, parking layout for Bungalow (No.1) has been provided. The revised plan shows 3 no. parking spaces are to be retained.
- Proposed access road is overengineered, 5m wide carriageway would be acceptable with 1.8m footways. – The revised plan shows a 5m wide carriageway with 1.8m footways, the original proposals were considered to be overengineered.
- Footways now totally encompass the turning head, the revised plan illustrates.

The proposal is considered to comply with Policy TR3 and The Head of Transportation and Highways has recommended that planning permission is granted subject to the inclusion of conditions.

The Impact of Ecology and Trees

The existing boundaries consist of mature trees and hedgerows to the east, north and north west. The submitted Arboricultural Report identifies that some of the trees should be removed. However, this is at odds with the Preliminary Ecological Survey which suggests some trees could provide habitat for bats and further investigation should be required. On request, the applicant confirmed that no trees were to be removed, contrary to the requirements of the tree report and no further ecological surveys have been provided. There is no objection per se to the removal of the identified trees subject to confirmation that they do not provide a bat habitat. A condition will therefore be attached to any planning permission granted to prevent the removal of any trees until the relevant information has been submitted.

Following a request from the tree officer, plots 5 and 6 were moved away from the line of mature trees. No further formal comment has been received although it has been noted that the future design should take into consideration the likely pressure to remove trees and the impact of fruit and leaves on residential amenity. The layout shows ecological enhancement through the inclusion of bioretention areas as part of the SAB although further measures could be implemented in the detailed design phase and the relevant condition will be attached to any permission granted to ensure such features are provided. The proposal therefore complies with policies GP1, EQ4 and EQ5 of the LDP.

Planning Obligations

The proposal includes an on-site contribution of 2no. affordable dwellings which complies with the 20% requirement of the sub-market area and Policy AH1 for developments of 5 or more dwellings. These dwellings will be secured via a S106 agreement.

The Head of Leisure has requested a contribution of £2,463 per plot towards leisure and open space.

The developer has agreed to enter into a S106 agreement with the Council in order to secure the open space and affordable housing contributions and the proposal therefore complies with policies GP3, AH1 and REC2 and the Supplementary Planning Guidance on Planning Obligations, Affordable Housing and Leisure and Open Space Requirements for New Developments.

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 proposal is on an allocated housing site within the settlement boundary of a predominantly residential area and is therefore acceptable in principle and conforms with the wider pattern of development.

It will not have an adverse impact upon the amenity of neighbouring properties and future occupants of the scheme will enjoy an acceptable level of amenity with sufficient external amenity space and off-road parking.

The proposal is acceptable in terms of its impact on highways safety and will not have an adverse impact upon features of acknowledge ecological importance, subject to detailed design at reserved matters stage.

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

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

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

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

Condition 2

In pursuance of any reserved matters application, the details shall be in accordance with the principles, parameters and objectives of the following schedule of plans and documents:-

- Location Plan (LP010);
- Site Block Plan 1004.01 Rev C;
- Preliminary Ecological Assessment by DK Ecology and dated December 2020.

Reason: To ensure that only the approved works are carried out.

Condition 3

Approval of the details of the layout, scale, appearance, and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority.

Reason: To safeguard the rights of control of the Local Planning Authority in respect of the reserved matters and to comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and with the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

Condition 4

In pursuance of any reserved matters application, the density of the development hereby approved shall achieve a quantum of development no less than 8 units and no greater than 9 units.

Reason: In the interests of sustainability and to ensure that the Local Planning Authority retains control over the development.

Condition 5

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 amenity and to accord with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

Condition 6

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 7

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

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

Condition 8

Prior to the determination of any application for reserved matters seeking approval of 'layout', 'landscaping', or 'access'; the following shall be undertaken in compliance with the recommendations of BS5837, and submitted and approved in writing by the Local Planning Authority:-

- (i) Survey, Categorisation Report and Constraints Plan for all trees, large shrubs and hedges which are located within or on the site boundary; and all trees outside the site boundary within a distance of up to 12 times their stem diameter;
- (ii) Arboricultural Impact Assessment (AIA);
- (iii) Tree Protection Plan (TPP) fully informed by the AIA, which provides details of all protective measures, operations and construction exclusion zones for all trees, large shrubs and hedges identified for retention;
- (iv) Arboricultural Method Statement (AMS) fully informed by the AIA, which provides details, as necessary, of construction operations and specific design solutions to be undertaken within the root protection areas of all trees, large shrubs and hedges identified for retention;
- (v) Arboricultural Monitoring Programme (AMP) which provides details of the monitoring and reporting of the implementation of the TPP and AMS to the Local Planning Authority by a competent arboriculturalist appointed by the developer.

Reason: To ensure that the contribution of existing trees and landscape elements to the proposed development and to the delivery of relevant policy objectives is fully evaluated; and that those of suitable quality and condition are retained and effectively accommodated and protected as part of approved development in accordance policies SP1 SP14, GP1 and EQ5 of the Carmarthenshire Local Development Plan 2014.

Condition 9

No development, to include demolition, shall commence until a Tree Protection Plan (in accordance with BS 5837:2012) has been submitted to and approved in writing by the Local Planning Authority. The Tree Protection Plan shall contain full details of the following:-

- (a) Trees and hedges to be retained/felled clearly identified and marked on a plan;
- (b) Trees and hedges requiring surgery;
- (c) The root protection areas to be identified on plan for retained trees and hedges;
- (d) The type and detail of the barrier fencing to be used to safeguard the root protection areas;
- (e) The precise location of the barrier fencing, to be shown on plan.

The development shall be carried out in accordance with the approved Tree Protection Plan.

Reason: To protect important landscape features within the site.

Condition 10

No development shall commence until full details of the proposed boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be constructed in accordance with the approved details prior to the first occupation of the associated dwelling and then maintained thereafter.

Reason: To ensure the development is completed in a satisfactory manner.

Condition 11

Prior to its use by vehicular traffic, the new access road shall be laid out and constructed with 5.0 metre carriageway, 1.8 metre footways, and 6.0 metre kerbed radii at the junction with the B4309.

Reason: In the interest of highways safety.

Condition 12

Prior to any use of the estate road by vehicular traffic, a visibility splay of 2.4 metres x 43.0 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the estate road in relation to the nearer edge of carriageway.

Reason: In the interest of highways safety.

Condition 13

Prior to the commencement of development, the written approval of the Local Planning Authority shall be obtained for a scheme of parking and turning facilities within the curtilage of the site, and this shall be dedicated to serve the proposal. The approved scheme is to be fully implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity. In particular, no part of the parking or turning facilities are to be obstructed by non-motorised vehicles.

Reason: In the interest of highways safety.

Condition 14

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

Reason: In the interest of highways safety.

Condition 15

All surface water from the development herewith approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway.

Reason: In the interest of highways safety.

Condition 16

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

Reason: In the interest of highways safety.

Condition 17

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting that Order), Schedule 2, Part 1, no development within Classes A, B, C, D, or E shall be carried out without the prior written permission of the Local Planning Authority.

Reason: To ensure that a satisfactory form of development takes place and to protect the amenities of occupiers of adjoining properties.

Condition 18

Notwithstanding the submitted Arboricultural report, except where otherwise agreed in writing by the Local Planning Authority, no existing trees shall be felled, topped or lopped, and no existing hedges shall be removed.

Reason: To protect existing ecological features on the site.

Notes/Informatives

Note 1

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

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

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

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

Note 2

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

Note 3

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

Note 4

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>

Note 5

This permission is the subject of a Section 106 Legal Agreement.

