

*Ardal
Gorllewin/
Area West*

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

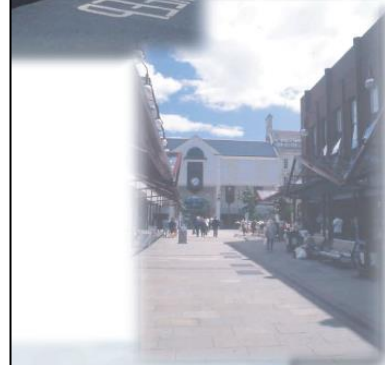
**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

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

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

**AR 29 MEHEFIN 2017
ON 29 JUNE 2017**

**I'W BENDERFYNU/
FOR DECISION**



Cyngor **Sir Gâr**
Carmarthenshire
County Council



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.

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|-------------------|---------------------------|
| COMMITTEE: | PLANNING COMMITTEE |
| DATE: | 29 JUNE 2017 |
| REPORT OF: | HEAD OF PLANNING |

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APPLICATIONS RECOMMENDED FOR APPROVAL

| | |
|-----------------------|----------------|
| Application No | W/34603 |
|-----------------------|----------------|

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|--------------------------------|--|
| Application Type | Outline |
| Proposal & Location | SITING OF 4 NO. DETACHED DWELLING HOUSES AT LAND ADJACENT TO, YNYSDAWEL, HEOL CWMMAWR, DREFACH, LLANELLI, SA14 7AE |

| | |
|---------------------------|--|
| Applicant(s) | EXECUTORS OF THE ESTATE OF THE LATE MRS A.M. THOMAS, C/O AGENTS, |
| Agent | JCR PLANNING LTD - RICHARD BANKS, UNIT2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, SA14 6RE |
| Case Officer | Ceri Davies |
| Ward | Gorslas |
| Date of validation | 27/10/2016 |

CONSULTATIONS

Head of Transport – Has provided initial observations in relation to this application.

Gorslas Community Council – Has not commented on this application to date.

Local Members – The previous County Councillor Terry Davies was a member of the Planning Committee and made no prior comment; County Councillor Darren Price has not commented on this application to date.

Natural Resources Wales - Has no adverse comments.

Dwr Cymru/Welsh Water - Has no adverse comments.

Neighbours/Public – The application was advertised by means of site notice; three letters of representation have been received to date raising the following concerns:-

- Access/highway safety/lack of visibility
- Localised flooding
- Loss of greenfield site
- Over development
- Height of dwellings
- Siting

RELEVANT PLANNING HISTORY

W/08829 Siting of a dwelling
Outline planning refused

1st February 2005

APPRAISAL

THE SITE

The application site comprises part of the rear curtilage and adjoining field enclosure associated with a residential property known as Ynysdawela, off Heol Cwmmawr, in the village of Drefach. The site is primarily set off the northern flank of the B4310, Heol Cwmmawr, with the field enclosure also occupying the junction with Heol Cwmbach. The field enclosure is sloping in nature and its rear boundary backs onto the school playing fields of the former Gwendraeth Comprehensive School. The site measures approximately 0.3 hectares (0.75 acres) in area.

The field enclosure consists of rough pastureland; access to the enclosure can be gained directly off the B road. There are a number of residential dwellings in close proximity, along Heol Cwmbach and Heol Cwmmawr.

THE PROPOSAL

This application seeks outline planning permission for four detached dwellings; all detailed matters, bar access and layout are reserved for future consideration; for that purpose site plans have been submitted as part of the application showing access, siting and layout. The layout shows four dwellings fronting onto the Heol Cwmmawr with a single access off Heol Cwmbach to serve all four dwellings.

POLICY CONTEXT

In terms of the application's policy context, reference is made to the following Carmarthenshire Unitary Development Plan (LDP) policies and plans:-

The application site is located within the defined development limits for Drefach as delineated by Inset Map GA3 of the LDP; the site is not allocated nor designated for any particular use.

Policy SP1 (Sustainable Places & Spaces) states that proposals will be supported where they reflect sustainable development and design principles by supporting identified settlements, promoting the efficient use of land including previously developed sites, integrate with the local community taking account of character and amenity, reflecting and enhancing local character, creating safe, attractive and accessible environments, utilising sustainable construction methods and integrate conservation into the development.

Policy GP1 of the Local Development Plan provides development proposals which should be compatible with their surroundings in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing. In particular proposals must not adversely affect local amenity in terms of visual impact, loss of height or privacy, disturbance and traffic involvement.

Policy GP4 provides support to development where the infrastructure is adequate to meet the needs of the development.

Policy H2 provides that there is policy support for the development of unallocated sites within the defined development limits of settlements, provided the development is in accordance with the principles of the Plan's strategy and its policies and proposals.

Policy AH1 provides that a contribution to affordable housing will be required on all housing allocations and windfall sites. The level of contribution is dependent upon the viability areas within which the application site falls.

