

**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 10 GORFFENAF 2018
ON 10 JULY 2018**

**I'W BENDERFYNU
FOR DECISION**

***Ardal
Gorllewin/
Area West***



**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.

COMMITTEE:	PLANNING COMMITTEE
DATE:	10 JULY 2018
REPORT OF:	HEAD OF PLANNING

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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/36571
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Application Type	Full Planning
Proposal & Location	RESIDENTIAL DEVELOPMENT (4 DWELLINGS) AT LAND OFF CAPEL EVAN ROAD, CARMARTHEN, SA31 1HJ

Applicant(s)	W&E DEVELOPMENTS LTD, C/O ARCHISPEC, BRYNAWEN, FRONWEN BUSINESS CENTRE, CHAPEL ST, LLANARTH, SA47 0RG
Agent	ARCHITECTURAL CONSULTANT LTD, BRYNAWEN, FRONWEN BUSINESS CENTRE, CHAPEL STREET, LLANARTH, SA47 0RG
Case Officer	Stuart Willis
Ward	Carmarthen North
Date of validation	15/12/2017

CONSULTATIONS

Head of Highways and Transport – Has responded to the amended plans with a recommendation of approval subject to certain conditions.

Carmarthen Town Council – Has responded stating that it has no comment to make.

Local Members - County Councillors P Hughes Griffiths and Ken Lloyd attended a meeting on site with the applicant, agent, Development Management Officer and members of the Transport Division.

Councillor Ken Lloyd is a member of the Planning Committee and has raised issues regarding traffic congestion, highway safety and pedestrian safety. Reference was also made to application W/35903 which was approved at Planning Committee earlier this year in relation to traffic etc. Poor visibility, difficulty for vehicles manoeuvring due to the width of the road and lack of turning area were also referred to.

Councillor Peter Hughes Griffiths has commented that he agrees with Councillor Lloyd that there are problems which he feels make it difficult to justify the granting of permission on highway/parking grounds. Pedestrian safety has also been referred to along with a lack of passing places. Clarification of the bearing of an appeal elsewhere in the Authority has been referred to.

Dwr Cymru/Welsh Water – Has not responded to date.

Neighbours/Public – A site notice was erected near the site and the application was advertised in the local press. To date, one representation and a petition with nine signatures have been received objecting to the proposal for the following reasons:-

- no neighbour letters sent out regarding the application;
- parking spaces to the front of the site to be lost used by nearby properties;
- mobility issues of nearby residents making parking elsewhere more problematic;
- potential for parking disputes.

RELEVANT PLANNING HISTORY

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

W/31425	Residential development Outline planning permission	30 July 2015
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APPRAISAL

THE SITE

The application site consists of an area of land formerly part of the rear garden space of No 10 Long Acre Road, Carmarthen. The site has subsequently been fenced and is in separate ownership to 10 Long Acre. The land is adjacent to the western flank of Capel Evan Road in the centre of Carmarthen. The land slopes from north to south. There was previously a hedgerow along the boundary with Capel Evan however this was removed during the course of the application. There are residential properties to the north and on the opposite site of the road. The site is located within the development limits of Carmarthen and also with the North Carmarthen Conservation Area. Outline planning permission was granted for two residential dwellings on part of the site in July 2015. This application site includes additional land.

THE PROPOSAL

The application seeks full planning permission for the construction of four dwellings. The dwellings would be in the form of two pairs of semi-detached properties. Each is orientated on to Capel Evan Road and would have two off street parking spaces each. The dwellings would be three bedroom units with hipped roofs. The external materials would be render with facing brick plinths. Each pair would also have an Eternit weatherboard (or similar) finish on the front elevation.

During the course of the application the design of the dwellings were altered. Additional land was also included to provide the visibility splay which crosses part of the remaining garden area of 10 Long Acre. An amended ownership certificate was submitted and notice served on the owner. There had been discussions over a proposed build out as an alternative way of providing the visibility splay however this is no longer proposed in the application

PLANNING POLICY

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

Policy GP1 of the Local Development Plan (LDP) sets out the general requirements of the Local Planning Authority to ensure sustainability and high quality design through new development. In particular, that “it would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community”. Reference is also made to highway safety in the policy.

