

**ADRODDIAD PENNAETH  
CYNLLUNIO,  
CYFARWYDDIAETH YR AMGYLCHEDD**

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

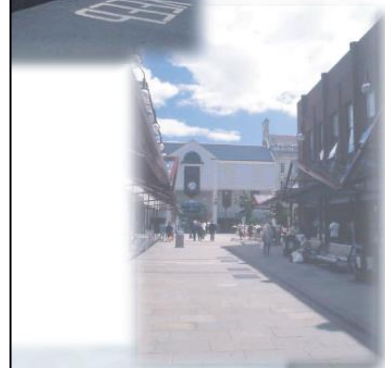
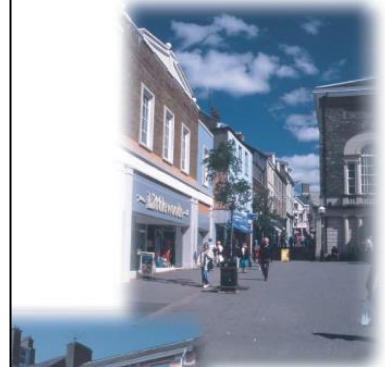
**AR GYFER PWYLLGOR CYNLLUNIO  
CYNGOR SIR CAERFYRDDIN/**

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

**AR 27 GORFFENAF 2017  
ON 27 JULY 2017**

**I'W BENDERFYNU/  
FOR DECISION**

***Ardal  
Gorllewin/  
Area West***



**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>27 JULY 2017</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>W/35451</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CHANGE OF USE OF 4 REDUNDANT STONE BARNs TO 4 UNITS OF RESIDENTIAL ACCOMMODATION WITH ASSOCIATED GARAGES AND STORES AT PENYBONT, MEIDRIM, CARMARTHEN, SA33 5QL

<b>Applicant(s)</b>	MR S KIRKWOOD, HEN CAPEL MAIR, SAWMILLS LANE, ST CLEARS, CARMARTHENSHIRE, SA33 4EN
<b>Agent</b>	SARNAU DESIGN - CARL THORNTON, FULLERTON HOUSE, KING STREET, LAUGHARNE, SA33 4LT
<b>Case Officer</b>	Helen Rice
<b>Ward</b>	Trelech
<b>Date of validation</b>	26/04/2017

## CONSULTATIONS

**Head of Transport** – No objection subject to the imposition of conditions to maintain adequate access and maintenance of the proposed car parking provision in the interests of highway safety.

**Land Drainage** – No objection subject to the imposition of conditions to ensure that the proposed use of soakaways to deal with surface water drainage is feasible.

**Meidrim Community Council** – No comments received.

**Local Member** – No comments were received from Cllr Jean Lewis.

**Natural Resources Wales** - No objection subject to the imposition of conditions to ensure that the area affected by the C2 floodzone remains free of development and that a development free buffer zone of 7m from the Afon Dewi Fawr is maintained at all times to maintain access to the watercourse for future maintenance and to protect the riparian corridor. NRW also request that conditions are imposed to ensure that the bat mitigation measures are carried out in accordance with the submitted details.

**Dwr Cymru/Welsh Water** – No objection subject to the imposition of conditions to ensure that no surface or land drainage enters the public sewerage network.

**Dyfed Archaeology** – In light of the historic reference to the buildings on the 1889 1<sup>st</sup> edition OSmap, it is recommended that a photographic record of the buildings should be undertaken by the developer prior to any works commencing.

**Neighbours/Public** – The application was the subject of notification by way of a site notice. No representations were received as a result.

## **RELEVANT PLANNING HISTORY**

The site has been the subject of previous applications relating to its previous use as an active agricultural farm, and then followed by an application for the demolition of a series of more modern agricultural buildings following the cessation of the use. An application for the replacement of the remaining buildings with 8 dwellings was withdrawn in 2015 following concerns over the loss of traditional agricultural buildings. These applications are detailed below:

W/28019	Outline planning application to replace existing farm buildings with 4 no 4 bedroom and 4 no. 2 bedroom dwellings Withdrawn	23 April 2015
W/25813	Application for prior notification of proposed demolition of 2 silage clamps with asbestos roof sheets, 1 old Dutch type barn with lean-to, 2 old railway type cabins, lean to one silage clamp, dilapidated small outbuilding and stone wall Demolition notification Granted	9 January 2012
D4/7845	New agricultural access to highway and construction of midden Full planning permission	17 December 1980

## **APPRAISAL**

**This application is subject to a Section 106 Agreement**

**This application is presented to the Planning Committee due to Carmarthenshire County Council having an interest either as applicant/agent or in terms of land ownership.**

This application is being reported to the Planning Committee as the County Council is the current owners of the land which the applicant is seeking to purchase subject to first gaining planning permission. It has therefore been determined that the County Council has a significant financial interest in the application and thus has to be determined by the Planning Committee.