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.

THIRD PARTY REPRESENTATIONS

Turning to the adverse representations received to date; the main areas of concern are as follows:-

- Access/highway safety/lack of visibility
- Localised flooding
- Loss of greenfield site
- Over development
- Height of dwellings
- Siting

Other matters raised, including lack of consultation are not deemed material planning considerations for the purposes of this application. However, in terms of complaints over consultation, Members are advised that the application was publicised in accordance with Part 8(5)(a) of the Town & Country Planning (General Development Procedure)) Order 1995 which requires that an application shall be publicised by giving requisite notice "*by site display in at least one place on or near the land to which the application relates for not less than 21 days*".

CONCLUSIONS

Whilst this application seeks outline planning permission only for residential development at this juncture, as already mentioned, scaled site layout drawings and indicative cross-section drawings have been submitted as part of the application showing how the site could potentially accommodate four dwellings with associated access, parking and turning areas. The said plans allows the authority to gauge the potential impact of the development at this location.

The most contentious issue has been the concerns raised by local residents in relation to fears over highway safety. It is acknowledged that the B4310 is the main road through the village and the site is in close proximity to the B4310, Heol Cwmmawr/Heol Cwmbach Road junction. There are speed restrictions in place for this part of the village and the site fronts onto the road; furthermore there is a direct access from the B4310 road into the field enclosure at present via an established gated field access. The original proposal included a pair of shared accesses to serve the development with one shared access off Heol

Cwmmawr and one shared access off Heol Cwmbach; however the Head of Transport expressed concern with regard to the provision of a new access onto Heol Cwmmawr. The Head of Transport deemed the proposed shared access arrangement for the two plots at the northern half of the site to be unacceptable, as the said access would be on the junction within the giveaway markings. To overcome that objection, the Head of Transport suggested that a single access to serve the whole development off Heol Cwmbach would be deemed acceptable; the site layout plans have been amended accordingly. As such, the authority is satisfied that the revised access arrangement overcomes the concerns previously expressed by the Head of Transport; it is considered the proposal makes adequate provision for vehicular parking within the curtilage of the application site to serve each dwelling; hence on-street parking will not be an issue in this instance. It is accepted that the development by its very nature will lead to an increase in car users at this location however, on balance it is considered that the adjacent highway can accommodate the additional traffic growth. The initial concerns over lack of visibility splays have been addressed, hence it is considered the highway objection from third parties cannot be sustained in this instance.

The occupiers of the two adjacent properties, No.s 46 and 48 Heol Cwmmawr, have expressed concern over the scale/positioning of the dwellings; citing the fact that the proposed dwellings will be forward of the building line associated with No.48 Heol Cwmmawr; furthermore they deem the two storey dwellings to be inappropriate at this location. From a siting and scale perspective, the Authority deems the proposal to be in-keeping with the surrounding residential area and the overall proposal represents a sustainable form of development which can be easily incorporated as part of the village. Whilst it is acknowledged that No.48 is set back from the road, Members are advised that this is the anomaly as all other dwellings fronting onto Heol Cwmmawr are sited to the front of their respective plots, hence the proposed layout sits comfortably within the surrounding streetscape.

Whilst the cross-section plans are indicative only at this juncture, Members are reminded that the proposal makes specific reference to 'dwelling-houses' and the cross-section drawings clearly show two storey dwellings. On balance, it is considered that two storey dwellings will sit comfortably at this location; again No.48 represents the anomaly at this location as other properties in close proximity to the application site are two storey in nature; these include Brynderwen and Cwrt Gwendraeth to the west, Dan y Bont to the south along with No.46 to the east. Dwellings further east, along Heol Cwmmawr are a mixture of bungalows, dormer dwellings and two storey dwellings; the Authority contends therefore that two storey dwellings will not represent an inappropriate form of development at this part of the village. It is considered that there will be no issues regarding overlooking/loss of privacy for the properties adjacent.

With regard to concerns raised in relation to surface water flooding, neither Welsh Water/Dwr Cymru (DCWW) or Natural Resources Wales (NRW) have objected to this planning application; the Authority is satisfied therefore that there is adequate capacity within the existing public sewer to accommodate the increase usage associated with this development. Furthermore, DCWW and NRW have not provided any adverse comments in terms of infrastructure capacity to accommodate the additional surface water flows that will be derived from the site. The agent/applicant is aware that there is a land drain running through the centre of the site which allows surface water from the school playing fields to enter the Gwendraeth Fawr via a culvert underneath the road, and this is also shown on the submitted plan. On receipt of the reserved matters or detailed consent application, the authority will have further details pertaining to design, scale and siting; and

NRW has advised that the Authority's Drainage Engineers will need to be consulted at that juncture to ensure they are satisfied that there will be no flood risk to the development from this watercourse and an easement for the surface water drain can be maintained.

