

*Ardal  
Gorllewin/  
Area West*

**ADRODDIAD PENNAETH  
CYNLLUNIO,  
CYFARWYDDIAETH YR AMGYLCHEDD**

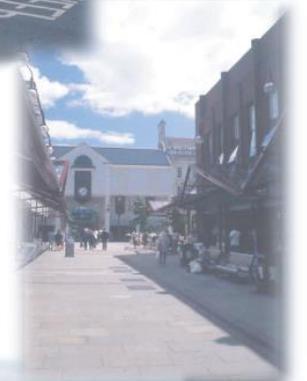
**REPORT OF THE  
HEAD OF PLANNING,  
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO  
CYNGOR SIR CAERFYRDDIN/**

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

**AR 26 MAI 2016  
ON 26 MAY 2016**

**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 yn rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.**

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

<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>26 MAY 2016</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>W/32771</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	RETENTION OF AGRICULTURAL ACCESS TRACK AT LAND PART OF FFYNNON LUAN, MAESYBONT, LLANELLI, CARMARTHENSHIRE, SA14 7HF

<b>Applicant(s)</b>	A.J. THOMAS, BLAENPANT, MAESYBONT, LLANELLI, CARMARTHENSHIRE, SA14 7SW
<b>Agent</b>	JCR PLANNING LTD - RICHARD BANKS, 43 POTTERY STREET, LLANELLI, CARMARTHENSHIRE, SA15 1SU
<b>Case Officer</b>	Ceri Davies
<b>Ward</b>	Llanddarog
<b>Date of validation</b>	01/10/2015

## CONSULTATIONS

**Head of Transport** – Has advised that whilst it is acknowledged that this is an intensification of an existing field access, he agrees with the conclusions of the justification statement that the proposed access is better than using the existing access which would lead to HGV lorries and agricultural vehicles travelling through narrow back lanes with limited passing areas and using a junction onto the B4297 with substandard visibility.

**Llanarthney Community Council** - Has no objections to this application.

**Local Member** - County Councillor WJW Evans supports the application.

**Natural Resources Wales** - Has no adverse comments

**Neighbours/Public** – The application was advertised by means of Site Notice; representations have been submitted from three members of the public living in the general vicinity; the following concerns have been raised :-

- Removal of hedgerows
- Destruction of SSSI
- Works undertaken without planning permission
- Lorry movements/noise/general disturbance

Members are advised that one letter of representation was received from an anonymous source; furthermore a number of other concerns were raised, however the authority deemed those concerns not to be materially relevant to this application.

## **RELEVANT PLANNING HISTORY**

W/32343	Two storey extension to farmhouse Full planning permission granted	13 August 2015
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## **APPRAISAL**

**This application has been submitted as a result of an ongoing investigation undertaken by the authority's enforcement section.**

## **THE SITE**

The application site comprises of a newly created access track which traverses several field enclosures associated with Ffynnon Luan Farm, a farmstead that lies between the villages of Maesybont and Penrhiwgoch. Ffynnon Luan lies approximately ½ mile north-west of Maesybont and the constructed access track links the farmhouse with the B4297 county road. The applicant has undertaken extensive works to redevelop the farm; the authority acknowledges that previous to the applicant purchasing the farm, it had clearly been left in a neglected state for a period of time; this was evident by the dilapidated state of the farmhouse and the overgrown and deteriorating state of the fields associated with Ffynnon Luan which had clearly not been grazed or used for any other agricultural activity for a considerable length of time.