## **THE SITE**

The site is located within the settlement of Meidrim and comprises a range of redundant stone barns which once formed part of the Council owned former agricultural farm known as Penybont. The original main farmhouse has already been sold and is in separate ownership. The farm is located between the B4298 to the south (and the previous

farmhouse), the Afon Dewi Fawr to the north and existing residential properties, Danrhiw (Grade II Listed) to the east and Dewi Villa to the west. The site is in an elevated position on significantly higher ground than the Afon Dewi Fawr and the adjoining property to the east (Danrhiw). As a result, views of the site are attainable from various vantage points within the village.

There are a number of traditional stone farm buildings remaining on the site, with the majority of the utilitarian more modern buildings having been demolished under a Prior Notification application approved in January 2012. The remaining barn buildings (4 no. in total) are mainly single storey in height with some upper loft areas, finished in partly white washed stone, pitched roofs under either slate or corrugated sheeting with an a mix of window and door openings, some with red brick upper surrounds.

The majority of the site is on a slight slope, falling from the north east to the south west, which increases in steepness towards the western boundary of the site. There is a steep slope towards the north of the site as the site falls down to the Afon Dewi Fawr that is covered in woodland with mature vegetation to the eastern boundary. Access to the site is located via an existing five bar gate in the south eastern corner of the site adjoining the boundary with Danrhiw, between which is also located a Public Right of Way (recently dedicated as such) which follows the banks of the Afon Dewi Fawr and links with the village playground to the west.

A small area of the application site, adjoining the Afon Dewi Fawr is located within the C2 floodzone. However, the majority of the site, given its elevated position lies outside the floodzone. The LDP settlement boundary for Meidrim is tightly drawn around the northern extent of the existing buildings and thus excludes the woodland area between the buildings and the Afon Dewi Fawr.

## **THE PROPOSAL**

The proposal involves the conversion of the existing stone barns into 4 dwellings, 2no. 4 bed units and 2no. 2 bed units. The submitted plans indicate that limited changes to the buildings are proposed with the conversion remaining faithful to the existing buildings through the utilisation of existing openings and windows. There will be the creation of some additional windows to improve light into the proposed new dwellings, including the insertion of velux roof lights. All new windows and doors would be timber and of a simple design (e.g. single pane/arrow slit), reflective of the traditional buildings with all roofs being finished in natural slate. The main changes to the appearance of the buildings would be the insertion of glazing, minor changes to existing openings and a few additional velux roof lights and black painted flues to serve internal heating systems.

Each barn would be provided with its own large garden area defined by a mix of low stone walls, close boarded fencing and hedgerows with the provision of a detached garage/outbuilding, providing sufficient car parking provision to each barn relative to its size, i.e. 2 bed units would have 2 parking spaces with the 4 bed units having the maximum 3 parking spaces.

Access into the site would remain as existing in terms of its position albeit improved and modified to meet the required highway dimensions and to include the provision of a footpath up to the internal turning area. Existing trees and hedgerows, especially near the modified access point will be retained and duly protected during construction works with the provision of new planting and landscaping features throughout the site as indicated on

the proposed site plan. The woodland area to the north of barns 1 and 2, and adjoining the Afon Dewi Fawr, is to be retained and managed.

The application was supported by a bat mitigation method statement which builds upon historical ecological surveys of the buildings that were carried out in 2011, 2014 and updated in 2016. These surveys identified historical bat activity within the buildings including evidence of a common pipistrelle roost in Barn 1 (2011 survey) along with the presence of a small number of day roosting Soprano Pipistrelle bats (2014 survey). The 2016 confirmed that the buildings were similar in condition to the 2014 surveys, although no evidence of roosting bats were identified within the majority of buildings, the exception being evidence of feeding remains indicative of a Brown Long Eared bat feeding perch used either by a single bat, or by a small number on an irregular basis. As a result of these survey findings the proposal includes the provision of bat mitigation in the form of appropriate construction methods and the installation of 4no. bat boxes on retained trees and 4 no. roost or bat box on Barns 1, 2 and 4.

