

**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 24 IONAWR 2017
ON 24 JANUARY 2017**

**I'W BENDERFYNU/
FOR DECISION**

***Ardal
Dwyrain/
Area East***



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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	24 January 2017
REPORT OF:	HEAD OF PLANNING

INDEX - AREA EAST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
E/34841	One residential dwelling at land opposite, Brodawel, Llandeilo, SA19 7TA

Application No	E/34841
-----------------------	----------------

Application Type	Outline
Proposal & Location	ONE RESIDENTIAL DWELLING AT LAND OPPOSITE, BRODAWEL, LLANDEILO, SA19 7TA

Applicant(s)	MRS EJ THOMAS, C/O AGENT,
Agent	JCR PLANNING LTD - JASON EVANS, UNIT 2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, SA14 6RE
Case Officer	Kevin Phillips
Ward	Manordeilo & Salem
Date of validation	12/12/2016

CONSULTATIONS

Manordeilo and Salem Community Council – No comments received to date

Local Member – Cllr J Davies is a member of the Planning Committee and has made no prior comment.

Head of Transport – No comments received to date

Neighbours/Public – The application has been publicised by the posting of a site notice to the front of the site. In response, four letters of representation have been received that object to the application on one or more of the following concerns:-

- The proposal will have an unacceptable harm upon the residential amenities of nearby residents, in particular safe and available on-road parking, valuable green space, privacy and the right to enjoy a quiet and safe residential environment.
- The proposal will harm the character of the locality.
- The proposal is for a two storey dwelling which is not considered to have taken into account the form, size and character of the adjacent dwellings. The existing dwellings in the area are low rise design with some habitable accommodation within the roof space.

- There should be sufficient space between existing and new buildings and their ancillary outbuildings in order to maintain the amenity and privacy of adjacent properties.
- The appropriateness of the access arrangement is questioned with the garage to the south impacting the manoeuvrability within the site.
- The proposal will not be providing an affordable housing for local people.
- The road to/from the site is not adequate to accommodate the additional dwelling.
- The construction of a two storey dwelling at the site will result in a prominent dwelling in the village.
- The proposal will harm the view and privacy of local dwellings.
- There is not demand for a new dwelling in the village as there are two dwellings slabs idle at the centre of the village.
- There are trees and plants at the site and their loss is unacceptable.

RELEVANT PLANNING HISTORY

There is no relevant planning history for the site.

APPRAISAL

THE SITE

The application site consists of an area of agricultural land at the northern edge of the village of Penybanc, Llandeilo, fronting an unclassified road that runs north from the centre of the village. The site is adjacent to the dwelling Neuadd Deg and opposite Brodawel with further agricultural land to the north and a sloping wooded area to the east which drops to the Nant Gurrey-Fach.

THE PROPOSAL

The application seeks outline planning permission for the construction of a dwelling on the site with access and scale to be considered within this application. Appearance, landscaping and layout matters are reserved for future approval. Indicative details of the layout of the dwelling and access thereto have been submitted with the application. The dwelling is to be positioned in the centre of the site with the garage to the front, south western corner. The proposed vehicular access is also at the centre of the plot frontage with two additional parking spaces to the north of the access.

PLANNING POLICY

In the context of the current development control policy framework the site is located within the defined development limits for Penybanc as contained in the Carmarthenshire Local Development Plan (December 2014). The following policies are of relevance to the proposal.

Policy GP1 is a general policy which promotes sustainability and high quality design, and seeks to ensure that development 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. Development proposals should also not have a significant impact on the amenity of adjacent land uses and properties.

Policy GP2 requires that proposals within defined development limits will be permitted, subject to policies and proposals of the plan, national policies and other material planning considerations.

Policy GP3 states that the Council will, where necessary seek developers to enter into planning obligations to secure improvements to infrastructure, community facilities and other services to meet the requirements arising from new developments. Allied to this, Policy AH1 states that a contribution towards affordable housing will be required on all housing allocations and windfall sites.

Policy H2 permits proposals for smaller housing developments on unallocated sites within the development limits of a defined settlement provided they are in accordance with the principles of the Plan's strategy and its policies and proposals.