As part of the applicant's continuing plans to redevelop the farm, a new yard has already been formed adjacent to the farmhouse and planning permission has already been granted and is currently being implemented for the reinstatement and extending of the existing farmhouse. The Authority has already been party to pre-application discussions with the agent/applicant with regard to proposed plans to erect agricultural sheds and a slurry lagoon at this location. The applicant has undertaken extensive land improvement works to the surrounding field enclosures and from the Officer's previous site visits, there was evidence of sheep grazing the said fields. However in undertaking those works, the applicant has removed significant lengths of hedgerows which has fallen foul of the Hedgerow Regulations 1997; this is a matter currently being investigated and pursued by the authority's Rural Conservation Manager. Members are advised that the hedgerow issue is being dealt with in isolation of this application. In addition the Authority's Enforcement and Minerals Section have been investigating breaches of planning control which relates predominantly to the unauthorised importation of materials onto the farmstead; again this matter, though linked, is being dealt with as a separate investigation to that of the access track.

The agent has advised the authority that the access track, as constructed, is required as part of the applicant's ongoing improvement works to the overall farm. The access track was constructed back in 2015 and continues over an equivalent ground level with adjoining agricultural pasture, and parallel with the southern, tree-lined and hedge-bank boundary of the farm holding for some 550 metres in total. At present Ffynnon Luan is served by an existing access which is located to the south-west side of the farmhouse; the said access is deemed a sub-standard unmade driveway which links the farm to a minor

road which in turn links up with several other minor roads connecting Maesybont with other nearby settlements such as Porthyrhyd and Llanarthne.

## **THE PROPOSAL**

As already highlighted, the application has been submitted following an ongoing investigation by the Authority's Enforcement Section into unauthorised activities currently taking place at this farm holding. The application is therefore predominantly retrospective in nature as the access track has already been constructed and the entrance onto the B4297 road has been extensively modified. In essence, full planning permission is sought for the retention of the agricultural access track.

## **PLANNING POLICY**

Whilst there is no policy context of direct relevance to a proposal of this nature, due to its rural location, the application falls to be considered against the General Development policies for the open countryside as contained in the Carmarthenshire Local Development Plan. For the purposes of this application reference will be made to Policy GP1 of the LDP and also Policies TR3 and SP14 of the LDP.

## **THIRD PARTY REPRESENTATIONS**

Representations have been submitted from three members of the public living in the general vicinity, raising the following concerns:-

- Removal of hedgerows
- Destruction of SSSI
- Works undertaken without planning permission
- Lorry movements/noise/general disturbance

## **CONCLUSION**

In terms of the matters raised, Members are reminded, as already advised, that the removal of the hedgerows, predominantly on the field enclosures running parallel with the track, has been subject to an investigation by the Authority's Rural Conservation Officer. For that purpose, the applicant has been issued with a Hedgerow Replanting Notice; hence this matter is being dealt with under separate and more appropriate legislation. Notwithstanding the aforementioned, a condition will also be imposed on any planning permission decision notice to ensure the provision of a hedgerow along the northern side of the access track.

In terms of ecology, Members are advised that the land forming part of the application site is not sited within a SSSI, as suggested by a third party, neither does it fall within a Special Area of Conservation (SAC). Whilst the surrounding land has previously been recorded as Marshy Grassland, it is more akin to semi-improved grassland as it has now been improved and is being grazed. Neither NRW nor the Authority's Planning Ecologist have objected to the application; with the latter advising that the information submitted in conjunction with this application is sufficient to approve the application from an ecological perspective.

The concerns raised in relation to lorry movements and general disturbance are acknowledged and whilst it is accepted that during construction works for the track and

land improvement works there would as a matter of course be additional vehicular movements in/out of Ffynnon Luan, this will be temporary in nature. However it is also recognised that Ffynnon Luan represents an isolated and open countryside location, as such, no residential dwellings are adversely or directly impacted by the formation of this track.

It is acknowledged also that this application is retrospective in nature as highlighted by one of the objectors; however this in itself is not a sufficient ground for refusal. On the basis that this application is retrospective, it has allowed the authority to gauge and assess the impact of the track as constructed at this location. From the wider area, the track is not readily visible; the track follows an existing and established tree-lined boundary hence the visual impact of the track is minimal and as such does not represent an inappropriate and visual intrusion in the open countryside. The track will be further screened by the formation of a hedgerow along its northern edge, this of course will be stipulated through the imposition of a suitably worded condition.

