

<b>Application No</b>	<b>W/36194</b>
-----------------------	----------------

<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	DEMOLITION OF BUNGALOW AND CONSTRUCTION OF A REPLACEMENT DWELLINGHOUSE & GARAGE (RESUBMISSION OF W/35643) AT SWN Y MOR, FERRYSIDE, SA17 5RS

<b>Applicant(s)</b>	MR I NOON AND MRS W VAUGHAN-PUGHE, SWN Y MOR, FERRYSIDE, CARMARTHEN, SA17 5RS
<b>Agent</b>	JCR PLANNING LTD - RICHARD BANKS, UNIT2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, CARMARTHENSHIRE, SA14 6RE
<b>Case Officer</b>	Richard Jones
<b>Ward</b>	St Ishmael
<b>Date of validation</b>	26/09/2017

## CONSULTATIONS

**St. Ishmaels Community Council** – No response received to date.

**Local Members** - County Councillor L M Stephens has requested that the application is reported to Planning Committee. The material planning reasons given by the local member areas follows:

- The footprint of the development has not changed.
- The road that this development is in has a mix of houses of many different scales.

**Neighbours/Public** - The application has been publicised by the posting of a Site Notice adjacent to the application site and the adjoining neighbouring dwellings have been consulted by letter. One letter of Support has been submitted by the occupier of the neighbouring dwelling to the west, Towy Hill. This is summarised below:

- I do not agree with the case officer's interpretation of the perceived effects the replacement dwelling house is adjudged to cause to my outlook and amenity.
- The footprint of the proposed house is broadly similar to the existing bungalow and there will be no overlooking from first floor windows.
- A new hedge is proposed on the boundary.
- The proposed dwelling's hipped roof design will lessen the overall effect of the dwelling.

- The existing leylandii will also serve to protect amenity.

## RELEVANT PLANNING HISTORY

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

W/35643	Demolition of the existing bungalow and its replacement with a two storey detached dwelling with subterranean garden room and store. The proposals also include the construction of a domestic garage Full Planning Refused	28 July 2017
D4/8162	Siting of residential development Full Planning Refused	18 November 1982
D4/26	Residential development siting Full Planning Refused	29 July 1974

## APPRAISAL

**This application is being reported to committee at the written request of the local member for the Llandyfaelog ward. The request has been accompanied by material planning reasons. A site visit was requested by the local member and was agreed by the Planning Committee at 16<sup>th</sup> November 2017 meeting.**

## SITE

The application site comprises the existing curtilage of Swn y Mor, a detached bungalow set within a generous L shape plot of land. The north and north western half comprises the amenity area of the property and is lower in land level compared to the southern half of the plot where the existing dwelling is located.

The property is located along a residential street (Tripenhad Road) which has a mix of housing types and scales. The street has an elevated position above the settlement of Ferryside and most dwellings have views of the Tywi estuary to the north and west. Dwellings are elevated above one another given the rising nature of Tripenhad Road and this is the case currently with the application dwelling being some 3.3m above the dwelling to the west (Towy Hill). The neighbouring dwelling to the east is elevated above the application dwelling.

Planning permission for the demolition of the bungalow and construction of a two storey dwelling on the bungalow's footprint (W/35643 refers) was refused planning permission under officer delegated powers on 28<sup>th</sup> July 2017 for the following reasons:

*The proposed replacement dwelling by virtue of its mass, scale, positioning of habitable room windows and elevated siting relative to the neighbouring dwelling of Towy Hill will have an unacceptable significant impact in terms of overlooking and appear physically overbearing upon the occupiers of this dwelling to the detriment of the residential amenities of its occupiers. This impact will be most significant when viewed from the private amenity spaces associated with Towy Hill.*

## **PROPOSAL**

Full planning permission is sought for the demolition of the existing bungalow on site and its replacement with a two storey dwelling and garage. The proposed dwelling will be sited on the footprint of the existing bungalow but with the principle (front) elevation of the proposed dwelling rotated from the current position facing west to one that faces south in the direction of Tirpenhad Road, albeit set back some 24m from the highway.