Application No	PL/02213
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Application Type	Approval of Reserved Matters
Proposal & Location	RESERVED MATTERS APPLICATION FOR TWO DWELLINGS AND ASSOCIATED DISCHARGE OF CONDITIONS 5, 9, 10 AND 12 OF OUTLINE PLANNING PERMISSION W/32038 (PROPOSED AFFORDABLE DWELLINGS (EXCEPTIONS HOUSING) RESUBMISSION OF W/29836) AT LAND OFF HIGH STREET, LLANSTEFFAN, CARMARTHEN, SA33 5JN

Applicant(s)	CHRISTIAN ROWLANDS
Agent	HAROLD METCALFE PARTNERSHIP – CERI EVANS
Case Officer	Paul Roberts
Ward	Llansteffan
Date registered	16/08/2021

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 consists of an irregular shaped parcel of land located off the C2081 to the south west of High Street in the village of Llansteffan. It measures approximately 0.18 hectares in area and forms part a large field enclosure that flanks the northern side of the roadway. The levels of the site fall gradually towards its northern and eastern boundaries with the latter being defined by an established hedgerow that fronts the roadway. It currently has no defined western boundary while its northern boundary consists of a mix of hedgerow and post and wire fencing that separate it from the garden of a neighbouring property and small enclosure to the north.

The surrounding area to the north and east of the site are residential in character with two modern detached bungalows located to the east on the opposite side of the road. There are a number of further bungalows to the north along Old Road which consists of a mix of modern bungalows and traditional two storey houses which have balanced front facades, painted elevations and slated roofs. The character of the street scene of High Street to the north east of the site is derived from the generally uniform appearance of the traditional designed properties that follow its route through the village.

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. It is located outside the development limits of Llansteffan, albeit it adjoins the defined limit which runs contiguous with its northern boundary.

Proposal

The application site currently has outline planning permission for two affordable local needs dwellings which was granted on 9 September 2019 under planning application reference W/32038. The detailed matters of the development were reserved for future consideration and the current application seeks the approval of those matters, namely, the proposed layout, scale, appearance, landscaping and proposed means of access to the two new dwellings. The application also seeks the discharge of condition nos. 5 (reserved matters), 9 (scheme of parking and turning facilities), 10 (access surfacing materials) and 12 (hedgebank translocation scheme) imposed on the outline permission.

The dwellings are to consist of two detached houses which will be of modest proportions with each being of the same design having three bedrooms and a floor space of approximately 100 square metres. They will be set back from the roadway having a joint access arrangement and parking and turning facilities in their respective front curtilages. The change in levels across the site requires that the existing ground levels be reduced in parts to accommodate the two houses which are to be set at two different levels with a small retaining wall separating the front and side curtilages of both properties.

The houses will have painted rendered elevations and a pitched roof that will be clad in slate. Their front elevations are characterised by small, glazed openings at first floor level and patio door opening and main entrance at ground floor level with the latter being enclosed by a pitched roof portico feature. The windows are to consist of a white upvc finish.

The existing hedgerow to the front of the site is to be translocated back in the site as part of the development to provide the necessary visibility splays along the roadway. The layout includes the provision of a 1.8 metre wide highway improvement line along the site's entire frontage that will enable the future provision of a footway along the roadway. A new post and wire stockproof fence and native species hedgerow are to be provided on the western boundary of the site while a close boarded fence is to be provided along part of its northern boundary to separate it from the curtilage of the property to the north. The curtilages of the properties will consist predominantly of grassed areas with the front driveway and parking areas having a porous tarmac finish.

It is of note that the two dwellings granted under the outline permission are to provide affordable homes for the applicant and his family, and his sister and her partner. The applicant and his sister were both born in Llansteffan having lived there for most of their lives, however, the high property prices in the local area have meant that they have been unable to afford to purchase their own properties. As a consequence they have been living in rented accommodation which is restrictive and has become unsuitable for both families and the construction of the two new houses will provide affordable homes that will allow them to remain in the village.

The outline permission is the subject of a Section 106 agreement that retains the two houses as affordable homes and restricts their occupancy to those who comply with the local needs eligibility criteria defined in the LDP.

Planning Site History

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

W/32038	Proposed affordable dwellings (exceptions housing) Resubmission of application no. W/29836 Outline granted	9 September 2019
W/29836	Outline application for two residential properties Outline refused	7 May 2014

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

[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

Llansteffan and Llanybri Community Council – Have raised no objection to the application but request that consideration be given to the following matters :

- Bio-diversity concerns regarding the removal of the existing hedgerow;
- The need to ensure the development is served by a suitable access;
- Surface water run-off concerns;
- The dwellings must be retained as affordable dwellings to meet local needs as there is essential need for affordable housing in the village;
- The guidance of the Dyfed Archaeological Trust be followed with regard to the potential impact of the development upon the historic environment.

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 – No objection.

Sustainable Drainage Approval Body (SAB) – Have confirmed that the proposal will require a separate SAB approval.

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. A further site notice has subsequently been posted to publicise amendments to the proposal. Six letters of representation have been received from neighbouring residents which raise the following issues of concern:-

- Risks to highway and pedestrian safety given the location of the site on a dangerous blind bend with no footways;
- The proposal is on a greenfield site and the houses are badly designed and will appear as unattractive structures that are not suitable for a historic settlement such as Llansteffan which is a conservation area;
- The site does not represent a logical extension or rounding off of the settlement;
- The dwellings are out of character with the area;
- There are other schemes in the village that will provide the necessary affordable housing;
- Proximity to Listed buildings;
- Destruction of existing hedgerow;
- The cost of the development will mean that the houses will not be affordable;
- Loss of pastoral outlook from neighbouring properties;
- Presence of slow worms within the site;
- Lack of consultation;
- Overlooking of neighbouring properties and loss of privacy;
- Unacceptable extension of the village;
- Lack of infrastructure capacity;
- The houses are not affordable;
- No archaeological survey has been provided;
- Surface water run off problems.

Appraisal

Turning firstly to the principle of developing the site, whilst a number of respondents have suggested that the proposal represents an unacceptable extension of the built form of the village, the site currently has the benefit of outline planning permission for two affordable local need dwellings under outline permission W/32038. The principle of the residential development of the site has therefore previously been established and is deemed to be acceptable.

With regard to concerns regarding the impact of the development upon the character and appearance of the surrounding area and conservation area, the proposal relates to two modest sized affordable dwellings that are within the scale parameters of the size of dwellings permitted under the outline permission. Their simplistic design with painted elevations and slated pitched roofs will reflect the dominant features of existing residential properties within the surrounding street scenes of High Street and Old Road and ensure that they will not be discordant with their appearance or that of the wider conservation area. Their modest size and floor area are commensurate with their intended use as affordable homes and the development layout and design will not run contrary to the prevailing spatial character of the surrounding area. The ground levels of the site are to be reduced to accommodate the two houses and ensure they do not appear as overly dominant features while their orientation and separating distances of in excess of 22 metres to the neighbouring properties of Old Road to the north will ensure the living conditions of adjacent occupiers will not be unacceptably harmed by way of loss of privacy and outlook. Moreover, in accordance with the requirements of the outline permission, the existing hedgerow fronting the site is to be retained and translocated back within the site to provide the necessary visibility splays along the roadway which, together with the new hedgerow proposed along the western boundary and new planning proposals within the development, will enhance its appearance in the surrounding area.