## **PLANNING POLICY**

This application has been considered against relevant policies of the Carmarthenshire Local Development Plan (Adopted December 2014) ('the LDP') and other relevant Welsh Government Guidance.

The majority of the application site lies within the settlement of Meidirm as defined by the LDP, with only the woodland section between the existing buildings and the watercourse lying outside of the boundary. No development is proposed within this area.

The following policies are of key relevance to the proposal:

**Policy SP1 Sustainable Places and Spaces** stipulates that proposals for development will be supported where they reflect sustainable development and design principles by concentrating developments within defined settlements, making efficient use of previously developed land, ensuring developments positively integrate with the community and reflect local character and distinctiveness whilst creating safe, attractive and accessible environments that promote active transport infrastructure

**Policy SP3 Sustainable Distribution Settlement Framework** seeks to concentrate development in sustainable locations within existing defined settlements such as identified growth areas, service centres, local service centres and other defined sustainable communities.

**Policy H2 Housing within Development Limits** specifies that proposals for the erection of dwellings on unallocated sites within defined settlements will be permitted subject to compliance with the principle of the Plan's strategy, policies and proposals.

**Policy AH1 Affordable Housing** seeks to ensure that all developments that result in a net increase of open market dwellings shall provide a contribution towards affordable housing. Those developments that fall below the threshold of 5 dwellings or more are required to pay a financial contribution in the form of a commuted sum towards affordable housing provision secured by way of a legal agreement. The accompanying Supplementary Planning Guidance further explains the formula used to generate the contribution which is submarket area specific having regard to development viability.



**Policy GP1 Sustainability and High Quality Design** 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.

**Policy SP14 Protection and Enhancement of the Natural Environment** requires that development should reflect the need to protect, and wherever possible enhance the County's natural environment in accordance with national guidance and legislation. **Policy EQ4 Biodiversity** states that proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation (i.e. NERC & Local BAP, and other sites protected under European or UK legislation), will not be permitted unless satisfactory mitigation is proposed, and where exceptional circumstances where the reasons for development outweigh the need to safeguard biodiversity and where alternative habitat provision can be made. Furthermore, **Policy EQ5 Corridors, Networks and Features of Distinctiveness** seeks to ensure that existing ecological networks, including wildlife corridor networks are retained and appropriately managed.

**Policy TR3 Highways in Developments – Design Considerations** 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 EP3 Sustainable Drainage** requires proposals to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Urban Drainage Systems (SUDS), has been fully investigated.

Members are advised that whilst the proposal does comprise the conversion of existing barns into dwellings, given their location within the defined settlement of Meidrim, the requirements of **Policy H5 Adaptation and re-use of rural buildings for residential use** which refers to conversions of buildings in the open countryside are not applicable.

Other Welsh Government Guidance of relevance include:

- Planning Policy Wales (8<sup>th</sup> Edition) January 2016
- Technical Advice Note 5 (TAN 5) - Nature Conservation and Planning (2009)
- Technical Advice Note 12 (TAN) 12: Design (2016)
- Technical Advice Note 15 (TAN) 15: Development and Flood Risk (2004)

### **THIRD PARTY REPRESENTATIONS**

No responses received.

### **OFFICER APPRAISAL**

The main considerations of relevance to this application are whether the principle of the development is acceptable, the impact of the development upon the character and appearance of the buildings and area, including the setting of the nearby listed building, the impact of the development on neighbouring amenity, biodiversity and highway safety.

## **Principle of development**

The application site is largely included within the settlement of Meidrim where there is a general presumption in favour of development. However the woodland area to the north of barns 1 and 2 up to the application site boundary with the Afon Dewi Fawr is located outside of the settlement boundary and therefore in the countryside where there is a general presumption against unjustified development. The development does not include any development within the woodland area, which is earmarked to be retained and managed, and will largely comprise amenity areas for future owners of Barns 1 and 2. In addition, it is recommended to include appropriate conditions to control the development of this area to avoid the loss of the woodland as well as for it to remain free from development as requested by Natural Resources Wales. On this basis, the development is considered acceptable in principle subject to other material considerations.