The proposed dwelling will measure 12m in width, a length of 14.5m and will have a variable height of between 8.1m and 10.5m owing to the split level design. Notable features in the design of the dwelling will comprise a hipped roof, bay windows and canopy on the front elevation and a 2 storey flat roof extension with roof balcony above on the rear elevation that will face the Tywi estuary. The proposed dwelling will cover the built footprint of the existing dwelling whilst also overlapping it due to its greater size. The larger dimensions of the proposal will bring it closer to the boundary with the neighbouring dwelling at Towy Hill to the west.

A double detached garage sited between the proposed dwelling and Tripenhad Road and close to the boundary with Tripenhad will measure approximately 7.7m in length by 5.5m in width and constructed with a hipped roof measuring 4.5m in height

The design, siting and scale of the dwelling submitted for assessment remains unchanged from the previously submitted scheme, save for the removal of a first floor bedroom window in the western flank elevation that faced the bungalow at the lower level - Towy Hill.

## **PLANNING POLICY**

The application site is located within the defined settlement limits of Ferryside as delineated in the Adopted Carmarthenshire Local Development Plan (LDP), 2014.

In respect of the applications policy context reference is drawn to the following Strategic and Specific planning policies: -

Policy SP1 of the LDP promotes environmentally sustainable proposals and encourages the efficient use of vacant, underused or previously developed land.

Policy SP3 of the LDP refers to the settlement framework and states that provision for growth and development will be at sustainable locations in accordance with the LSP's settlement framework. In this respect Llanelli is identified as a Growth Area.

Policy SP17 of the LDP states that development will be directed to locations where adequate and appropriate infrastructure is available or can be readily available.

Policy GP1 of the LDP 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 GP2 of the LDP states 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 GP4 of the LDP 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 H2 of the LDP states that proposals for housing developments on unallocated sites within development limits of a settlement will be permitted provided they are in accordance with the principles of the plan's strategy and its policies and proposals.

Policy TR3 of the LDP highlights 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 EQ4 of the LDP relates to biodiversity and 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.

## **ASSESSMENT**

Although the proposed dwelling is over double the size of the existing bungalow it intends to replace, its design and scale is consistent with the mixed character of Trippenhad Road which comprises detached single and two storey dwellings. On this basis the proposal will not present any detrimental harm upon the character and appearance of the area.

The proposal will involve the demolition of the existing bungalow therefore a bat survey has accompanied the application to assess whether protected species will be affected in the event that the development is approved and the existing bungalow demolished. The submitted bat survey found no signs of bats roosting within the building proposed for demolition. The surveyor states that the building holds low potential to be used by bats. The Council's planning ecologist has raised no objection subject to standard ecological advice notes.

Given that the proposed access into the site off the public highway will remain the same, whilst sufficient area for parking and turning will be provided, there are considered to be no highway safety concerns associated with the proposed development.

Notwithstanding the above, it is considered that the applicant has failed to fully address the reason for refusal relating to the previously determined application (W/35643). The mass, siting and design of the dwelling remains unchanged (other than the removal of the first floor window) and whilst the applicant proposes to plant a laurel hedge along the common

boundary with Towy Hill, it is not considered that this will fully screen the presence of the dwelling and its associated impacts when viewed from the private amenity areas of Towy Hill.

The existing dwelling maintains a distance of approximately 8.1m from the boundary with Towy Hill to the west and faces its side and rear amenity space. The proposed dwelling will be positioned closer to Towy Hill with the separation distance decreasing from 8.1m to 5.8m when compared to the existing dwelling. The proposed dwelling will also be taller in height (approximately 8.1m) and positioned 3.2m higher than the garden area of Towy Hill. Therefore the proposed dwelling will appear in excess of 11m from the neighbouring garden and only maintain a distance of 5.8m. The scale of the dwelling, coupled with the separation distance will result in an overwhelming impact upon the occupiers of Towy Hill when they are utilising the side and rear areas of their garden. The current bungalow is a smaller property in terms of scale and height, is positioned further away and has a roof that rakes away from Towy Hill. This will not be the case with the proposal.