The proposal is therefore considered to be in accord with the objectives of Policies GP1, EQ1 and SP13 of the LDP in that it will be in keeping with the character and appearance of the surrounding area, while preserving the character and appearance of the Llansteffan Conservation area.

In terms of highway safety, the translocation of the existing hedgerow will provide the necessary visibility splays along the roadway and the layout of the development will also be set behind a 1.8 metre wide highway improvement line that will allow the provision of a footway to the front of the site. The scheme also incorporates adequate off-road parking and turning facilities and the Head of Transport has raised no objection from a highway or pedestrian safety perspective. The proposal is therefore considered to be in accord with the objectives of Policy TRS3 of the LDP.

Matters relating to the ecological impact of the development were considered as part of the determination of the previous outline application and Welsh Water have raised no objection to the proposal from a sewerage capacity perspective. Whilst concerns have been raised regarding the impact of the development from a surface water drainage perspective, this aspect of the development will be considered separately as part of any future SAB application.

Turning to concerns regarding the proximity and impact of the development upon Listed buildings in the area, the nearest Listed Building is located approximately 90 metres to the north of the application site along High Street and is screened from the site by existing properties. The proposal will therefore have no unacceptable impact upon its setting or appearance. In terms of the archaeological impact of the development, the outline permission granted is conditioned to require that the applicant provide a written scheme of investigation (WSI) for the archaeological evaluation of the site as part of the development. Condition no. 14 of the permission refers. Whilst the current reserved matters application does not include the WSI pursuant to the discharge of this condition, nonetheless the wording of the condition requires that it be submitted and approved by the Authority prior to any works commencing on the site. This will safeguard against any unacceptable archaeological impacts as part of the development.

Planning Obligations

The outline permission is the subject of a Section 106 agreement that retains the two houses as affordable homes and restricts their occupancy to those who comply with the local needs eligibility criteria defined in the LDP.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted, 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 scale, design and layout of the new houses are commensurate with their intended use as affordable homes and are in keeping with the character and appearance of the surrounding area and Llansteffan Conservation Area. The development will provide affordable homes for two families who currently live in unsuitable accommodation in the local area thereby allowing them to live in the village where they were born and have resided most of their lives. Furthermore, there are no highway, amenity or public service objections to the proposal.

The application is therefore put forward with a favourable recommendation.

Recommendation – Approval

Conditions and Reasons

Condition 1

The development shall be commenced before whichever is the later of :

- (a) The expiration of five years from the date of the outline planning permission to which the development relates, or
- (b) The expiration of two years from the date of approval of the last of the reserved matters to be approved.

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

Condition 2

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

- 1:500 and 1:250 scale block plan (4759/1E) received on 17 January 2022;
- Section A-A, Section B-B (4759/6A) received on 17 January 2022;
- Section C-C, Section D-D (4759/7A) received on 17 January 2022;
- Plot 2 - proposed elevations and section (4759/5A) received on 2 December 2021;
- Plot 1 – proposed elevations and section (4759/3A) received on 2 December 2021;
- 1:1250 scale location plan received on 29 June 2021;
- Plot 1 – floor plans (4759/2) received on 29 June 2021;
- Plot 2 – floor plans (4759/4) received on 29 June 2021;
- Translocation of hedge method statement received on 10 August 2021.

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

Condition 3

The 1.8 metre high fencing proposed along the northern boundary of the site, as shown on the 1:250 scale block plan (4759/1E) received on 17 January 2022, shall be provided in accordance with the details shown prior to the occupation of the development.

Reason: To safeguard the living conditions of adjacent occupiers.

Condition 4

The planting proposals shown on the 1:500 and 1:250 scale block plan (4759/1E) received on 17 January 2022 shall be carried out in the first planting and seeding seasons following the occupation of the development or the completion of the development, whichever is the sooner; and any existing elements retained or translocated, or new elements installed, planted or seeded in accordance with the approved scheme 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 5

No development shall commence until details of the materials to be used in the construction of the external surfaces of the dwellings have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

Condition 6

No development shall commence until details of a scheme for the disposal of surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of the development and retained in perpetuity.

Reason: To ensure the provision of an acceptable scheme of surface water drainage.

Condition 7

The first floor en-suite bathroom window proposed in the northern side elevation of the dwelling on plot no. 1 shown on the 1:500 and 1:250 scale block plan (4759/1E) received on 17 January 2022 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 window 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).

Application No	PL/02798
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Application Type	Householder
Proposal & Location	ALTERATIONS AND EXTENSIONS TO PINWOOD LODGE. RE-SUBMISSION FOR PL/01052 PREVIOUSLY REFUSED APPLICATION AT PINWOOD LODGE, BRONWYDD, CARMARTHEN, SA33 6BE

Applicant(s)	GUTO AND HELEN JAMES
Agent	BENHAM ARCHITECTS – DAN BENHAM
Case Officer	Paul Roberts
Ward	Cynwyl Elfed
Date registered	13/10/2021

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 detached two storey split level house located off the eastern side of the B4301 in the village of Bronwydd. It consists of a six bedroom property that is set in a large curtilage and has a monopitch roof design.

Its front elevation is of a two storey design and is characterised by large glazed openings and a raised balcony area at first floor level that is accessed via a stepped entrance feature that leads up to the side of the main house. Until recently, the raised balcony projected out from the front of the dwelling onto the roof of a flat roof garage that adjoined its front elevation, however, this has recently been demolished. The rear elevation is of a single storey design having a flat roof dormer in its roof space. The external finishes of the house consist of a mix of render and stonework elevations and a tile clad roof.

There is a large detached garage to the side of the house that has a low pitched roof and which is located to the front of a raised patio area that adjoins the side elevation of the house. There are grassed areas to the front and rear of the house and it has the benefit of a large parking and turning area in its front curtilage. The rear garden area slopes up towards its boundary with the field enclosure to the rear.

The site is located in a primarily residential area with the properties of the nearby Troed yr Ynys estate located to the north. They are separated from the application property by an unmade grassed track that provides access to the adjoining field enclosure and the boundary trees and hedgerows that bound this track. A small stream runs contiguous with the side of this track. The property is screened from the roadway by a high leylandii hedge with the remainder of its curtilage being enclosed by a mix of walling, post and wire fencing and further hedging.

Proposal

The application seeks full planning permission for a number of extensions to the existing dwelling together with the creation of a raised terrace area on part of the roof of the detached garage that will adjoin and extend around the front of the main house. The proposal will also involve significant alterations to the internal layout of the dwelling that will result in the reduction in the number of bedrooms to five in number.

The roof of the rear part of the dwelling is to be raised in height to provide additional headroom to the existing first floor accommodation and replace the existing dormer window. It will result in a centrally located low sloping roof structure that will be clad in a slate finish and project above the main sloping roofs to the front and rear of the house. It will include a glazed roof feature while also providing larger glazed openings to both side elevations of the house. The upper side elevations of the rear part of the extension will consist of a natural hanging slate finish to match the main roofs which will also have a new slate finish, while the remaining walls of the dwelling will have a painted render finish.