Policy TR3 Highways in Developments - Design Considerations also applies and refers to the need for the design and layout of all development proposals to where appropriate include, an integrated network of convenient and safe pedestrian and cycle routes (within and from the site) which promotes the interests of pedestrians, cyclists and public transport, suitable provision for access by public transport, appropriate parking and where applicable, servicing space in accordance with required standards, infrastructure and spaces allowing safe and easy access for those with mobility difficulties, required access standards reflective of the relevant Class of road and speed restrictions including visibility splays and design features and calming measures necessary to ensure highway safety and the ease of movement is maintained, and where required enhanced, provision for Sustainable Urban Drainage Systems to allow for the disposal of surface water run-off from the highway.

It also 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. Proposals which will not result in offsite congestion in terms of parking or service provision or where the capacity of the network is sufficient to serve the development will be permitted.

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

SP13 of the Local Development Plan of the Built and Historic Environment states proposals should preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets and where appropriate, their setting. Proposals relating to the following will be considered in accordance with national guidance and legislation.

- Sites and features of recognised Historical and Cultural Importance;
- Listed Buildings and their setting;
- Scheduled Ancient Monuments and other sites of recognised archaeological importance.

Proposals will be expected to promote high quality design and that reinforces local character and respects and enhances the local setting and the cultural and historic qualities of the plan area.

Policy EQ1 of the Location Development Plan for Protection of Buildings, Landscapes and Features of Historic Importance states:-

Proposals for development affecting landscapes, townscapes buildings and sites or features of historic or archaeological interest which by virtue of their historic importance, character or significance within a group of features make an important contribution to the local character and the interests of the area will only be permitted where it preserves or enhances the built and historic environment.

Policy H2 Housing within Development Limits states that proposals for housing developments on unallocated sites within the development limits of a defined settlement (Policy SP3) will be permitted, provided they are in accordance with the principles of the Plan's strategy and its policies and proposals.

Policy AH1 Affordable Housing states that a contribution to affordable housing will be required on all housing allocations and windfall sites. The Council will seek a level of affordable housing contribution of 30% in the higher viable areas, 20% in the middle viable areas, and 10% within the Ammanford / Cross Hands sub-market areas. For a development of this scale a contribution through a commuted sum towards the provision of affordable housing will be sought. The level of contribution sought through a commuted sum will vary based upon its location within the high, medium and low viability sub-market areas as set out above. Commuted sum charges will be based on floor space (cost per sq. m.). In this location the contribution is £66.71 per sq. m.

THIRD PARTY REPRESENTATIONS

Turning to the representations received to date these primarily focus on highways related matters.

The proposal includes four new properties. Each would have two off street parking spaces and given the location of the site this is considered to be sufficient. There has been on street parking on Capel Evan Road along the boundary with the application site. This is not designated parking for any particular property. There is no existing private parking for the properties and therefore none has been lost. The proposal has been amended to overcome concerns raised by the Head of Transport over the visibility at the access to the new properties. The site has previously had outline planning permission and two properties were shown with an indicative location for the access centrally along the road frontage. The proposal now includes additional land to provide sufficient visibility to the south. The existing wall to the north of the site is also to be removed which would improve visibility for the access at the property to the north. A new pedestrian footway is proposed along the front of the site whereas at present there is no such provision. This would continue from the footway at the property above.

Due to the classification of the road ('C' Class) the provision of a turning area is not required. The properties to the north of the site with off road parking similarly do not have turning areas.

Any issues relating to W/35903 were addressed in that application. That was for indicatively twenty-nine properties and was approved at planning committee earlier this year following a site inspection.

The potential for parking disputes was raised, however, parking is provided for the proposed dwellings and no designated parking spaces are being lost.

The objection also referred to no neighbour letters being sent out. The legislation requires notice to be given in the press as the development is in a Conservation Area and this was done. As well as this either neighbour notification of the adjacent properties or the erection of a site notice is needed. Given that the adjacent properties would have only been those to the north, south and rear, and not any opposite the site it was considered that a site notice was more appropriate in this instance.