The main concerns from the authority's perspective relate to the actual entrance onto the B4297 road which the Head of Transport has deemed to be inadequate in terms of visibility splays hence would have a potential negative effect on highway safety at this location. The Authority acknowledges that there is an established field access at this location, be it that it was only constructed 5 years ago, nevertheless the fact that it was constructed more than 4 years ago renders it immune from any enforcement action. What the applicant has done in this instance is to extensively alter and modify the field access to accommodate the constructed access track; the works include hard surfacing, widening of the entrance and the installation of gates. However, the land immediately south of the entrance is outside of the applicant's control, as such, the applicant cannot achieve the desired visibility splays normally required for the formation of any new agricultural entrance as he cannot lower/maintain the adjacent hedgerow, furthermore the extent of visibility splay required cannot be achieved owing to the topography of the immediate area and the undulating nature of the county road.

Owing to the lack of control or influence over the adjacent hedgerow, the agent has submitted a transport statement in support of this application, which has been fully considered by the Head of Transport. The Head of Transport has accepted the findings of the transport statement whereby it is concluded that in the absence of the improved access onto the B4297 road, it would result in all traffic using the C2060 Maesybont to Penrhiwgoch road. That minor road suffers from being single width through this one mile stretch and also lacks the availability of passing places, and those that are present are infrequent, and at irregular and distant intervals. The road contains deep drainage ditches off its flanks which result in vehicles being unable to manoeuvre onto any available highway verge to avoid an oncoming vehicle. The road also suffers from poor vertical alignment, with acute bends and over-hanging vegetation present, which restricts motorists forward visibility and thus poses risks to overall highway safety.

It is acknowledged that the C2060 junctions onto further C class roads which lead back to the B4297 at Maesybont to the south and Penrhiwgoch to the north. Visibility splays from a set-back distance of 2.4 metres at this junction is considered extremely poor for all motorists using this junction, and all motorists using the B road. An existing house to the north of the junction completely obstructs visibility, whilst high roadside hedgebanks to the south prevent adequate views to the south. Accordingly, re-introduced farm traffic, in the form of cattle transporters and tractors would have to negotiate the above substandard junctions and narrow, winding country lanes, such re-introduced traffic would have the

potential for engaging with other local traffic travelling in the opposing direction, with the potential for conflict though a lack of passing opportunities and forward visibility standards. Any heavy traffic utilising the above junctions would place additional risks upon all motorist utilising the B4297.

This Transport Statement has demonstrated that there is a lawful and established vehicular access onto the B4297 road from Ffynnon Luan and that access has been considerably improved by widening, hard-surfacing and improvements to hedgebank height and breadth to improve visibility. It is proposed to solely use this access for heavy goods vehicles transporting livestock, feeds and implements to Ffynnon Luan as part of the restoration of agriculture at this holding. The applicant has accepted the need to impose appropriate conditions to ensure the use of the access onto the C2060 is restricted to domestic vehicles only, and also the improved access to the B4297 to be only used by agricultural vehicles and/or any heavy goods vehicles making deliveries to the farm. The agent claims such measures will significantly improve highway safety for all users of the local highway network.

The Head of Transport has advised the whilst it is acknowledged that this is an intensification of an existing field access, he agrees with the conclusions of the transport justification statement that the continued use of the new access is better than using the existing access which would lead to heavy goods vehicles transporting livestock, feeds and implements travelling through narrow back lanes with limited passing areas and using a junction onto the B4297 with substandard visibility. As such, it is considered that to allow the retention of this access and associated entrance will represent a net gain in terms of highway safety.

On balance, whilst the concern over lack of visibility splay is acknowledged, it is considered the improvement to highway safety by virtue of lessening the number of vehicular movements along the aforementioned country lanes and the junction onto the B4297 will be a significant improvement to highway safety at this locality. The visual impacts of the track itself as constructed can be mitigated through the imposition of suitable conditions stipulating the formation of a new hedge-bank, which the applicant has already partly undertaken. The justification for the track is accepted as there is clear evidence that farming operations at Ffynnon Luan have been re-established and there would appear to be a genuine attempt by the applicant to reinstate Ffynnon Luan as a working farm.