The low pitched roof of the detached garage is to be removed as part of the proposal and replaced with a first floor raised terrace area and separate sedum planted roof that will consist of shrubs, grasses and a planted hedgerow. The new flat roof structure will project out approximately 1.2 metres from the front of the garage in a cantilevered design. The planted element will occupy the outer or northern half of the roof with the raised terrace extending up to and wrapping around the front of the house. A new glazed conservatory is to be erected on the terrace and will adjoin the side of the main dwelling and have a partly glazed and sedum flat roof. It will be adjoined by a timber pergola and open onto a rear terraced area that will adjoin the existing patio area to the rear of the house and be screened on its northern boundary by a 1.8 metre high fence. The side elevation of the conservatory will consist of a 1.8 metre high rendered wall with glazing above and the wall will extend around the side and front of the new raised terrace area to safeguard the privacy of the occupiers of adjacent properties. The wall will terminate close to the front of the main house where it is replaced by a painted metal balustrade that will extend along the front of the raised walkway and terrace to the front of the house.

Part of the area below the raised terrace to the front of the house will form an external storage area that will be enclosed with vertical balustrade features to match that of the terrace above. The existing stepped entrance to the house is to be altered as part of the proposal with steps leading to a new flat roof glazed porch that will be adjoined by a small timber pergola structure.

The application has been accompanied by a bat survey report which confirms the presence of bats in the roof of the existing house and sets out a scheme of mitigation measures to ensure they are not adversely affected as part of the development.

The application is a re-submission of a previous planning application for the same development that was refused by officers in June 2021 under application reference PL/01052. The application was refused on the basis of the impact of the raised terrace and glazed openings in the extended dwelling upon the occupiers of two properties in the neighbouring Troed yr Ynys estate (nos. 4 and 6), and the lack of detail relating to the external finishing materials of the development. The applicant also failed to provide an appropriate bat survey of the house to enable an assessment of the impact of the proposal upon their conservation status. The applicant has sought to address these previous reasons for refusal in the current application.

Planning Site History

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

PL/01052	Alterations and extensions to dwelling, including minor landscape works Householder refused	10 June 2021
D4/15932	Garage to side of existing dwelling house Full granted	26 May 1988
D4/14688	Construction of a porch Full granted	28 May 1987
D4/4497	Erection of garage Full granted	25 January 1978

Planning Policy

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

GP1 Sustainability and High Quality Design

GP6 Extensions

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

Bronwydd Community Council – Support the letters of objection submitted by neighbouring residents in that the re-submitted application and changes have not addressed the reasons for refusing the previous planning application and are therefore unacceptable.

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

Dwr Cymru/Welsh Water – No objection.

Natural Resources Wales – 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 property with a further notice subsequently posted in respect of revisions to the original scheme. In response, four letters of representation have been received from the occupiers of three neighbouring properties of the Troed yr Ynys estate who object to the application and raise the following issues of concern :

- Overlooking of neighbouring properties and loss of privacy to the gardens and rooms at the rear of neighbouring properties.
- The scale of the development will be much larger than neighbouring properties and look out of place.
- The elevated position of the proposal relative to neighbouring properties will impact upon existing privacy levels and the outdoor living space will create noise and disturbance.
- The application fails to address the reasons of refusal of the previous application in terms of the overlooking of neighbouring properties from the proposed raised terrace/balcony area and large glazed openings that will serve the primary first floor living area of the application property.
- Noise and disturbance resulting from the new outdoor seating areas and from inside the application property as a result of the new large glazed openings.
- Loss of privacy from the larger upper floor windows proposed in the northern side elevation that will overlook neighbouring properties.
- The extent of additional glazing will be out of context with the area.
- Impact upon bats.

Appraisal

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

The principal issue of concern raised by the respondents relates to the impact of the proposal upon their current living conditions by way of loss of privacy. The respondents' properties are located in the Troed yr Ynys estate to the north of the site (nos. 2, 4 and 6 Troed yr Ynys) and are separated from the application property by an unmade grassed track and the mix of trees, hedgerows and fencing that bound their rear and side boundaries.

The previous planning application was refused on the basis of, amongst others, the impact of the proposed raised terrace/balcony and glazed openings in the extended dwelling upon the privacy of the occupiers of two of the respondents' properties, namely nos. 4 and 6 Troed yr Ynys. However, in response to this decision, and following discussions with officers, the applicant has amended the design of the scheme in order to safeguard the privacy and living conditions of the occupiers of the properties in question. The previous design of the raised terrace area above the garage did not include any privacy screen whereby those using or sat on the terrace would have direct elevated views towards the rear and side gardens of nos. 4 and 6 Troed yr Ynys. The conservatory proposed on the terrace also had large glazed openings in its side elevation facing these properties thereby increasing the level of overlooking.

The current proposal includes the provision of a 1.8 metre high rendered wall along the entire northern side of the raised terrace above the garage that will also extend along the majority of the front of this part of the terrace where it will meet the lower balustrade that will continue along the front of the remainder of the dwelling. The 1.8 metre wall will continue through the side elevation of the conservatory with glazing above, and the proposal also includes the erection of a 1.8 metre high solid timber fence on the northern side of the terrace at the rear of the conservatory where it meets the existing raised patio area and enclosing boundary wall. The provision of this screen walling and fencing will ensure that users of the terrace and conservatory will not have a direct outlook towards the side and rear gardens or facing windows of nos. 4 and 6 Troed yr Ynys. Whilst the sedum/planted roof areas on the roof of the garage will not be screened from the neighbouring properties, nonetheless it will not be used as a seating or balcony area and a condition precluding such uses of this part of the roof will be imposed on any permission granted.

Concerns have been raised regarding the impact of the glazed openings and raised terrace to the front of the dwelling that will be enclosed with a balustrade rather than screen wall, upon the privacy of nos. 2 and 4 Troed yr Ynys. However, the house currently has a large first floor glazed window in its front elevation that has a distant and angled outlook towards the rear of nos. 2 and 4 Troed yr Ynys and whilst this will be replaced with a glazed doorway, the level of overlooking and relationship with the two neighbouring properties will not substantially change.

The raised terrace to the front of this new glazed opening will be just 1.2 metres in depth whereby it will serve as a link or walkway between the larger terrace area proposed on the roof of the garage and the existing terrace that is to be extended adjacent to the main entrance to the house. It will not therefore be used as an outdoor seating area where users will sit or congregate. Notwithstanding this, this part of the terrace together with that adjacent to the main entrance to the house will be located a minimum distance of 16 metres from the rear boundary of the garden of no.4 Troed yr Ynys and 28 metres from its rear elevation with the separating distances to no.2 being greater at some 22 metres and 35 metres respectively. These separating distances combined with the differing orientations and angled outlook between the properties will ensure that the living conditions and privacy of the occupiers of nos. 2 and 4 Troed yr Ynys will not be unacceptably harmed.

The application property currently has an upper floor bedroom window that has an outlook towards the respondents' properties and whilst this was to be replaced with a much larger glazed opening as part of the previous application, this has been significantly reduced in size as part of the current submission. The reduction in the size of this window and separating distance of in excess of 30 metres to the facing elevation of the nearest

neighbouring property will mean that there will be no significant change to the perception of overlooking from this window.

Whilst the respondents have raised concerns regarding the potential noise and disturbance from the new outdoor seating areas, these are misjudged whereby the noise generated will be no different to that generated by the use of the outdoor amenity areas located within the curtilages of the respondents' own properties. The new terrace will be used solely for domestic purposes ancillary to the residential use of the dwelling and thereby be compatible with its location in a residential area.

Turning to the concerns regarding the design and visual impact of the proposal, the application property currently consists of a large detached house set in a generous curtilage and the scale and design of the proposed changes are considered to be subordinate and compatible with its original character and appearance. The high quality design and palette of external finishes proposed will significantly improve the appearance of the property while at the same time meeting the applicant's long term accommodation needs.