It is considered that sufficient amenity space has been provided for the proposed dwellings. The design of the dwellings has been amended as there were concerns over the initial design in the context of the Conservation Area location. The changes mean that the current design replicates the hipped roof design of the properties to the north and the external materials are generally of render. It is considered that the current design reflects the character of the area whilst having certain elements of more modern design/materials. There are no concerns with overlooking from the proposed properties.

The proposal would provide a contribution towards affordable housing in line with the LDP requirements. This would be secured through a Unilateral Undertaking.

Reference has been made to an appeal elsewhere in the Authority (Herberdeg Road, Pontyates – Application Ref: S/32953). This was an appeal dismissed where the impact on highway safety was a key consideration. While planning appeal decisions are material considerations each case must be considered on its own merits in relation to the individual circumstances of the proposal. In that instance the Inspector referred to the land serving the appeal site as being “winding and narrow” and that this restricted visibility and passing space. In the current proposal the road is sufficient width for vehicles to pass and the plans have been amended to include sufficient visibility splays which the Head of Transport is satisfied with.

CONCLUSION

After careful consideration of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that on balance the proposal is acceptable.

As such the application is put forward with a recommendation of approval subject to the following conditions and subject to a Unilateral Undertaking to secure a contribution towards affordable housing.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents:-
 - 1:1250 and 1:200 scale Proposed Section, Block and Location Plans (2204-11B) received on 21st June 2018;
 - 1:50 and 1:10 scale Proposed Floor Plans and Elevations (2204-10A) received on 9th February 2018.

- 3 The new vehicular accesses shall be laid out and constructed strictly in accordance with Typical Layout No. 4 (for Plots 1 & 2, Plots 3 & 4), prior to the commencement of any other work or development. Thereafter they shall be retained, unobstructed, in this form in perpetuity.
- 4 The vehicular access into the site shall at all times be left open, unimpeded by gates or any other barrier.
- 5 Prior to any use of the accesses by vehicular traffic, visibility splays of 2.4 metres x 25 metres shall be formed and thereafter retained in perpetuity, to the south of the centre line of the access in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.6 metres within this splay area.
- 6 Notwithstanding the details given for the north-side visibility splays shown on the Site Plan 2204.11B, there shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent carriageway crown), between points X and Y shown on the plan attached to the Head of Transport's consultation response and within 2.4 metres of the near edge of the carriageway including the lowering of the northern boundary wall at point X.
- 7 The access, visibility splays and turning area required, shall be wholly provided 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 access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 8 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 9 The accesses shall be hard surfaced in a bonded material for a minimum distance of 5.0 metres behind the highway boundary, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.
- 10 Prior to the commencement of any part of the development herewith approved, a 1.8 metre wide footway shall be provided along the entire site frontage with the Capel Evan Road, terminating in a tactile crossing point located to the south of plot 1 and with an associated tactile crossing point on opposite side of Capel Evan Road. This work shall be completed to the written approval of the Local Planning Authority and to the specification of the Local Highway Authority.
- 11 No development shall commence until a surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

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
- 3-10 In the interest of highways safety.
- 11 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

REASONS FOR GRANTING PLANNING PERMISSION

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

- It is considered that the proposed development complies with Policy H2, AH1, GP1, SP9, SP6, SP14, SP13, EQ1 and TR3 of the adopted Local Development Plan in that the development is within the settlement limits. The design, layout and scale of the development are considered acceptable. Sufficient amenity space is provided for the proposed dwellings. It is not considered that there are any significant impacts on amenity of nearby properties. The proposed buildings would not be harmful to the character and setting of the Conservation Area. Subject to conditions it is considered there are no concerns in relation to impacts in relation to highways safety and pedestrian linkages. Conditions are recommended in relation to the provision of details for drainage at the site. A contribution is secured through a Unilateral Undertaking towards affordable housing.
- It is considered that the proposed development complies with S.72 of the Listed Buildings and Conservation Areas Act which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area. In that the development is not harmful to the character of the Conservation Area.