The development does not conflict with relevant local plan policy and in the absence of sustainable material objections to this proposal the application is put forward with a favourable recommendation.

## **RECOMMENDATION – APPROVAL**

## CONDITIONS

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 1<sup>st</sup> October 2015.
- 2 The permission hereby granted relates to the following plans and documents and works should be carried out strictly in accordance with them unless amended by any following conditions:
  - Hedgerow Removal, Access, Section Plan & Location Plan : 1:50, 1:750, 1:1250 Scale  
Received on 21<sup>st</sup> December 2015
  - Hedgerow Scheme for Existing Hedgerows  
Received on 29<sup>th</sup> September 2015
  - Access Justification Statement  
Received on 8<sup>th</sup> February 2016
- 3 Any access gates shall be set back a minimum distance of 5.0 metres from the highway boundary, and shall open inwards only.
- 4 The access shall be hard surfaced for a minimum distance of 5.0 metres behind the near edge of the highway, in materials which shall be subject to the prior written approval of the Local Planning Authority. The hard surfacing shall be fully carried out prior to any part of the development approved herewith being brought into use.
- 5 The existing access serving Ffynnon Luan, to the south west, shall be used for domestic vehicles only i.e. no agricultural machinery/vehicles or HGV lorries; and a means of barrier preventing non-domestic vehicles using the said access shall be erected within 3 months of the date of this permission, to the written approval of the Local Planning Authority.
- 6 Within 3 months of this planning permission, a mixed species deciduous hedgerow shall be planted along the entire northern edge of the access road (as shown on the proposed site layout and hedge detail plan) in such positions and of such species, size and number as may be agreed in writing with the Local Planning Authority.

## REASONS

- 1 & 2 Required to be imposed pursuant to Section 91 of the Town and Country Act 1990 and in the interests of visual amenity and highway safety [Policy GDC3 & GDC8].
- 3 - 5 In the interests of highway safety [Policy TR3 of the LDP].
- 6 In the interest of visual amenity and in the interests of protecting biodiversity and landscape features. [Policy SP14 of the LDP]

## **REASONS FOR GRANTING PLANNING PERMISSION**

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

It is considered that the proposed development complies with Policy TR3 of the LDP in that the access would improve highway safety at this locality; furthermore it will ensure that the existing development is served by an appropriate access.

It is considered that the proposed development complies with Policy SP14 of the LDP in that the development will not have an adverse effect on the surrounding open countryside or any designated areas of protection.

It is considered that the proposed development complies with Policy GP1 of the LDP in that the justification for the track is accepted as there is clear evidence that farming operations at Ffynnon Luan are being continually improved and there would appear to be a genuine attempt by the applicant to re-establish Ffynnon Luan as a working farm.

### **NOTE(S)**

- 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).

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

<b>Application No</b>	<b>W/33665</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CONSTRUCTION OF A DETACHED DWELLING AT PLOT ADJACENT TO, 32 PARC STARLING, JOHNSTOWN, CARMARTHEN, SA31 3HX

<b>Applicant(s)</b>	N SKINNER, STARLING PARK HOUSE, PARC STARLING, JOHNSTOWN, CARMARTHEN, SA31 3HX
<b>Agent</b>	SAURO ARCHITECTURAL DESIGN LTD - MR PETER SAURO, 9 ELLISTON TERRACE, CARMARTHEN, SA311HA
<b>Case Officer</b>	Stuart Willis
<b>Ward</b>	Carmarthen West
<b>Date of validation</b>	15/04/2016

## CONSULTATIONS

**Carmarthen Town Council** – Has not commented to date.

**Local Members** - County Councillors A D T Speake and T Defis have not commented to date.

**Land Drainage** – Has not commented to date.

**Neighbours/Public** - The application has been publicised by the posting of a Public Notice on site and in a local newspaper. Three responses have been received as a result. These have raised the following issues:-