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

Finally, the respondents' concerns regarding the impact of the proposal upon bats are unfounded whereby NRW have raised no objections in this regard subject to the imposition of a suitable condition securing the implementation of the bat mitigation measures proposed. It is of note that the applicant will require a separate bat license from NRW prior to undertaking the proposed works.

Planning Obligations

None

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

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

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, unless otherwise stipulated by conditions:-

- Proposed elevations plan 4 (0013 Rev K) received on 14 January 2022;
- Proposed elevations plan 3 (0012 Rev J) received on 14 January 2022;
- Proposed elevations plan 2 (0011 Rev K) received on 14 January 2022;
- Proposed elevations plan 1 (0010 Rev K) received on 14 January 2022;
- Proposed site plan (0001-D) received on 10 January 2022;
- Proposed ground floor plan (0002 Rev J) received on 10 January 2022;
- Bat mitigation plan (SK7) received on 2 December 2021;
- Proposed lower ground floor plan (0001 Rev G) received on 2 December 2021;
- Proposed first floor plan (0003 Rev G) received on 2 December 2021;
- Pergola details (SK03) received on 2 December 2021;
- Balustrading and u/c storage blades (SK02) received on 2 December 2021;
- Vertical timber slats details (SK01) received on 2 December 2021;
- Bat survey report undertaken by Planeco received on 11 November 2021;
- Proposed roof plan (0004 G) received on 11 November 2021.

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

Condition 3

The development hereby approved shall be undertaken in strict accordance with the recommendations and mitigation measures contained in the Bat survey report undertaken by Planeco received on 11 November 2021 and shown on the Bat mitigation plan (SK7) received on 2 December 2021.

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

Condition 4

No development or phase of development, including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed;
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures, prevention of run-off from bare/disturbed ground and incident response plan;
- Soil Management: details of topsoil strip, storage and amelioration for re-use.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development

Reason: To ensure the implementation of appropriate pollution prevention measures as part of the development.

Condition 5

The sedum/planted area proposed on the roof of the existing garage, as shown as a proposed hedge (annotation 22) and proposed shrubbery and grasses (annotation 23) on the proposed ground floor plan (0002 Rev J) received on 10 January 2022, shall be used for no other purpose and shall not be used as a balcony or similar amenity area.

Reason: To safeguard the living conditions of adjacent occupiers.

Condition 6

The rendered wall proposed along the northern and western sides of the proposed new roof terrace and the northern side elevation of the proposed new conservatory, as shown on the proposed elevations plan 4 (annotation 26) (0013 Rev K), proposed elevations plan 3 (annotation 26) (0012 Rev J), proposed elevations plan 2 (annotation 26) (0011 Rev K) received on 14 January 2022 and proposed ground floor plan (0002 Rev J) received on 10 January 2022, shall be provided in accordance with the details shown prior to the use of the development and thereafter retained for the lifetime of the development.

Reason: To safeguard the living conditions of adjacent occupiers.

Condition 7

No development shall commence until details of the precise design of the proposed 1.8 metre fence proposed on the northern side elevation of the raised terrace, as shown (annotation 24) on the proposed elevations plan 4 (0013 Rev K) received on 14 January 2022, have been submitted to and approved in writing by the local planning authority. The fence shall be provided in accordance with the approved details prior to the use of the development and thereafter retained in perpetuity.

Reason: To safeguard the living conditions of adjacent occupiers.

Condition 8

Before the development hereby permitted is brought into use, the proposed first floor window in the southern side elevation of the dwelling serving the 'dressing area', as shown on the proposed first floor plan (0003 Rev G) received on 2 December 2021 and Proposed elevations plan 3 (0012 Rev J) received on 14 January 2022 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 window shall be permanently retained in that condition thereafter.

Reason: To safeguard the living conditions of adjacent occupiers.

Condition 9

The existing hedgerow along the southern side boundary of the site shall be retained as part of the development.

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

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/03011
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Application Type	Householder
Proposal & Location	EXTENSION TO DWELLING TO INCLUDE DEMOLITION OF PART OF PREVIOUS DWELLING (RETROSPECTIVE) AT TEIFI CASTLE, CWMANN, LAMPETER, SA48 8JN

Applicant(s)	MR NICK WRIGHT
Agent	MORGAN & FLYNN ARCHITECTURAL SERVICES - GARETH FLYNN
Case Officer	Mrs Helen Rice
Ward	Llanybydder
Date registered	08/11/2021

Reason for Committee

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

Site

The application site relates to a detached two storey property set within a large corner plot within the village of Cwmann. The site is situated on rising ground with its western boundary adjoining the A482 and southern boundary adjoining the B4343 which proceeds towards the village of Cellan. Its eastern and northern boundaries adjoin the side boundaries of neighbouring properties and an agricultural field respectively. Boundaries along the adjoining highways are defined by a mix of stone / concrete block walls, railings and the side elevation of the dwelling itself. Access to the property is via an existing access to the rear of the property and close to the existing junction of the A482 with the B4343.

The dwelling has its main principal elevation facing northwards albeit with a side access from a rear two storey projecting gable end extension that faces onto the A482. The property also benefited from side extensions on the opposing side elevation and rear elevations. Due to the topography of the site which slopes northwards towards the floodplain of the river Teifi, the side extension on the eastern elevation benefited from a lower ground floor area. A detached double garage served the property which was situated set back from the access onto the A482. The wider plot was occupied by heavy vegetation and a number of mature trees.

Works commenced on the site in Spring 2021 which included clearance of the site, re-profiling of the site, opening an access into the existing wall boundary to the front of the dwelling and demolition of some of the extensions and commencement of the erection of a replacement extension. Due to the nature, siting and scale of the extension works, the applicant was advised that they could not be classed as permitted development and that planning permission would be required. This application is therefore partly retrospective with the works having not been completed at the time of writing.

Proposal

Planning permission is sought for renovation works to the dwelling to include the erection of a side extension following demolition of previous extensions and the creation of an associated balcony and decking areas. The side extension would be located on the dwellings eastern elevation and would by reason of the site's topography be three storeys in height with a basement level providing space for a games room, bedroom, bathroom and a plant room with internal staircase leading up into the original dwelling with the original dwelling providing a living room, study/playroom and further study room and the adjoining extension providing a hallway, shower room and a kitchen and dining room with utility room that open out onto a raised roof terrace situated above the basement floor. The first floor of the original dwelling would have 3 bedrooms and a bathroom with a further two bedrooms within the proposed extension.

The side extension at ground and first floor level would protrude 8.4m from the side elevation of the original dwelling, which itself has a width of 9.1m and would be marginally set back from the front elevation of the property with a depth of 9.3m. The basement level would protrude a total of 12m. All windows along the rear elevation would be obscure glazed and a 1.8m high privacy wall would be erected along the roof terrace's rear elevation. Plans reveal the creation of a lawned area with landscaping within the rear garden area and along the boundaries of the plot. The proposal also includes the provision of solar panels on the roof of the existing dwelling.

Planning Site History

The site has not been the subject of any previous planning applications according to records.

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

GP6 Extensions

EQ4 Biodiversity

EQ5 Corridors, Networks and Features of Distinctiveness

[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

Pencarreg Community Council - The council wishes to raise an objection to the development on the following grounds:-

- Disregard of the planning process with works to clear the site and demolition of buildings commencing in April 2021;
- The scale of the extension is beyond that which is allowed under permitted development rights;
- Applicant has continued to undertake works on the site since the application was submitted in November 2021;
- Works being undertaken without required permission is making a mockery of the Carmarthenshire Planning Department and applicant should follow the rules;
- The extension has a larger footprint than the existing house and looks more like another dwelling making it appear as a semi-detached property;
- The proposal would have an impact upon phosphate levels and should be refused in line with other recent refusals of permission.