NOTE(S)

- 1 The applicant is advised that this planning permission is subject to a Unilateral Undertaking for a contribution towards affordable housing for the sum of £24,949.54.
- 2 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

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

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

- 3 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).

Application No	W/37278
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Application Type	Full Planning
Proposal & Location	RETENTION AND COMPLETION OF SUNROOM / ORANGERY TO INCLUDE REPLACEMENT FOR EXISTING CONSERVATORY AT CHURCH HOUSE FARM, PENYCOED ROAD, LLANGAIN, CARMARTHEN, SA33 5BB

Applicant(s)	MR & MRS I. FREEMAN, CHURCH HOUSE FARM, PENYCOED ROAD, LLANGAIN, CARMARTHEN, SA33 5BB
Agent	JCR PLANNING LTD - RICHARD BANKS, UNITS 1-3 BUSINESS WORKSHOPS, HEOL PARC MAWR, CROSS HANDS, CARMARTHENSHIRE, SA14 6RE
Case Officer	Stuart Willis
Ward	Llansteffan
Date of validation	21/05/2018

CONSULTATIONS

Llangain Community Council – Has not responded to date.

Local Member – County Councillor C Jones is a member of the Planning Committee and has not responded to date.

Neighbours/ Public - The application has been publicised by the posting of a site notice with three responses having been received as a result. The following issues were raised:-

- Garage would impact on light and amenity of adjacent properties;
- Concrete slab is already in place and not in accordance with the plans submitted;
- Application site includes land covering the adjacent property/building;
- Site notices were removed;
- Extension would overlook and block light to adjacent property.

RELEVANT PLANNING HISTORY

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

W/21306 Proposed sun lounge with balcony area
Full planning permission

10 August 2009

W/13919	Loft accommodation to existing approved extension, including 2 no. dormer windows to rear elevation to match existing and minor revisions to elevations Full planning permission	03 October 2006
W/07977	Installation of 3 no. dormer windows to rear elevation overlooking farmyard Full planning permission	07 October 2004
W/05623	Two storey extension to existing farm house Full planning permission	14 January 2004

APPRAISAL

This application has been submitted following an investigation/action undertaken by the Authority's planning enforcement officers.

THE SITE

The application consists of a detached two storey farmhouse dwelling on a yard with other buildings near to Llangain. The site is known as Church House Farm. The site is accessed off a country lane leading south-east from the B4312. The site is to the south-east of Llangain. The site is adjacent to the land associated with St Cain's Church to the north and there are a row of converted outbuildings which had permission to be converted to holiday let use to the east of the yard. A concrete surface has been put in place between the application dwelling and the converted outbuildings. An extension is already under construction and the application is as a result of enforcement investigations. There has previously been planning permission granted for an extension between the farmhouse and the converted buildings. This was single storey with a balcony above as well as other extension and alterations to the building.

THE PROPOSAL

The application seeks full planning permission for an extension to the dwelling. The application originally included the construction of a garage between the farmhouse and the converted buildings. There were concerns over the proposed garage given its scale and proximity to the adjacent converted units. Subsequently this element has been removed from the application and it is now solely for the retention and completion of the single storey extension.

The extension would be to the east and southern elevation of the farmhouse and would link up to a new conservatory at the southern elevation. There would be a lean to roof on the extension which would have largely glazed walls. The roof would be slate and lower walls stone with timber doors/windows.

The applicant has also provided a response to the comments received on the application. Drawings were amended in relation to the site and location plan. It is indicated that the concrete slab has been in place for 5 years. The applicant also indicates that the adjacent converted units are within their freehold estate.

PLANNING POLICY

In the context of the current development control policy framework the site is located outside the defined development limits as contained in the adopted Carmarthenshire Local Development Plan Adopted December 2014.