## **Impact upon character and appearance**

The existing buildings are prominently located in an elevated position in the centre of the village and thus contribute to the overall character and appearance of the area. This proposal seeks to reinforce that contribution through the retention of the existing buildings with limited interventions so that their overall appearance is improved yet retained. Whilst there will be changes through their use for domestic purposes and the segregation of the proposed amenity areas, it is not considered that these changes would have an unacceptable impact. The further retention of existing trees and hedgerows along with additional landscaping will also maintain and reinforce the site's existing character. The proposal is therefore considered to positively contribute to the character and appearance and would not have an unacceptable impact upon the setting of the neighbouring Grade II listed building at Danrhiw. In order to preserve the simple traditional form of the dwellings, it is considered reasonable to remove permitted development rights so that any proposals for extensions/outbuildings/changes to the barns can be formally considered.

## **Impact upon neighbouring amenity**

The site is located adjacent to the previous farmhouse that has since been sold separately as an independent residential dwelling. Whilst the proposal would result in increased activity adjoining the property, no windows are proposed within the immediately adjoining elevations of the converted barns and boundary fencing is proposed to limit potential for overlooking or loss of privacy. To this end, it is not considered that the proposals would have an unacceptable impact upon the amenity of immediately adjoining residents with other nearby residential properties to the east and west being of a sufficient distance and different land levels to avoid unacceptable impacts upon amenity.

## **Biodiversity impacts**

The submitted ecological surveys have identified the presence of protected species and proposed mitigation has been put forward which has not raised any objections from Natural Resources Wales subject to the imposition of appropriate conditions to ensure that the development is carried out in accordance with the submitted details. It should be noted that given the results of the ecological surveys, the conversion works will require an European Protected Species Licence application to be submitted to and approved by Natural Resources Wales prior to the commencement of development.

Similarly, the application site abuts the Afon Dewi Fawr, which is classed as a main river at this location and thus falls under NRW's responsibilities. It is for this reason that NRW has advised that a development free buffer zone of 7m measured from the top of the bank of the watercourse is maintained both to retain the biodiversity corridor and to maintain access to the watercourse. This buffer zone largely coincides with the C2 floodzone. The submitted plans do not indicate any development in this location (with the exception of the public footpath) and therefore it is not considered that the imposition of a condition to ensure that this 7m buffer zone is retained would prejudice the development.

### **Highway safety**

The application site is already served by an existing access onto the B4298 which this proposal seeks to utilise in a modified state with the additional provision of a footway on one side to provide pedestrian access into the site. Given that the site would only serve 4 dwellings the access road does not need to be built to an adoptable standard. Discussions with the developer suggest that the access would be transferred to a management company or to the prospective owners, who will then be responsible for upkeep and management.

The Highway Authority has requested that an additional footway is provided on the opposite side of the proposed access to draw pedestrians into the site to cross rather than at the access point. Whilst this request is acknowledged, given the scale of the development and the fact that the access road does not need to be built to an adoptable standard and that this additional footway would encroach into the root protection areas of existing vegetation that is to be retained for the wider amenity of the site, that this request would present an over-engineered access into the site relative to its scale. It is not considered that, on balance, the omission of this request would have a detrimental impact upon pedestrian safety.

### **CONCLUSION**

After careful consideration of the scheme as submitted it is considered that the proposal is an acceptable form of development that will ensure that the traditional buildings are brought back into beneficial use with limited intervention and thus their contribution to the overall character of Meidrim will be enhanced and maintained. The proposals provide substantial amenity areas and parking areas for each unit with an improved access resulting in no concerns from a highway safety perspective. The development would not have an unacceptable impact upon neighbouring amenity and biodiversity interests are to be adequately managed and mitigated subject to the imposition of appropriate conditions. The developer has confirmed acceptance to enter into a Unilateral Undertaking to secure financial contributions towards the provision of affordable housing equivalent to £77.58 per sqm of the proposed internal floorspace. The Unilateral Undertaking is awaited.

The application is therefore recommended for approval subject to the completion of the Unilateral Undertaking and the imposition of the following conditions.