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

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

Summary of Public Representations

The application was initially the subject of notification by way of site notices. Upon receipt of amended plans a further site notice was erected. Two representations from two different households were received in response to the initial notification, objecting to the development on the below grounds. No representations were received in response to the subsequent notice.

- The proposal is an overdevelopment of the original property making it twice the size of the original dwelling;
- The dwelling will have the appearance of two separate dwellings and could be used as a guesthouse, HMO, two separate dwellings or a very large family home;
- The environmental impact of the development would be double that of the former property;
- The increased footprint has led to the felling of several mature trees;
- The application should be refused on phosphate grounds as per PL/01368 as the same applies;

- The existing plans for the property are misleading and indicate a larger footprint than what originally stood on the site;
- The applicant disregards the planning process and the Council has failed to take enforcement action;
- Significant ground works have been undertaken with subsoil being transferred from land near Cwmann Tavern and waste being burnt on the site;
- The extension is a new dwelling in a protected area and should not be given permission;
- The extension should be scaled back and all windows facing neighbouring dwellings obscure glazed;
- Unclear whether building regulations have been followed;
- The development has extensively changed the appearance of the property and surrounding land and will set a precedence for others to follow suit;
- What has been erected on site differs from the site plan with additional windows appearing in the rear elevation.*

* Members are advised that the amended plans received now reflect that which has been erected on site to date and obscure glazing have been added to windows on the rear elevation.

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

Appraisal

The proposed extension works are located within the settlement limits of Cwmann, whereas the remaining garden area is located outside. However, given that it relates to the extension of an existing dwelling it is considered acceptable in principle subject to other material planning considerations. The main considerations of this case are its impact upon the character and appearance of the area and the living conditions of nearby residents, biodiversity impacts and highway safety impacts.

Impact Upon the Character and Appearance of the Area

Policy GP6 of the LDP sets out the criteria against which extensions to existing dwellings are assessed and, in terms of the character and appearance of the area, specifically states that the scale and appearance of any extension should be subordinate to and compatible with the existing dwelling and would not result in an overdevelopment of the site or result in inadequate amenity and/or parking areas.

The proposed extension is large in that it would appear as a substantial addition to the existing dwelling. The extension does replace a former basement and ground floor extension which was much smaller than what is proposed but nevertheless has to be taken into account when considering an extension. Whilst large, it is considered that by reason of the architectural detailing and slight set back, the main principal elevation of the original dwelling would remain discernible. The basement floor area does add to the overall bulk of the

extension, especially when viewed on plan. In reality, it is considered once completed that this basement level would be largely screened from view due to local topography and the juxtaposition of the extension relative to public vantage points. The property is set within a large corner plot and therefore whilst the extension itself is large, in terms of the wider plot it would not present an overdevelopment and as such to an extent visually this property is able to absorb a large scale extension.

The comments from local residents in terms of the extension appearing as a further dwelling is acknowledged given its scale. However, the application presents it as an extension to an existing dwelling and whilst substantial it remains that the application submitted is for the dwelling to remain as a single dwelling.

The property would be viewed within the context of the wider built up area of Cwmann which is characterised by a wide range of different property styles, scales and design. Therefore, on balance, having regard to the previous extensions, extent of the plot, local topography and townscape, siting and design, it is considered that the proposed extension is at the very limit of what would be considered acceptable for this property and therefore it is not considered that the impact on the character and appearance of the dwelling and wider area would be so detrimental to warrant refusal of the application on such grounds. Nevertheless, given that it is recognised that this would amount to a substantial extension of the property, it is considered necessary to recommend that permitted development rights for any further extensions including roof conversions and outbuildings are removed to exert control over any further development of the property.

Impact Upon the Living Conditions of Neighbouring Residents

Policy GP6 also stipulates that the amenity of neighbouring developments and residents are not adversely affected by the extension. The neighbouring dwelling at 1 Creigiau is the nearest dwelling to the site. No. 1 Creigiau fronts onto the B4343 Cellan Road, with its rear garden area adjoining the application site. Due to the orientation of the dwelling the subject of the application, the rear elevation of the property as existing and as proposed to be extended would be the main elevation facing onto the side/rear elevation and garden area of 1 Creigiau. The rear extension would be sited, at its nearest (corner of the roof terrace) 15m from the side boundary with 1 Creigiau and 24m to the actual property itself. Whilst this is of some distance, all windows on this rear elevation are to be obscure glazed and a 1.8m privacy wall to the roof terrace on its rear elevation is to be included to reduce mutual overlooking. The remainder of the extension would overlook the dwellings own garden area and look out towards the Teifi valley. It is therefore considered that due to the combination of the extension's orientation, distance, obscure glazing and privacy walls that the extension would not have a detrimental impact upon the living conditions of neighbouring properties through loss of privacy and it would not have an overbearing impact either. The loss or interruption of the view is not a material consideration.

Biodiversity Impacts

The works to date have resulted in the loss of vegetation and mature trees. Whilst regretful, the trees and vegetation were not covered by a Tree Preservation Order and the site is not within a Conservation Area, and therefore no permissions from the Local Planning Authority would have been required. Rather the felling of the trees is a matter for Natural Resources Wales and the applicant has advised that their advice was sought independently and the relevant licences issued. Nevertheless, the submitted plans include landscaping details to include the creation of a lawn and garden area with the planting of trees along boundaries

and the embankment areas to improve the overall appearance. Due to the impact of the loss of trees and vegetation it is considered necessary to impose conditions to ensure that the landscaping proposals put forward are implemented in a timely manner.

The application site, as mentioned by local residents, is within the River Teifi SAC Phosphates Sensitive Catchment area with the River Teifi itself approximately 100m to the north. It is a requirement that an assessment as to the likely significant effect of a development on the SAC in terms of additional phosphates entering the Teifi either by public or private treatment systems is undertaken prior to the issuing of a planning permission. In this case, the property is served by mains sewerage and it is known that the main sewer serving the area at Lampeter does not currently benefit from phosphates being stripped from wastewater prior to it entering the river. Whilst this development would result in additional bedrooms, it is the case that it is to remain as a single dwelling house. The advice regarding the impact of developments on phosphate levels is evolving and the Council has recently received advice that where an extended dwelling would remain as a single household it is unlikely to have a significant effect on an European Site. It is also the case that the planning system cannot dictate how many people can reside in a dwelling house as a single household. On this basis, and given that the property is to remain as a single dwellinghouse, it has been concluded that the development is not likely to have a significant effect on the SAC in terms of phosphate levels and the proposal complies with Policy SP14 of the LDP.

Whilst local residents have drawn attention to other applications which have been refused on phosphate grounds, each application is considered on its own merits. It remains to be the case that where a new standalone dwelling is proposed on a site, i.e. there is a net increase of a single dwelling with a new connection to the mains/private drainage, then that would remain to be considered as having an impact as it would in effect introduce a new household. Nevertheless, this issue is evolving and potential solutions to the issue are being progressed.

Highway Impacts

The proposal is not considered to give rise to any highway safety issues on grounds that ample off-street parking within the site's boundary is to be provided and the existing access to the site is to be retained. The proposal therefore complies with policy TR3 of the LDP. However, the applicant has created an opening in the stone wall adjoining the A482. To ensure that this is blocked up and will not be used as an access, a condition is recommended to ensure that this opening is blocked up in a timely manner.