Policy GP6 Extensions states that proposals for the extension of existing residential dwellings/use class C3 (which require planning permission) whether buildings, other structures or a particular land use must comply with the following:

- a. The scale of the proposed extension is subordinate and compatible to the size, type and character of the existing development and does not result in over development of the site, nor lead to reduced and inadequate areas of parking, utility, vehicle turning, amenity or garden space;
- b. The external appearance of the proposed extension in terms of design is subordinate, and the materials should complement that of the existing development;
- c. There are no adverse effects on the natural environment, landscape/townscape or the setting and integrity of the historic environment;
- d. The local environment and the amenities of neighbouring developments are not adversely affected by the proposed extension;
- e. The use to be made of the proposed extension is compatible with the existing building, structure or land use.

Policy GP1 Sustainability and High Quality Design.

This states that development proposals will be permitted where they accord with a number of criteria including the following, 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, utilises materials appropriate to the area within which it is located; 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; 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.

THIRD PARTY REPRESENTATIONS

Turning to the representations received to date.

One key concern raised related to the garage element of the original application. There were concerns that this would impact on amenity and light due to the proximity of it to the converted units adjacent. This concern was shared by officers and despite the location being amended slightly initially, it was still felt that there were significant concerns with the garage. Subsequently this element has been removed from the application and it is now just for the extension.

The position of the concrete slab was queried and amended plans have been submitted to amend the layout. The slab is said to have been in place for more than four years and therefore even if the works required planning permission at the time would now be immune from planning enforcement action. The concrete area would have accommodated the garage however as indicated above this has now been omitted.

The application site initially included land covering the adjacent property/building and again this has been revised. Further clarity was also provided for the ownership of the site and the adjacent buildings.

The initial site notices were removed from the land near the site. New notices were subsequently erected following the case officer being made aware of this.

The final objection related to the concern that the extension would overlook and block light to adjacent property. While the concern over the garage was considered to be significant it is not felt that the extension would have such impacts. There will clearly be some level of impact given the relative proximity of the converted units to the original farm house. However the extension is at ground floor level. The previously approved extension projected closer to the adjacent converted units and also included a first floor balcony and first floor windows. In comparison to that proposal there would be a great deal less impact on amenity. The area between the buildings is used for a parking area at present and this can take place without the need for planning permission. It is not felt that given the distance between the properties, the scale and nature of the development that any impacts on amenity or light from the extension warrant refusal of the application.

The external materials would be stone wall lower walls with wooden framed glazing and a slate roof. These are in keeping with the existing character of the building and adjacent units. It is felt that these are appropriate. Given the single storey nature of the extension and the footprint of it the extension is considered to be subordinate to the existing dwelling also. Parking provision is not affected.

CONCLUSION

After careful consideration of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that on balance the proposal is acceptable.

As such the application is put forward with a recommendation of approval subject to 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 strictly in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
 - 1:100 scale Proposed Ground Floor Plan, Elevations and Pictorial (A104) received on 18th May 2018;

- 1:1250 scale Location Plan received on 18th May 2018
- 1:500 scale Site Layout Plan (Rev B) received on 12th June 2018.

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.

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 complies with Policy GP6 of the Carmarthenshire Local Development Plan Adopted 2014 ('the LDP') in that the extension is not considered to be harmful to the character of the building or area. The scale and design of the extensions are considered acceptable. Proposed materials would match that of the existing dwelling. Sufficient amenity space and parking provision is also provided for. While there would be impacts on the amenity of nearby properties it is not felt these are of a degree to have significant detrimental impacts.

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.

Application No	W/37289
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Application Type	Full Planning
Proposal & Location	CHANGE OF USE FROM SUI GENERIS COURT HOUSE TO OFFICES, PLACING OF EXTERNAL SIGNAGE AND PUBLIC HELP POINT AT 8 HALL STREET, CARMARTHEN, SA31 1PH

Applicant(s)	POLICE & CRIME COMMISSIONER, POLICE & CRIME COMMISSIONER, POLICE HEADQUARTERS, LLANGUNNOR, CARMARTHEN, SA312PD
Agent	HEDDWYN THOMAS, POLICE & CRIME COMMISSIONER, POLICE HEADQUARTERS, LLANGUNNOR, CARMARTHEN, SA31 2PD
Case Officer	Stuart Willis
Ward	Carmarthen South
Date of validation	22/05/2018

CONSULTATIONS

Carmarthen Town Council – Has stated it supports the application.