### **RECOMMENDATION – APPROVAL**

#### **CONDITIONS**

- 1 The development hereby approved 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, unless otherwise stipulated by conditions:-
- 1:1250 and 1:200 scale Location Plan and Site Survey (drawing number 121/01) received 24 April 2017
  - 1:200 scale Proposed Site Plan (drawing number 121/02B) received 7 July 2017
  - 1:100 scale Barn 1 – Proposed Floor, Elevations and Sections (drawing number 121/07) received 5 April 2017
  - 1:100 scale Barn 2 – Proposed Floor, Elevations and Sections (drawing number 121/08) received 5 April 2017
  - 1:100 scale Barn 3 – Proposed Floor, Elevations and Sections (drawing number 121/09) received 5 April 2017
  - 1:100 scale Barn 4 – Proposed Floor, Elevations and Sections (drawing number 121/10) received 5 April 2017
  - Bat Mitigation Site Plan (drawing number E1672901/001) received 5 April 2017
  - Barn 1 Bat Mitigation Plan (drawing number E1672901/002) received 5 April 2017
  - Barn 2 Bat Mitigation Plan (drawing number E1672901/003) received 5 April 2017
  - Barn 4 Bat Mitigation Plan (drawing number E1672901/004) received 5 April 2017
  - Bat Method Statement by SoltysBrewster dated 6 February 2017 as updated by comments received by email from David Rees, SoltysBrewster dated 29 June 2017 and the recommendations set out in the Bat Survey Report (July 2014) by SoltysBrewster Ecology and
  - Tree Survey by David Rice Forestry dated March 2013 received 5 April 2017
  - Existing Tree Survey by Lewis Partnership (drawing reference L/1534/05) received 5 April 2017
  - Landscaping Details included in emails from Carl Thornton (Sarnau Designs) dated 5 July 2017 and 7 July 2017
- 3 No development shall take place until full surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. Such details shall include infiltration tests and confirmation that sufficient attenuation for a 1 in 100 year plus climate change event can be provided. The development shall be carried out in accordance with the approved details.
- 4 No development shall take place until a photographic survey of the existing buildings has been carried out in accordance with guidance first provided by the Local Planning Authority and such photographs are submitted to the Local Planning Authority. Copies of the photographs shall also be deposited with the regional Historic Environment Record, held and maintained by the Dyfed Archaeological Trust, Corner House, 6 Carmarthen Street, Llandeilo, Carmarthenshire, SA19 6AE.

- 5 No development shall take place until full details for the retention, management and maintenance of the woodland area to the north of Barns 1 and 2 has been submitted to and approved in writing by the Local Planning Authority. The Woodland Management Plan shall include details of the proposed protection of the area during construction works and future management, including management and ownership arrangements.
- 6 No development shall take place [including site vegetation clearance, demolition of existing structures, excavation, heavy machinery entering site or the on-site storage of materials] until a Tree Protection Plan [TPP] in compliance with the recommendations of BS5837 has been submitted to and agreed in writing by the Local Planning Authority. The TPP shall provide details of protective measures, operations and construction exclusion zones for all trees, large shrubs and hedges identified for retention. The approved TPP shall be fully implemented, prior to the commencement of any works associated with the development; and thereafter shall be maintained in its entirety, throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site.
- 7 A development free buffer strip of 7 metres shall be provided and maintained between any development activity and the top of the bank of the adjacent watercourse known as Afon Dewi Fawr. The buffer zone shall thereafter remain free from structures, hard standings, fences or overhanging development such as balconies and shall not include domestic gardens or formal landscaping.
- 8 Prior to the first beneficial occupation of the development hereby approved, the access, visibility splays and turning area shown on the approved plans, shall be provided in full and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 9 Prior to the first beneficial occupation of the development hereby approved, the parking spaces and layout shown on the approved plans hereby approved shall be provided in full. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 10 The vehicular access into the site shall be left open, unimpeded by gates or any other barrier at all times.
- 11 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 B4298 Road frontage within 2.4 metres of the near edge of the carriageway.
- 12 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 and E other than that hereby approved, shall be carried out without the written permission of the Local Planning Authority.

- 13 The Landscape Design Scheme, as included on the Proposed Site Plan and Landscape Specification Details included in the email dated 5 and 7 July 2017 shall be fully implemented in the first available planting and seeding seasons prior to the occupation of the first dwelling hereby approved. Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; which, within a period of 5 years after implementation are removed; die; become diseased; damaged or otherwise defective, to such an extent that, in the opinion of the Local Planning Authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.
- 14 The development shall be carried out strictly in accordance with the recommendations relating to Barn Owl mitigation and the timing of works included in Section 5.7 and 5.8 of the Bat Survey Report by Soltys Brewster Ecology dated July 2014.