- The proposed dwelling is directly located opposite existing properties.
- The proposed building is very large all of which is to be built in an existing garden space.
- The location of the proposed new build will result in properties being directly overlooked and intrusive.
- Dwelling is considerably larger than existing ones and this will have a direct impact on loss of natural daylight and sunlight and amenity.
- The access point to the new building is located on a blind/dangerous corner and this part of Park Starling is already heavily congested with car parking on the street, this proposal would lead to further on street parking.
- Highways safety issues as children regularly play on this part of the road.

- The proposed dwelling is to be located at Starling Park House. This property currently has extensive gardens that surround its property and provides a valuable contribution to the surrounding Conservation Area under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 1100 proposed new homes have already been given planning consent in this area of Carmarthen, and there is no requirement for additional housing.
- Lack of direct consultation with neighbouring properties.
- Previous application for two properties refused under Carmarthen District Local Plan.

## RELEVANT PLANNING HISTORY

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

W/13741	Amendment to planning permission ref W/10401. Demolition of 1 no chimney (rh); French window rear elevation; blocking up of doorway south elevation; resiting of garage Full planning permission	13 September 2006
W/10401	Re-instatement as dwelling Full planning permission	19 August 2005
TMT/02989	Erection of 62 houses including road, sewers & all associated engineering works Reserved Matters granted	21 July 2003
TM/01350	Variation of condition 1 - W/02468 Outline planning permission	03 July 2002
W/02468	Residential development and surface water drain Outline planning permission	27 May 1999
W/03994	Mental illness unit (28 bed) Withdrawn	11 January 2001
D4/25173	Residential Institution Outline planning permission	15 December 1994
D4/25118	Two storey portacabins Listed Building granted	03 September 1994
D4/20281	Siting of residential development Outline planning refused	18 May 1993
D4/14988	Siting of residential development Withdrawn	22 December 1987

## APPRAISAL

**This planning permission is dependent upon the developer, prior to the commencement of development, entering into a Section 106 Agreement with Carmarthenshire County Council.**

## **THE SITE**

The application site forms part of the large garden/curtilage area associated with Starling Park House. The site lies within the wider Parc Starling Housing Estate constructed approximately 10 years ago. The whole estate was once the grounds of Parc Starling House. The House was retained as part of the recent housing estate development. There have been previous refusal at the site for 2 dwellings where this involved demolishing the existing dwelling. The site is located off the northern flank of the estate road in a central part of the estate. The land slopes from Parc Starling House down to the application site, steeply in parts. There are existing dwellings opposite and immediately adjacent to one side. At present there is a timber fence, approximately 2m in height running along the roadside boundary and the boundary with the adjacent property.

The site is located within the development limits of Carmarthen and the site, along with the western half of the estate is located within a Conservation Area. The Parc Starling estate comprises a mix of 2 storey dwellings and ones with further accommodation in the roof space which include the dwellings immediately adjacent to the north. Some existing properties have garages while others do not and there are also driveways provided for the properties. The properties generally have rendered walls, and features such as bay windows and dormer windows are provided on some of the dwellings. The properties are generally detached with some examples of semi-detached properties.

## **THE PROPOSAL**

The application seeks full planning permission for the construction of a detached dwelling. The dwelling would be 2 storey with further accommodation provided in the roof space. There are 3 dormer windows proposed to the front elevation of the dwelling. There would be an integral garage as well as off road parking on a driveway located between the proposed dwelling and the adjacent one. Due to the change in land levels the dwelling would have a single storey appearance to the rear, similar to the adjacent property. The dwelling would have 5 bedrooms, 2 at ground floor level and 3 in the roof space. 2 parking spaces are shown on the driveway although there would appear to be sufficient space for a further one, if required, as well as the integral garage space. There is a sloping roof porch on the front of the dwelling which has a double fronted appearance.