Local Member – County Councillor A Lenny is the Chair of the Planning Committee and has not commented to date. Country Councillor G John has not commented to date.

Neighbours/Public - The application has been publicised by the posting of a Site Notice near to the site and in the local press. No responses have been received to date.

RELEVANT PLANNING HISTORY

W/36626	Proposed change of use and conversion works of ground floor and part conversion of first floor to facilitate restaurant (Class A3) use at The Guildhall, Guildhall Square, Carmarthen, SA31 3LE Listed Building Consent	Pending
W/36625	Proposed change of use and conversion works of ground floor and part conversion of first floor to facilitate restaurant (Class A3) use at The Guildhall, Guildhall Square, Carmarthen, SA31 3LE Full planning permission	Pending

W/24269 Refurbishment of the ground floor Magistrate's Court 1, redecoration and reorganisation of north stair and first floor foyer, external repairs to south facade stonework (including new lead cover flashing), new ventilation grilles to underfloor void on south facade and damp proof membrane (newlath) to south wall of Magistrate's Court 1. Roof repairs
Listed building consent

07 April 2011

APPRAISAL

This is an application in which Carmarthenshire County Council has an interest either as applicant/agent or in terms of land or property ownership.

THE SITE

The application site is the 8 Hall Street, Carmarthen. The site is located in the centre of Carmarthen between Nott Square and Guildhall Square. The surrounding area is predominantly characterised with commercial properties at ground floor level and occasional residential accommodation above. The Primary Retail Frontage runs along the northern side of the Guildhall Square and Hall Street to the east and Secondary Retail Frontage along the southern side of the square and St Mary's Street.

The building is attached to the Guildhall and was used as part of Carmarthen Magistrates Court but subsequently closed as a result of changes to the Justice Department's estate. The Magistrates Court closed in May 2016. The building has been vacant since. Carmarthenshire County Council purchased the building in 2016.

The site is located within the Town Centre of the Carmarthen as delineated in the Carmarthen Local Development Plan (LDP). The site is located within the Carmarthen Town Conservation Area.

The building is a Grade II listed building and is listed separately from the Guildhall. The listing details describes the building as follows:

"House, later C19 reconstruction. Plaque placed here in 1911 at instigation of National Eisteddfod of Wales, commemorating Brinley Richards, composer (1817-1885). Richards, a friend of Chopin, was born here (probably in an earlier house on the site) in 1817. He was a director of the Royal Academy of Music, instigator of the Academy's local examination system, regarded as the finest piano player in Britain and renowned as a composer. His most famous composition was probably the anthem God Bless the Prince of Wales, 1862, with words by the bard, Ceiriog."

The exterior is described as "House, 2-storeys, 2-bays offset to right, stuccoed with slate close-eaved roof, crested ridge tiles and red and black decorated brick stack to left. Plinth, channelled ground floor, moulded cornice above and pilaster to first floor left. Two plate-glass sash windows in chamfered and stopped openings on first floor, triple sash to ground floor left and doorway to right with overlight and 2 steps up to 6-panelled door with moulded panels. Windowless left end wall. Memorial plaque to Brinley Richards: "The Committee of the National Eisteddfod of Wales, Carmarthen, 1911 has placed this tablet here in memorial to Brinley Richards Musician and Composer who was born on November 13th, 1817 in a

house once standing in this street then known as Market Street. He died in London May 1st, 1885.”

The reason for listing is given as “Included as a late C19 house with contemporary external detail, of group value with the Guildhall. Historically notable as on site of birthplace of Brinley Richards, composer.”

There is an associated Listed Building Consent also before the Planning Committee for the same proposals.

There has been a planning application and listed building consent for the change of use of the main part of the Guildhall building to A3 use. This was presented to the Planning Committee on 17th April 2018 and members resolved to approve the LBC and the full application. The Listed Building Consent has been sent to Cadw to clarify whether they would request it be called in by Welsh Government. At the time of writing we are awaiting their response.