## **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 To ensure that adequate surface water drainage can be provided to avoid the exacerbation of flooding.
- 4 To obtain and maintain a record of the historic buildings in the interests of cultural heritage.
- 5 - 6 To ensure that adequate measures and arrangements are in place to secure the proposals and in the interests of biodiversity, landscaping and amenity.
- 7 To limit intervention and disturbance which may affect the biodiversity corridor and to maintain access to the watercourse.
- 8-11 In the interests of highway safety
- 12 To exert control over the future development of the properties in the interests of maintaining the overall traditional character and appearance of the buildings.
- 13 In the interests of amenity.

## **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 Policies SP1, SP3, H2, AH1, GP1, SP14, EQ4, EQ5 and TR3 of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') in that the site is located within the defined settlement of Meidrim with the proposal offering an opportunity to retain a range of traditional stone former farm buildings which contribute to the overall character and appearance of the village. The proposals present a faithful conversion of the buildings that in turn would retain and enhance their existing character and contribution to the wider area and would not have an unacceptable impact upon the setting of a nearby listed building. The development would not have an unacceptable impact upon neighbouring amenity and appropriate safeguards are in place to avoid unacceptable impacts upon biodiversity interests and retention of existing landscaping. Suitable access and car parking provision proportionate to the development is included to avoid unacceptable highway safety concerns. The developer has agreed to enter into a Unilateral Undertaking to secure financial contributions towards affordable housing.

## NOTES

- 1 This application is subject to a Unilateral Undertaking to secure a financial contribution towards affordable housing payable prior to the commencement of the development.
- 2 The developer is advised that public footpath 53/37 traverses the site and this permission does not allow for the obstruction or of development over the footpath. Please contact the Authority's Rights of Way Officer for further information.
- 3 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

- 4 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))

**ADDITIONAL ITEMS FOR DECISION**



<b>Application No</b>	<b>W/34736</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CHANGE OF USE OF FORMER CHAPEL TO CAMERA SHOP. WORKS TO INCLUDE THE REMOVAL OF FIXED PEWS, A LARGE NUMBER OF REPAIRS TO THE EXISTING BUILDING, THE INTRODUCTION OF A NEW MEZZANINE FLOOR AND STAIRCASE, NEW INTERNAL SECURITY SHUTTERS TO THE GROUND FLOOR WINDOWS, AND THE WIDENING OF AN EXTERNAL DOORWAY TO THE REAR OF THE BUILDING AT ZION CHAPEL, MANSEL STREET, CARMARTHEN, SA31 1QX

<b>Applicant(s)</b>	CARMARTHEN CAMERA CENTRE LTD -, MATHEW WHITTAL-WILLIAMS, 1 PARCMAEN STREET, CARMARTHEN, SA31 3DP
<b>Agent</b>	MIKE WATT ARCHITECTS, PARC LODGE, LLANSADWRN, LLANWRDA, SA19 8LW
<b>Case Officer</b>	Stuart Willis
<b>Ward</b>	Carmarthen South
<b>Date of validation</b>	21/11/2016

The application was presented to the Planning Committee on 19<sup>th</sup> April 2017 where members were minded to grant the following planning permission and listed building consent, contrary to the recommendation of the Head of Planning. The listed building consent therefore needed to be referred to CADW, the Welsh Government's Historic Environment Service to confirm whether they wished to "call in" the listed building consent for determination. There was also a need to present planning conditions back to the Planning Committee in the event of the listed building consent not being called in.

Cadw have now responded stating that they have concerns about a number of issues with this application. The Design & Access Statement does not explain the positives and negatives of the proposal, nor does it outline the rationale for choosing the proposal as set out in the application. While structural works are proposed, there seems to be no structural report accompanying the application recommending how best to undertake the proposed works with minimal intervention. Similarly, while there is a schedule of work, the drawings submitted have little in the way of annotation associated to the proposed works, for example, explaining the materials to be used, protection works, method statements associated to new works etc. Details of the proposed Mezzanine Floor and its

access stairs has little detailed information as to how it will fit within the existing historic structure. Furthermore, there is no explanation as to why the historic elements of the building are being removed, or how they may be re-located/re-used. For example, pews, decorative panels etc. and how the new material will fit within the building as contemporary work. These issues are fundamental to the consideration of any application for listed building consent.