The external materials would be rendered walls with brick plinths and a tiled roof.

## **PLANNING POLICY**

In the context of the current development control policy framework the site is located inside the defined development limits for Carmarthen as contained in the adopted Carmarthenshire Local Development Plan Adopted December 2014 and within a Conservation Area.

Policy GP1 of the Local Development Plan (LDP) sets out the general requirements of the Local Planning Authority to ensure sustainability and high quality design through new development. In particular, that “it conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing” and “it protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment”.

Policies SP13 and EQ1 of the LDP require that development preserves and enhances the historic environment.

Section 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to pay special attention shall be paid the desirability of preserving or enhancing the character of appearance of a conservation area.

Paragraph 2.2 of Technical Advice Note 12 Design (2014) states:

2.2 The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales - from householder extensions to new mixed use communities.

Paragraph 2.6 & 2.7 of Technical Advice Note 12 Design (2014) states:

2.6 Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities.

Policy SP1 Sustainable Places and Spaces refer to distributing development to sustainable location in accordance with the settlement framework and promotes the efficient use of land. Integrating with the character and amenity of the area is also referred to.

Policy SP3 Sustainable Distribution – Settlement Framework outlines the growth areas for the County of which Carmarthen is one  
Provision for growth and development will be at sustainable locations in accordance with the following Settlement Framework

Policy SP5 Housing outlines the targets for housing provision and indicates this will be through allocated site but indicates this will not all be achieved through housing allocations.

Policy GP3 Planning Obligations states that the Council will, where necessary seek developers to enter into Planning Obligations to secure contributions to fund improvements to various community benefits.

Policy H2 Housing within Development Limits states that proposals for housing developments on unallocated sites within the development limits of a defined settlement will, where they are not subject to the provisions be permitted, provided they are in accordance with the principles of the Plan's strategy and its policies and proposals.

Policy AH1 Affordable Housing indicates that a contribution to affordable housing will be required on all housing sites and below the thresholds, a contribution through a commuted sum towards the provision of affordable housing will be sought. The level of contribution sought through a commuted sum will vary based upon its location within the high, medium and low viability sub-market areas as set out above. Commuted sum charges will be based on floor space (cost per sq.m.). In the Carmarthen area this is £66.71 per sq.m.

Policy TR3 Highways in Developments - Design Considerations outlines a number of matters to be considered included suitable access and parking and to ensure highway safety is not adversely affected for users of the roads/streets.

### **THIRD PARTY REPRESENTATIONS**

There have been two representations received to date.

An issue raised was that the proposed dwelling is directly located opposite existing properties. The site is located in a modern housing estate with a typical street layout where properties are generally located opposite each other in a street and this is common even in this estate. The majority of the estate has dwellings opposite each other where properties would overlook each other but to no greater extent than is usual in this or any other street. Any loss of sunlight would also not be greater than typically expected. The objectors' dwellings have been located to the south of the site and this would reduce the impacts from loss of light. There is approximately 19m separation between the front elevations of the proposed dwellings and those opposite. The main amenity space for the properties opposite is to the rear rather than to the front.

The scale of the building was raised as a concern as well as the loss of garden space for Parc Starling House. Part of the garden area of the existing dwelling would be lost. However it is considered sufficient space remains. The amenity space remaining would still be the largest on the estate and this, along with its positioning in the estate maintains the appearance of this being the focal point of the estate. The dwelling is larger than many of the properties on the estate but not to a degree that would make it appear out of character. The property has a double fronted appearance and dormer windows in the roof space as well as an integral garage. The walls would be render and a driveway is also proposed. These are all features that can be found on the estate and most of these features found in close proximity to the site.

The access point to the new building is an issue that has been raised. At present there is a 2m fence adjacent to the parking area for 32 Parc Starling and along the road side boundary. The proposal would result in the fence being removed. The visibility at the existing dwelling would be improved and the proposed visibility for the proposed dwelling better than the existing for No 32.