Other Matters

Third party representations have raised objections on grounds that the works proceeded without having first gained planning permission. The applicant had initially thought that the extension would be permissible under householder permitted development rights, however following investigations instigated by the enforcement process, it was advised that due to its scale it would fall outside of what would be permissible under permitted development rights and therefore the applicant was advised to submit an application.

The initial enforcement process is to first investigate to assess whether a breach of planning control is taking place and if so whether it could be rectified by way of a retrospective permission that in turn enables controls to be imposed by way of conditions. Given the site's location within the settlement and the nature of the proposal, it was considered that inviting an application was the reasonable means forward. The act of taking enforcement action

such as stop notices which would have been the requirement to require the applicant to stop all works are only instigated where there is a serious breach of planning control that is having a profound impact and it is in the public interest to stop works. It was not considered that this was the case in this instance and hence the process adopted. Nevertheless this does not advocate applicants to proceed without first seeking planning permission. The applicant has been made aware of the need to contact the Authority in future in relation to any other developments proposed on this site or elsewhere.

Planning Obligations

None required.

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted it is concluded, on balance, that whilst the proposal represents a large extension to the property, given the siting, design, orientation, extent of the plot and local topography it would not have such a detrimental impact upon the character and appearance of the area or dwelling to warrant a refusal on such grounds. It is considered, by reason of the extension's orientation and distance from neighbouring properties coupled with insertion of obscure glazing and privacy walls that the proposal would not give rise to impacts upon the living conditions of neighbouring properties. The proposal is not considered to give rise to biodiversity impacts or highway safety concerns and therefore is considered to comply with policies GP6, TR3 and SP14 of the LDP and is therefore recommended for approval subject to the below conditions.

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, unless otherwise stipulated by conditions:-

- 1:1250 and 1:500 scale Location Plan and Proposed Block Plans [5A] received 13 December 2021;
- 1:50 scale Proposed Elevations [3A] received 13 December 2021;
- 1:50 scale Proposed First Floor Plan and Roof Plan [3A] received 13 December 2021;
- 1:50 scale Proposed Basement Floor Plan and Ground Floor Plan [2A] received 13 December 2021;
- 1:100 scale Proposed Cross Sections [6] received 13 December 2021.

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

Condition 3

The extension hereby approved shall only be occupied as a single household in association with and ancillary to the existing dwelling known as Teifi Castle.

Reason: To clarify the extent of the permission and to ensure that the property remains as a single household in the interests of amenity and impacts arising from increased phosphate levels entering the river Teifi SAC in accordance with policies GP1 and SP14 of the Carmarthenshire Local Development Plan 2014.

Condition 4

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

Reason: To exert control over the future development of the site to ensure that the character and appearance of the dwelling and the amenity of neighbouring residents is maintained in accordance with policy GP1 and GP6 of the Carmarthenshire Local Development Plan 2014.

Condition 5

The windows located on the rear elevation of the extension as indicated on the 1:50 scale Proposed First Floor Plan and Roof Plan [3A] and 1:50 scale Proposed Basement Floor Plan and Ground Floor Plan [2A] received 13 December 2021 hereby approved shall be glazed in obscure glass prior to the first beneficial occupation of the dwelling and maintained as such thereafter in perpetuity.

Reason: To protect the living conditions of nearby residents in accordance with Policies GP1 and GP6 of the Carmarthenshire Local Development Plan 2014.

Condition 6

The privacy wall to the roof terrace as identified on the 1:50 scale Proposed Elevations [3A] received 13 December 2021 shall be installed and completed prior to the first beneficial occupation of the dwelling and maintained as such thereafter in perpetuity.

Reason: To protect the living conditions of nearby residents in accordance with Policies GP1 and GP6 of the Carmarthenshire Local Development Plan 2014.

Condition 7

Within 3 months of the date of this permission, a detailed landscaping scheme based on the landscape concept outlined on the 1:1250 and 1:500 scale Location Plan and Proposed Block Plans [5A] received 13 December 2021 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities.

Reason: To ensure that the proposed landscaping is appropriate to mitigate the impact of the removal of vegetation in the interests of visual amenity in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

Condition 8

All planting, seeding or turfing comprised in the detailed landscaping scheme required under Condition 7 shall be carried out in the first planting and seeding seasons following the first beneficial occupation of the dwelling; 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: To ensure that the landscaping of the site is undertaken in a timely manner to mitigate the impact of the removal of vegetation and maintained as such thereafter in the interests of visual amenity in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

Condition 9

Within 3 months of the date of this permission, the opening in the stone wall adjoining the A482 shall be blocked up using stone that matches the existing remaining stone wall.

Reason: To avoid the creation of an additional access and in the interest of visual amenity in accordance with policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

Notes/Informatives

Note 1

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

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

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

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

Note 2

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

Application No	PL/03049
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Application Type	Full Planning
Proposal & Location	PROPOSED ERECTION OF NEW DETACHED BUILDING FOR USE IN CONNECTION WITH EXISTING RURAL ENTERPRISE STORAGE BUSINESS WHICH WILL FORM ADDITIONAL STORAGE SPACE/UNITS TO LOWER GROUND FLOOR AND OFFICE AND RECREATION SPACE TO UPPER GROUND FLOOR AT DRAGON GUARD STORAGE, CAPEL IWAN ROAD, NEWCASTLE EMLYN, SA38 9LP

Applicant(s)	MR JAMIE NEPEAN
Agent	CASTLE ARCHITECTURAL DESIGNS LIMITED – MATT EDWARDS
Case Officer	Helen Rice
Ward	Cenarth
Date registered	12/11/2021

Reason for Committee

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

Site

The site lies approximately 2.2km south west of Newcastle Emlyn on the road towards the village of Capel Iwan that lies a further 2km south west of the application site. The site forms part of a former garage (known as Bronygarn) that has more recently been developed and used in association with a self-storage business known as Dragon Guard Storage. The immediate area surrounding the site is characterised by a hamlet of dwellings, the neighbouring Bronygarn Auto Spares business, farmsteads and a caravan park to the south west.

The site is accessed via an access road serving the storage yard and is set back from the adjacent highway and due to local topography that generally slopes from east to west, is set down at a lower level than the highway with intervening vegetation. The storage yard comprises a series of uniform shipping containers enclosed by high security fencing.

Proposal

The proposal seeks the erection of a two storey building to provide 4no. secure storage units and 1no. large workshop/storage unit on the ground floor, with the first floor having an office and reception area. The building would be located within the existing storage yard area next to the main storage area entrance and would take the place of 8 no. existing container units. Due to the site's topography the building would be set down from the adjoining access road from the highway and therefore the first floor officer area would be accessed directly from the access road with the ground floor area set down within the site. Presently, the former garage building located to the north of this application site serves a similar purpose to that which is proposed albeit at a smaller scale. However, Members may recall that planning permission was granted for that building's conversion into a residential dwelling as detailed below. This permission remains extant and the applicant has advised that should planning permission for this building be granted he would erect this building first and then convert the existing building into a dwelling in accordance with the previous permission. This is to avoid loss of the existing storage/office space in the existing building.