They recommended that the Authority seek to impose suitability worded conditions to ensure that the proposals are undertaken as sympathetically as possible thereby having special regard to the desirability of preserving the building and any features of special architectural interest which it possesses, and the desirability of preserving or enhancing the character or appearance of the conservation area as required by the Planning (Listed Buildings and Conservation Areas) Act 1990

In conclusion despite the concerns raised they have considered the proposals as shown need not be referred to the Welsh Government. They therefore confirmed that it is now for the Authority to determine the application.

It is not felt that some of the matters raised cannot be covered by planning conditions. Below are list of conditions which are considered suitable.

## 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 :
  - 1:100 scale Proposed Section A-A and B-B (P04 Rev B)
  - 1:50 scale Proposed Detailed Section B-B (P05 Rev B)
  - 1:100 scale Proposed Ground Floor Plan (P02 Rev B)
  - 1:100 scale Mezzanine Plan (P03 Rev B)
  - Design and Access Statement – Revision D

received 27<sup>th</sup> February 2017

- 1:100 scale Proposed South East and North West Elevations (P06 – Rev B)
- 1:100 scale Proposed South West Elevation (P07B)
- 1:20 scale Proposed Stair Detail (P14)

received 22<sup>nd</sup> February 2017

- 1:100 scale Proposed Signage Site Plan and Indicative Elevation
- 1:10 Proposed Signboard Details
- 1:200 scale Site Plan (P01 Rev B)

received 25<sup>th</sup> November 2017

- 1:100 scale Proposed South East and North West Elevations (P06 Rev A)
- 1:100 scale Proposed North East Elevation (P08 Rev A)

received on 21<sup>st</sup> November 2017

- 1:1250 scale Location Plan
- 1:10 scale Proposed Timber Shutter Detail – Open (P09)
- 1:10 scale Proposed Timber Shutter Detail – Closed (P10)
- Schedule of Repairs

received 11<sup>th</sup> November 2017

- 3 The parking spaces and layout shown on the 1:200 scale Site Plan (P01 Rev B) received 25th November 2017 herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purposes of staff parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 4 Development shall not begin until a photographic survey of the existing building has been carried out in accordance with guidelines provided by the Local Planning Authority's archaeological advisors – The Dyfed Archaeological Trust- Development Management. The resulting photographs should be approved by the planning authority prior to the commencement of development and deposited with the regional Historic Environment Record, held and maintained by the Dyfed Archaeological Trust, Corner House, 6 Carmarthen Street, Llandeilo, Carmarthenshire, SA19 6AE, (Tel 01558-823121).

## **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that only the approved works are carried out.
- 3 In the interest of highways safety.
- 4 To retain a record of the building.

## **REASONS FOR GRANTING PLANNING PERMISSION**

In having special regard to the desirability of preserving the listed building or any features of special architectural or historic interest which it possesses to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, as required by the statutory duty under section 16 (2) & 66 (1) & 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Authority finds that any harm being caused the proposals without development it could result in another building falling into disrepair. It was considered the application should be approved under policies EQ8, RT1, TR3 and SP8 of the Carmarthenshire Local Development Plan in addition to the national policies cited above

## NOTES

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

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

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

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

- 2 Comments and 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)).
- Please see the relevant response from the Head of Transport and refer to the recommendations and advice contained therein.
  - Please see the relevant response from Planning Ecology and refer to the recommendations and advice regarding British Bat species contained therein.

<b>Application No</b>	<b>W/34737</b>
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<b>Application Type</b>	Listed Building
<b>Proposal &amp; Location</b>	CHANGE OF USE OF FORMER CHAPEL TO CAMERA SHOP. WORKS TO INCLUDE THE REMOVAL OF FIXED PEWS, A LARGE NUMBER OF REPAIRS TO THE EXISTING BUILDING, THE INTRODUCTION OF A NEW MEZZANINE FLOOR AND STAIRCASE, NEW INTERNAL SECURITY SHUTTERS TO THE GROUND FLOOR WINDOWS, AND THE WIDENING OF AN EXTERNAL DOORWAY TO THE REAR OF THE BUILDING AT ZION CHAPEL, MANSEL STREET, CARMARTHEN, SA31 1QX