A concern was expressed at the loss of this green-field site; however it is clear from the site survey that the field enclosure is overgrown and has not been grazed for some time; it is acknowledged that the site is green-field, however from a wider perspective it represents an infill piece of land in that it sits within a built-up urban area, hence developing the site will not represent an obtrusive form of development in the open countryside.

The application was accompanied by a Phase 1 Habitat survey undertaken by Laurence Illecology; the Authority's Planning Ecologist has advised that the ecological survey makes enhancement recommendations within the report which must be integrated with landscape design for the site i.e. use of native species and shrubs within landscaping proposals, development of habitat linkages and hedgerow habitats. The enhancement recommendations must be secured as part of any reserved matters or detailed application and identified on relevant plans; these enhancements will be secured via the imposition of suitable conditions.

On balance, it is considered that the proposal for four dwellings at this location accords with the general development control policies of the LDP; the site is deemed to be of sufficient dimensions to adequately accommodate four modestly sized dwellings, shown on the submitted drawings, whilst providing sufficient private amenity space to serve each dwelling. The proposal does not represent a form of over-development and the overall site is of sufficient size to provide access/parking and turning area within the site curtilage, as such accords with the relevant policies of the LDP.

In conclusion, it is considered, the development is compatible with adjacent land uses and the character or amenity of the area will not be adversely affected. The overall development is of a density and plot ratio which sustains the local environment. In the absence of any sustainable transport, amenity, local planning or public service provision objections, the application is recommended for approval, subject to planning conditions and the successful completion of a Section 106 Agreement/Unilateral Undertaking.

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 1:2500 Scale Location Plan received on 8 November 2016.
- 4 The approved development relates to the following plans and documents and works should be carried out strictly in accordance with them unless amended by any conditions above:
 - Location Plan and Site Layout Plan [Ref 348a/003A] - 1:2500 and 1:1250 Scale
Received on 8 November 2016
- 5 Development shall not commence until detailed plans of the landscaping, appearance and scale of the development, have been submitted, and received the written approval of the Local Planning Authority.
- 6 The development hereby permitted shall be constructed of materials, which reflect the architectural style and appearance of traditional local buildings with suitable proportioned openings in keeping with the traditional character and proportions of such buildings
- 7 The external walls of the proposed dwellings 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.
- 8 No development shall take place until details and plans showing the finished floor /roof levels of the dwellings 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 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.
- 10 The vehicular access into the site shall at all times be left open, unimpeded by gates or any other barrier.
- 11 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 is to be obstructed by non-motorised vehicles.

- 12 Before any development hereby approved is commenced, details shall be submitted for all means of enclosure and boundary treatments along the rear and side boundaries of the application site, to the written approval of the Local Planning Authority
- 13 No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved by and implemented to the reasonable satisfaction of the Local Planning Authority
- 14 No development or site clearance shall take place until an appropriate and comprehensive Ecological Design Scheme, has been submitted to 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. The scheme shall be in compliance with the principles of the landscape and ecological information submitted with the following approved application documents Sections 5.3 and 6.1 of the submitted ecological survey report by Llecology dated 13 January 2017 and relevant guidance as provided by the Local Planning Authority.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 The application is in outline form only.
- 3 For the avoidance of doubt as to the extent of the site.
- 4-8 In the interest of visual amenity. (Policy GP1 & H2 of the LDP)
- 9-11 In the interest of highway safety. (Policy TR3 of the LDP)
- 12 In the interest of residential amenity (Policy GP1 of the LDP)
- 13 To reduce the risk of increased flooding and achieve a satisfactory form of drainage.
- 14 In the interests of protecting wildlife and to ensure that the development does not adversely affect a European Protected Species. (Policy EQ5 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 SP1 of the Carmarthenshire Local Development Plan, 2014 (LDP) in that the siting of dwellings at this location will not detrimental to the character and appearance of the area and it is not considered there are any significant impacts in relation to amenity. Sufficient amenity space is provided for the proposed dwellings and appropriate parking and access can be provided.

- The proposed development accords with Policy GP1 of the LDP in that the proposed dwellings represent 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 Drefach 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.

NOTES

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

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

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

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

- 2 Further advice and guidance from Natural Resources Wales and Dwr Cymru Welsh Water have been submitted in relation to this application.
- 3 It is the responsibility of the developer to contact the streetworks Manager of the Local Highway Authority to apply for a Streetworks Licence before undertaking any works on an existing Public Highway.
- 4 Any amendment or alteration of an existing public highway in connection with a new development shall be undertaken under a Section 278 Agreement of the Highways Act 1980. It is the responsibility of the developer to request the Local Highway Authority to proceed with this agreement and the developer is advised that the total costs of entering into such an agreement, as well as the costs of undertaking any physical works on site, shall be met by him.

5 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 £40.48 per square metre of internal floor space, towards the provision of affordable housing in accordance with Policy AH1 of the Carmarthenshire LDP.