Planning Site History

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

W/40035	Proposed conversion and change of use of existing part office/part storage building to a managers dwelling (to be tied to the stage yard adjacent) under TAN6 Full planning permission	9 July 2021
W/39374	Retrospective permission for engineering works to create level platform and extension of storage yard to include additional storage containers (B8 USE) Full retrospective planning permission	13 November 2019
W/30326	Proposed change of use of part of Bronygarn site to container and storage facility, from office/workshop, petrol filling station, workshop and scrap yard Full planning permission	31 March 2015
D4/17181	Change of use to car dismantlers and vehicle storage Full planning permission	21 November 1989

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

EMP3 Employment- Extensions and Intensification

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

Cenarth Community Council - No observations received to date.

Local Member(s) - Councillor Hazel Evans has not commented to date.

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

Summary of Public Representations

The application was the subject of notification by way of site notice. Two representations from two different households were received objecting to the application on the grounds below. Those which are not material planning considerations are listed separately.

Material planning objections:-

- There would be an adverse effect on the ecological balance of the area.
- The proposal is not in line with the greening policies of Welsh Government.
- Adverse effect on privacy of occupants in the immediate area.
- It is not clear whether the proposal is in line with the LDP.
- Is there a justifiable need for this development?
- Would adequate sewage proposals be provided?
- The applicant has previously had to apply for retrospective planning permission and therefore fear that any further planning proposals would not be adhered to.
- Is the applicant trying to obtain planning for a dwelling in the area through getting planning for buildings that could potentially be suitable for conversion in the future against local planning guidance.
- There is already planning in place for a dwelling on the site that was previously objected to.
- This proposal is a loophole for a further dwelling on the site as an office can be used as a dwelling.
- The site is not within a village boundary.

Non-material planning objections:-

- Proposal would adversely affect the value of residential properties in the area.

- There may have been a condition on the sale of the land that no dwelling was to be placed on it.

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

Appraisal

The main issues of this case are considered to be whether the development is acceptable in principle, its impact upon the character and appearance of the area and the living conditions of nearby residents, drainage impacts, highway impacts and biodiversity impacts.

Principle of Development

The application site relates to an existing self-storage business with the location of the proposed building located within the existing yard area and therefore would be classed as brownfield land. The building would in effect replace 8no. existing containers with more permanent building storage in the form of 4no. units and 1 larger unit. It is also worthy to note that the existing office/storage building that has permission for its conversion into a dwelling also has 3no. storage units and an office space. Therefore, the proposal is not necessarily an intensification of the existing use but rather a consolidation and improvement/extension of the existing provision.

Whilst within the countryside where development is to be strictly controlled, Policy EMP3 of the LDP supports in principle the intensification and/or extension of existing employment enterprises irrespective of location. On this basis, given the development's location within the existing self-storage yard area and that it is to replace/improve the existing provision, there is support in principle for the proposal subject to complying with the other policy criteria i.e., that the development would not cause environmental damage or prejudice other redevelopment proposals, would not give rise to amenity issues and are of an appropriate scale and form compatible with its location and any other material planning considerations. These are discussed further below.

Impact Upon Character and Appearance of the Area

The proposal would result in the addition of a new permanent building within the countryside. However, it is considered given its location within the existing site, situated opposite the existing storage/office building/ proposed dwelling, in a position that is partly screened by the site's topography, coupled with its overall scale, design and intended use of materials that it would not appear as an incongruous addition to the detriment of the character and appearance of the area. The building would be viewed within the context of the existing business and nearby businesses and other built form and is in a location that has historically been used for commercial uses having previously formed part of the former garage storage yard. The proposal is considered to be of an appropriate scale and form that is compatible with its location and therefore complies with policies EMP3 and GP1 of the LDP.

Impact Upon the Living Conditions of Nearby Residents

There are nearby dwellings and users within the wider vicinity of the site. The nearest dwelling to the site would be the proposed managers accommodation in the adjacent existing storage/office building that is tied to the existing business via a S106 agreement. No concerns are therefore raised in relation to the impact of the development on the living conditions of those residents given that they are inextricably linked. Other nearby residential

dwellings as well as the camping site are located some distance from the building and it is not considered, given the nature of the use of the building and its design that it would give rise to any privacy concerns. As mentioned above, the proposal is largely to replace existing storage/office space and as such it is not considered that the proposal would give rise to an intensification of use that would give rise to issues such as noise etc. As such, no concerns are raised in relation to impact upon the living conditions of nearby residents and users and the development is considered to comply with Policies EMP3 and GP1 of the LDP.

Drainage Impacts

The proposal indicates that foul drainage will not be required as no facilities are proposed within the building that would require such provision. It is understood that this is the case given that the employees of the business are the applicant and his partner who would have access to the services/facilities within the existing office/storage building / proposed dwelling. No wastewater connections are therefore proposed. The building, due to its scale, would be the subject of a separate Sustainable Drainage Body application in relation to surface water disposal.

Highway Impacts

As advised above, the proposal would not intensify the existing use but rather consolidates and improves the existing provision. As such, the access and car parking provision is to remain unchanged and it is not envisaged that this proposal would give rise to highways safety impacts and thus complies with Policy TR3 of the LDP.

Biodiversity Impacts

The application site is within the River Teifi Special Area of Conservation (SAC) Phosphates Sensitive Catchment area where any development that results in increased wastewater generation entering the catchment has to conclude that it would not have a significant impact on the SAC. As the proposal does not propose facilities due to existing/proposed services within the nearby office/storage building / proposed dwelling, no wastewater connection is proposed and as such, having regard to the particular circumstances of this case it can be concluded that the proposal would not have a significant effect on the SAC.

In terms of other biodiversity interests, comments raised by third parties suggest that the proposal would affect the ecological balance of the area. The site of the building is brownfield land being part of the existing storage building and having previously been part of the former garage/vehicle storage depot. The proposal would have an unacceptable impact upon ecological interests and is therefore deemed to comply with Policy SP14 of the LDP.

Other Matters

Third party representations have raised concerns that this proposal is a means of obtaining a dwelling on the site in the future. Evidently, the application must be considered on its merits as would any future application. The proposal is for an office/storage use in association with the existing business and conditions are recommended to control this use. Concerns regarding the development's impact on property values is not a material consideration. Similarly, comments regarding covenants on the land are non-material planning considerations and are rather civil legal matters.

Planning Obligations

None required

Well-being of Future Generations (Wales) Act 2015

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

Conclusion

After careful consideration of the scheme as submitted it is concluded on balance that the proposed building, being associated with the existing business on the site, is acceptable in principle, and by reason of its use, scale, design, siting and intended use of materials would not have an unacceptable impact upon the character and appearance of the area nor the living conditions of nearby residents. Given that the proposal would not lead to intensification of the use but rather consolidation and improvement of the existing provision it is not considered that the proposal would give rise to amenity issues or highway safety issues. It is neither envisaged that the proposal would result in biodiversity impacts given its location within an existing and historic commercial / brownfield site. The proposal would not give rise to increased wastewater as such the development would not have a significant impact on the River Teifi SAC. The proposal is therefore considered compliant with policies EMP3, GP1, TR3 and SP14 of the LDP and is recommended for approval subject to the following conditions:

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, unless otherwise stipulated by conditions:-

- 1:1250 and 1:100 scale Location Plan, Elevations & Typical Section [1688-15];
- 1:500 and 1:100 scale Block Plans, Floor & Roof Plans [1688-14].

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

Condition 3

The building hereby approved shall only be used as offices and storage space in association with the existing business currently known as Dragon Guard Self Storage.

Reason: To exert control over the use of the building to avoid any separation from the business or creation of a different use that could result in highway safety and amenity concerns in accordance with policies EMP3, GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

Notes/Informatives

Note 1

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

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

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

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

Note 2

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