Policy GP4 states that proposals for development will be permitted where the infrastructure is adequate to meet the needs of the development. Proposals where new or improved infrastructure is required but does not form part of an infrastructure provider's improvement programme may be permitted where it can be satisfactorily demonstrated that this infrastructure will exist, or where the required work is funded by the developer. Planning obligations and conditions will be used to ensure that new or improved facilities are provided to serve the new development.

Policy TR3 relates to the highway design and layout considerations of developments and states that proposals which do not generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted.

Policy EQ5 relates to proposals for development which would not adversely affect those features which contribute to local distinctiveness/qualities of the County, and to the management and/or development of ecological networks (wildlife corridor networks), accessible green corridors and their continuity and integrity.

THIRD PARTY REPRESENTATIONS

Four letters of representation have been received three of which are from local residents and the issues raised are commented on herewith;

The proposal will have an unacceptable harm upon the residential amenities of adjacent residents, in particular safe and available on-road parking, valuable green space, privacy and the right to enjoy a quiet and safe residential environment.

Whilst this is an Outline planning application with all but access and scale to be considered, the indicative layout provided within this application gives a reasonable impression of the appropriateness of a layout for the dwelling, parking and amenity space at this location. It is

considered that the site can accommodate a dwelling with appropriate parking, access and amenity space without any significant impact upon the living conditions of local residents.

The proposal will harm the character of the locality.

The development of a dwelling at this location at the edge of the settlement is not considered to harm the character of the village which has a variety of different dwelling of varying design and scales.

The proposal is for a two storey dwelling which is not considered to have taken into account the form, size and character of the adjacent dwellings. The existing dwellings in the area are low rise design with some habitable accommodation within the roof space.

The site is opposite two bungalows and there are two cottage style dwellings along the eastern side of the road fronting the site. The application site is raised above the surrounding village and whilst the cottages below are two storey they are at a lower level and built into the hillside. It is considered due to the elevated nature of land, the application site would not accommodate a two storey dwelling and a single storey dwelling would be most appropriate at this location.

There should be sufficient space between existing and new buildings and their ancillary outbuildings in order to maintain the amenity and privacy of adjacent properties.

As stated above this is an Outline planning application with the indicative layout providing a reasonable impression of the appropriateness of a layout for the dwelling, parking and amenity space at this location. It is considered that the site can accommodate a dwelling with appropriate parking, access and amenity space without any significant impact upon the living conditions of local residents.

The appropriateness of the access arrangement is questioned with the garage to the south impacting the manoeuvrability within the site.

The response to consultation from the Head of Transport is awaited in order to comment fully to this objection.

The proposal will not be providing an affordable housing for local people.

The site is within the development limits of the settlement and there is no requirement for affordable housing for local people on a site for a single dwelling. Policy AH1 requires a contribution towards affordable housing which has been secured through an Unilateral Undertaking.

The road to/from the site is not adequate to accommodate the additional dwelling.

The development of a single dwelling at this location will not generate any significant increase in traffic to the detriment of local residential amenity.

The construction of a two storey dwelling at the site will result in a prominent dwelling in the village.

The site is opposite two bungalows and there are two cottage style dwellings along the eastern side of the road fronting the site. The application site is raised above the surrounding village and whilst the cottages below are two storey they are at a lower level and built into the hillside. It is considered due to the elevated nature of land, the application site would not accommodate a two storey dwelling and a single storey dwelling would be most appropriate at this location.

The proposal will harm the view and privacy of local dwellings.

The loss of view is not considered to be a material planning consideration and it is considered that the dwelling is sufficiently distant from the nearest dwellings to not result in any significant loss of privacy.

There is not demand for a new dwelling in the village as there are two dwellings slabs idle at the centre of the village.

The site is within the development limits of the village and the market forces concern is not considered to be a material planning consideration.

There are trees and plants at the site and their loss is unacceptable.

Tress are sited on the hillside to the east of the application site (outside of the application site), which falls to Nant Gurrey-Fach, and there is a hedgerow along the front of the site. From the plans received it is not considered that the proposed development will impact significantly upon the trees to the east, with some minor thinning required that can be considered within the Reserved Matters application. The Rural Conservation Manager has requested that the hedgerow fronting the site is translocated to the northern boundary of the application site in the interest of habitat preservation. Therefore, a condition will be applied to the permission to satisfy this requirement in the Reserved Matters application.