The applicant's agent has attempted to downplay the impact by suggesting that the neighbouring occupiers at Towy Hill have their main garden space to the front of the curtilage, when this is clearly not the case. The case officer noted when inspecting the site that private garden areas are located immediately adjacent to the rear elevation (north west) and side (north) elevations and have seating which faces the Towy estuary and sea beyond to the north and west. It is acknowledged that whilst the proposed laurel hedge plating will afford some screening of the proposed dwelling from Towy Hill if you were standing immediately adjacent to the boundary, however, it will not totally remove the appearance of the proposal when viewed from the majority of the private garden area.

Despite the above concerns, it is considered that the proposal will not have an unacceptable impact on the dwelling to the north (Tripenhad) given that it is at a lower ground level and orientated to ensure no unacceptable impact in terms of loss of privacy.

### **THIRD PARTY REPRESENTATIONS**

One letter of support has been submitted by the occupier of the dwelling to the west, Towy Hill. It is noted from the comments submitted that the neighbour does not consider the proposal will result in a loss of amenity and outlook, however, the officer's report and slide presentation provides sufficient evidence in the officer's view that it will and be contrary to policy. On this basis these points which are outlined in the main body of the report will not be repeated.

It is not considered that the proposed hedge will provide sufficient mitigation for Towy Hill given the scale of the proposed dwelling and the elevated position of the site.

The dwelling's hipped roof design will not reduce the impact as the proposal will be sited closer to the boundary and have a higher eaves level than the existing bungalow therefore increasing its massing and contributing to the unacceptable impact of the proposal upon Towy Hill.

### **CONCLUSION**

In conclusion and having regard to all material planning considerations, the proposed dwelling is considered to have an unacceptable impact upon the amenities of the occupiers of Towy Hill when viewed from the private amenity space of this property by

virtue of its elevated siting, scale, mass and separation distance. The landscape mitigation proposed along the common boundary will not overcome the physical overbearing impact Towy Hill will experience. Refusal is recommended.

## **RECOMMENDATION – REFUSAL**

### **REASONS**

- 1 The proposal is contrary to Policy GP1 of the Carmarthenshire Local Development Plan (December 2014) in that:

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

**Development proposals will be permitted where they accord with the following:**

- a. It conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing;
- b. It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;
- c. Utilises materials appropriate to the area within which it is located;
- d. It would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community;
- e. Includes an integrated mixture of uses appropriate to the scale of the development;
- f. It retains, and where appropriate incorporates important local features (including buildings, amenity areas, spaces, trees, woodlands and hedgerows) and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity;
- g. It achieves and creates attractive, safe places and public spaces, which ensures security through the ‘designing-out-crime’ principles of Secured by Design (including providing natural surveillance, visibility, well-lit environments and areas of public movement);
- h. An appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality;
- i. It protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment;
- j. It ensures or provides for, the satisfactory generation, treatment and disposal of both surface and foul water;
- k. It has regard to the generation, treatment and disposal of waste.
- l. It has regard for the safe, effective and efficient use of the transportation network;
- m. It provides an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all;
- n. It includes, where applicable, provision for the appropriate management and eradication of invasive species.

**Proposals will also be considered in light of the policies and provisions of this Plan and National Policy (PPW: Edition 7 and TAN12: Design (2014)).**

The proposed replacement dwelling by virtue of its mass, scale, elevated siting and close proximity to the neighbouring dwelling of Towy Hill will appear overwhelming physically and in doing so have a significant and unacceptable overbearing upon the occupiers of this dwelling to the detriment of their residential amenity. This impact will be most significant when viewed from the private amenity spaces associated with Towy Hill.