THE PROPOSAL

The application seeks full planning permission for the change of use of the building from sui generis as part of the court house to B1 offices. There are also alterations to the building comprising the addition of a “Help Point” and signage to the front of elevation of the building.

Section 16 (2) & 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

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

Paragraph 6.2.1 of Welsh Government policy document ‘Planning Policy Wales’ (November 2016) sets out the Government objective to safeguard the character of historic buildings and manage change so that their special architectural and historic interest is preserved.

Paragraph 5.12 of Tan 24 states that applicants for listed building consent are required to provide a heritage impact statement. This presents the results of a heritage impact assessment, which is a process designed to ensure that the significance of the building is taken into account in the development and design of proposals for change. Heritage impact assessments should be proportionate both to the significance of the listed building, and to the degree of change proposed, and the statement should provide enough information to allow the local planning authority to judge and impact when considering applications for listed building consent.

Paragraph 5.14 of Welsh Government Guidance Tan 24 states that many listed buildings can sustain a degree of sensitive alteration and extension to accommodate continuing of new uses.

Paragraph 2.4 of Welsh Government Guidance ‘Managing Change to Listed Buildings in Wales’ states proposals should retain historical details wherever possible; repair where necessary; reinstate where appropriate and respect historic character in any replacement.

Paragraph 2.5 of Welsh Government Guidance 'Managing Change to Listed Buildings in Wales' states that the layout and detail inside buildings can also be important for their date and development as well as function and status.

Retain internal layout and detail wherever possible; repair where necessary.

Paragraph 4.2 of Welsh Government Guidance 'Managing Change to Listed Buildings in Wales' states repairs should be the minimum necessary to stabilise and conserve the building both for its long-term survival and to meet the needs of continuing use.

You will need listed building consent for repairs that do not match the existing historic fabric exactly, or which require the extensive removal of historic material.

Paragraph 4.5 of Welsh Government Guidance 'Managing Change to Listed Buildings in Wales' states new work or alteration may sometimes be necessary or appropriate to keep a historic building in long-term viable use or to give it a lease of life.

SP13 of the Local Development Plan of the Built and Historic Environment states proposals should preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets and where appropriate, their setting. Proposals relating to the following will be considered in accordance with national guidance and legislation.

- Sites and features of recognised Historical and Cultural Importance;
- Listed Buildings and their setting;
- Scheduled Ancient Monuments and other sites of recognised archaeological importance.

Proposals will be expected to promote high quality design and that reinforces local character and respects and enhances the local setting and the cultural and historic qualities of the plan area.

Policy RT1 Retail Hierarchy states that proposals will be considered in accordance with the retail hierarchy. Regard will be had to a settlement's position within the hierarchy when considering retail proposals (including new, change of use, or redevelopment).

SP8 Retail states that proposals will be permitted where they maintain and enhance the existing retail provision within the County, and protect and promote the viability and vitality of the defined retail centres. Proposals for small local convenience shopping facilities in rural and urban areas where they accord with the settlement framework will be supported.

Policy TR3 Highways in Developments - Design Considerations refers to a number of highways considerations including parking, access and traffic generation.

Policy GP1 of the Local Development Plan (LDP) sets out the general requirements of the Local Planning Authority and covers a wide range of topics. These include requiring development to conform with and enhance the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing, incorporate existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges, utilise materials appropriate to the area within which it is located, not having a significant impact on the amenity of adjacent land uses, properties, residents or the community, include an integrated mixture of uses appropriate to the scale of the development; retain, 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; achieve 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); 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; protect and enhance 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; ensure or provides for, the satisfactory generation, treatment and disposal of both surface and foul water, have regard to the generation, treatment and disposal of waste, have regard for the safe, effective and efficient use of the transportation network; provide an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all; include where applicable, provision for the appropriate management and eradication of invasive species.