<b>Applicant(s)</b>	CARMARTHEN CAMERA CENTRE LTD -, MATHEW WHITTAL-WILLIAMS, 1 PARCMAEN STREET, CARMARTHEN, SA31 3DP
<b>Agent</b>	MIKE WATT ARCHITECTS, PARC LODGE, LLANSADWRN, LLANWRDA, SA19 8LW
<b>Case Officer</b>	Stuart Willis
<b>Ward</b>	Carmarthen South
<b>Date of validation</b>	21/11/2016

The application was presented to the Planning Committee on 19<sup>th</sup> April 2017 where members were minded to grant the following planning permission and listed building consent, contrary to the recommendation of the Head of Planning. The listed building consent therefore needed to be referred to CADW, the Welsh Government's Historic Environment Service to confirm whether they wished to "call in" the listed building consent for determination. There was also a need to present planning conditions back to the Planning Committee in the event of the listed building consent not being called in.

Cadw have now responded with the stating that they have concerns about a number of issues with this application. The Design & Access Statement does not explain the positives and negatives of the proposal, nor does it outline the rationale for choosing the proposal as set out in the application. While structural works are proposed, there seems to be no structural report accompanying the application recommending how best to undertake the proposed works with minimal intervention. Similarly, while there is a schedule of work, the drawings submitted have little in the way of annotation associated to the proposed works, for example, explaining the materials to be used, protection works, method statements associated to new works etc. Details of the proposed Mezzanine Floor and its

access stairs has little detailed information as to how it will fit within the existing historic structure. Furthermore, there is no explanation as to why the historic elements of the building are being removed, or how they may be re-located/re-used. For example, pews, decorative panels etc. and how the new material will fit within the building as contemporary work. These issues are fundamental to the consideration of any application for listed building consent.

They recommended that the Authority seek to impose suitability worded conditions to ensure that the proposals are undertaken as sympathetically as possible thereby having special regard to the desirability of preserving the building and any features of special architectural interest which it possesses, and the desirability of preserving or enhancing the character or appearance of the conservation area as required by the Planning (Listed Buildings and Conservation Areas) Act 1990

In conclusion despite the concerns raised they have considered the proposals as shown need not be referred to the Welsh Government. They therefore confirmed that it is now for the Authority to determine the application.

It is felt that some of the matters raised cannot be covered by planning conditions. Below are list of conditions which are considered suitable.

## RECOMMENDATION – APPROVAL

### CONDITIONS

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- 1:100 scale Proposed Section A-A and B-B (P04 Rev B)
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received 27<sup>th</sup> February 2017

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received 22<sup>nd</sup> February 2017

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- 3 Repairs shall be undertaken on a strictly like-for-like basis using traditional methods and materials. If further investigation highlights that where it was originally proposed to repair it is not now possible to repair and works other than repair is proposed i.e. replacement is an example. Then a fully detailed condition report with photographs shall be submitted to the Local Planning Authority for an assessment. The report shall highlight the associated and extent of the problems what consideration has been given to repair, why it is not possible to repair before works other repair are proposed. No work shall commence on works other than repair (unless approved in the drawings) until written confirmation has been given by the Local Planning Authority in writing that those works are acceptable.
- 4 Where structural alterations are proposed a structural report shall be submitted to the Local Planning Authority for assessment. The report shall highlight that the proposals are feasible, that there would no stringent of methods of strengthening are required and there would be no undesirable effect on the structure. No works shall commence on structural alterations until written confirmation has been given by the Local Planning Authority that those works are acceptable.

## **REASONS**

- 1 To comply with Section 18 of The Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2 To ensure that only the approved works are carried out.
- 3-4 To have special regard to the desirability of preserving the building in respect of Section 16 (2) & 66 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990.

## **REASONS FOR GRANTING PLANNING PERMISSION**

In having special regard to the desirability of preserving the listed building or any features of special architectural or historic interest which it possesses to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, as required by the statutory duty under section 16 (2) & 66 (1) & 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Authority finds that any harm being caused the proposals without development it could result in another building falling into disrepair. It was considered the application should be approved under policies EQ8, RT1, TR3 and SP8 of the Carmarthenshire Local Development Plan in addition to the national policies cited above

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