CONCLUSION

On balance, and after careful examination of the site and its surrounding environs, together with the representations received to date, the proposal is considered to represent an acceptable form of residential development that will be in keeping with and complement the general character and appearance of the surrounding area. The site is located within the development limits of Penybanc and its development complies with the key policy and sustainability objectives of both the Authority's LDP and National Planning Policy.

The proposed layout of the development and means of access thereto are acceptable while the new dwelling will be well related to the existing services and facilities in Penybanc as well as being within easy access of existing public transport facilities. The proposal will also make a positive contribution towards the provision of affordable housing in the locality whereby the applicant will be required to make a commuted payment towards the same under the requirements of Policy AH1 of the LDP. Furthermore, there are no amenity, highway or public service objections to the development.

The application is put forward with a favourable recommendation subject to the proposed conditions.

RECOMMENDATION – APPROVAL

CONDITIONS

- 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
- 2 The permission now granted is an outline permission only, within the meaning of the Town and Country Planning (General Development Procedure) Order 1995.
- 3 The permission now granted relates to the land defined by the 1:1250 scale Location Plan and 1:500 scale Block plan received on 2 November 2016.
- 4 Development shall not commence until detailed plans of the appearance; landscaping; layout; and scale of the building stated in the application, have been submitted, and received the written approval of the Local Planning Authority.
- 5 The external walls of the proposed dwelling shall be constructed of materials which reflect the character and style of local buildings and the roof shall be covered in natural or fibre cement slates or flat profiled tiles coloured dark grey.
- 6 No development shall take place until details and plans showing the finished floor / roof levels of the dwelling hereby approved, together with cross sections through the site have been submitted to and approved in writing by the Local Planning Authority, such details to form part of any Reserved Matters application for the site. Development shall be carried out in accordance with those details approved, unless otherwise agreed in writing with the Local Planning Authority.
- 7 Prior to the commencement of development full details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority.
- 8 No development shall take place until details and plans showing the finished floor / roof levels of the dwelling hereby approved, together with cross sections through the site have been submitted to and approved in writing by the Local Planning Authority, such details to form part of any Reserved Matters application for the site. Development shall be carried out in accordance with those details approved, unless otherwise agreed in writing with the Local Planning Authority.
- 9 A detailed landscaping scheme for the whole site including the retention of any existing landscape features and the indication of species, size and number of trees and/or shrubs to be planted shall be submitted to and specifically approved in writing by the Local Planning Authority prior to the commencement of the development and shall, following approval of such a scheme, be implemented in the first planting

season following commencement of the development or at such other time as may be specifically approved in writing by the Local Planning Authority.

- 10 Any trees planted in accordance with condition no.9 above subsequently removed, dying, being severely damaged or becoming seriously diseased within two years of planting shall be replaced with trees of similar size and species to those originally planted to the satisfaction of the Local Planning Authority.
- 11 The existing hedgerow fronting the application site shall be translocated to the northern boundary of the site.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 The application is in outline only.
- 3 For the avoidance of doubt.
- 4 -7 In the interest of visual amenity and to protect the living conditions of local residents.
- 8-11 In the interest of visual amenity and habitat protection

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposed development accords with Policy GP1 of the LDP in that the proposed dwelling represents an acceptable form of development which is appropriate to the character and appearance of the surrounding area; furthermore it will not give rise to any substantially statutory or third party objection sufficient to warrant refusal of the planning application.
- The proposed development accords with Policy H2 of the LDP in that the land is situated within the settlement limits for Penybank and the proposal does not conflict with other Policies within the plan; furthermore it will not lead to any highway, amenity or utility service provision objections.

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).

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

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

- 2 This application has been determined within the scope of the delegated authority granted to the Head of Planning by the Meeting of Carmarthenshire County Council on 12 October 2011 (Minute No 7 refers).
- 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)
- 4 The planning permission hereby granted is subject to the Unilateral Undertaking between the landowner and Carmarthenshire County Council signed under the provisions of Section 106 of the Town and Country Planning Act 1990, to give effect to a commitment to the following:-
 - A financial contribution, which equates to £88.82 per square metre of internal floor space, towards the provision of affordable housing in accordance with Policy AH1 of the Carmarthenshire LDP.