Reference is made to the estate already being heavily congested with car parking on the street and that this proposal would lead to further on street parking. Under the parking standards 3 parking spaces are required for the proposed dwelling. With the integral garage and driveway 3 spaces can easily be achieved and there could potentially be further spaces accommodated within the plot. Therefore the proposed dwelling provides sufficient parking. In relation to the existing parking situation the spaces would have been assessed at the time of the application for the wider estate. Objectors have referred to this part of the site being on a bend and as such the loss of any on street parking at this site may actually improve highway safety. The estate comprises approximately 60 dwellings and it is not felt that 1 additional dwelling would be a concern. It is felt that the proposal does not give rise to concerns relating to highway safety that would warrant refusal of the application.

The proposed dwelling is to be located at Starling Park House. This property currently has extensive gardens and it is considered that the gardens that surround the property and provides a contribution to the surrounding conservation area under Section 69 of the

Planning (Listed Buildings and Conservation Areas) Act 1990. As stated above the remaining space would still give the sense of grandeur and dominance of Starling Park House over the other more modern dwellings. It is located above the site and still has garden/grounds which is larger than any of the newer dwellings. There have been previous refusals for applications including the current application site. However those also proposed demolishing Starling Parc House and it was this element of the proposed developments which were not considered appropriate. This application does not propose any works to the dwelling itself and retains a significant amenity space/garden for the property. This application must be assessed on its own merits against the currently relevant policies and considerations.

A lack of need for additional housing in the area was raised, with particular reference to the Carmarthen West Development Brief site. The Local Development Plan is clear that outside of the allocated housing sites there is still a need for smaller developments to be able to provide sufficient housing in the County.

A lack of direct consultation with neighbouring properties was raised. The site is located within a Conservation Area and as such it was advertised in the local press as well as a site notice being posted. This is in compliance with the relevant legislation on giving publicity to planning applications.

Due to the sloping nature of the site the Land Drainage Section were consulted on the application it has not responded to date and therefore a condition relating to the provision of a detailed surface water drainage scheme is proposed.

The applicant has indicated they are willing to enter in to a legal agreement to secure the affordable housing contribution required under Local Development Plan policy. Any resolution to approve would be subject to this agreement being entered in to.

## **CONCLUSION**

After careful consideration of the site and surrounding environs, it is considered that the proposal is acceptable and complies with the relevant policies.

As such the application is put forward with the recommendation of approval subject to the legal agreement.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents:-
  - 1:1250 and 1:500 scale Block and Location Plan (LP-01);
  - 1:200 and 1:500 scale Proposed Site Plan and Site Section (02);
  - 1:100 and 1:50 scale Proposed Floor Plans and Elevations (01).

- 3 There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole road frontage marked within 2.4 metres of the near edge of the highway.
- 4 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only.
- 5 No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works including future maintenance and management of the scheme for that unit has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented as agreed.

## **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.
- 3-4 In the interest of highway safety.
- 5 To reduce risk of flooding and ensure appropriate drainage is provided.

## **REASONS FOR GRANTING PLANNING PERMISSION**

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

- It is considered that the proposed development complies with Policy H2, GP1, GP3, AH1, TR3, SP14 and EQ4 of the adopted Local Development Plan in that the development is within the settlement limits, the design, layout and scale of the development do not give rise to significant detrimental impacts in terms of highway, ecological, amenity, landscape or utility concerns subject to the conditions recommended. Sufficient provision towards affordable housing subject to a legal agreement. The development would not have an adverse impact on the character of the Conservation Area of the setting of any nearby listed buildings. It is not considered that there would be any significant impacts on amenity or privacy of nearby properties.

## **NOTE(S)**

- 1 The applicant is advised that this planning permission is subject to the applicant/developer first entering in to a Section 106 Agreement for the provision of a financial contribution towards affordable housing.
- 2 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed

variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

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

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

- 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](http://www.carmarthenshire.gov.uk)).