Policy SP1 Sustainable Places and Spaces states that proposals for development will be supported where they reflect sustainable development and design principles. This relates to a number of factors including by distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements; promoting, where appropriate, the efficient use of land including previously developed sites; integrating with the local community, taking account of character and amenity as well as cultural and linguistic considerations; respecting, reflecting and, wherever possible, enhancing local character and distinctiveness; creating safe, attractive and accessible environments which contribute to people's health and wellbeing and adhere to urban design best practice; promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling; utilising sustainable construction methods where feasible; improving social and economic wellbeing; and protect and enhance the area's biodiversity value and where appropriate, seek to integrate nature conservation into new development.

Policy RT4 Principal Centres (Growth Areas): Town Centre Zone states that proposals for the change of use and/or re-development for non-retail uses within a Town Centre Zone (excluding areas identified as within the Primary Retail Frontage and Secondary Retail Frontage) as defined in respect of a designated Principal Centre (Growth Areas) will be permitted where it achieves a diversity of uses appropriate to a town centre location and does not have an adverse impact on its function, visual character and quality.

Policy RT1 sets out the Retail Hierarchy of the County and identifies Carmarthen as one of the Growth Centres.

As well as Technical Advice Note (TAN) 24: The Historic Environment (2017) and TAN 12: Design (2018) referred to above, TAN 23: Economic Development (2014) would also be applicable. TAN 4: Retail and Commercial Development (2016) would apply in relation to town centres and retailing.

THIRD PARTY REPRESENTATIONS

There have been no adverse representations received to date and the application is before the Planning Committee as the Authority has an interest in the site as landowner.

Since the Guildhall building has become vacant this building has also been empty. The proposal for the change of use of the main Guildhall building does not include 8 Hall Street. Externally the site appears separate from the main building. The site is located in a commercial area within the Town Centre and an office use is not considered to be out of keeping with the character of the surrounding uses. The application site is not one with a shop frontage and therefore unlikely to be suitable for retail use.

The various relevant guidance documents, policies and legislation referred to earlier in the report highlight the importance of any works being appropriate and fully justified. The applicant has provided a Historic Impact Assessment (HIS) looking at the works and their impact on the building. The guidance and policies also acknowledge the need where appropriate for buildings to be adapted. The building itself as it stands is as a result of changes over time where alterations have played their part in creating the historic building we have today. These alterations would have partly been due to the changing use of the building where adaptation has been necessary to allow the building to continue being used. The nature of the associated works has been revised since the original submission. The initial proposal included a new ramped access, obscure film to the main ground floor window, security lock to the front door and also a Police Lantern. There were concerns with the proliferation of new elements to the front elevation of the building which other than an existing plaque currently has not additional structures. The applicant has also amended the location of the Help Point and signage in order to reduce the visual clutter and these changes to the scheme are welcomed. The signage and Help Point are now more discreetly positioned to the western side of the doorway and the other sign positioned within the lines of the stucco render.

There are no concerns in relation to parking provision given the town centre location and the previous use of the building. Similarly in terms of impacts on amenity it is not felt the change of use or works create any significant impacts on the amenity of nearby properties.

CONCLUSION

Overall it is not considered that the works are detrimental to the character and appearance of the building and this full application is put forward with a recommendation for approval.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The works hereby granted consent shall be commenced before the expiration of five years from the date of this permission.
- 2 The works hereby granted consent shall be carried out strictly in accordance with the following drawings and conditions:
 - 1:100 scale Proposed Elevations (04A) received on 8th June 2018;
 - 1:50 scale Help Point and Sign Details (06A) received on 6th June 2018;
 - 1:200 and 1:1250 scale Block and Location Plan (05) received on 8th May 2018.

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.

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 RT1, SP8, SP13, EQ1, GP1, T3 and RT4 of the adopted Local Development Plan, 2014 (LDP) in that the site is located in the defined town centre of Carmarthen and contributes towards a diversity of uses appropriate to a town centre and does not have an adverse impact on its function, visual character and quality. The site is closely relate to other commercial areas and would not be harmful to the vitality or viability of the town centre. There are no significant concerns in relation to amenity, highways or other considerations. The Authority finds that the proposals do not create harm to the building. The proposal would bring a new use to a currently vacant building. The alterations are considered acceptable and would not cause significant harm to the character and appearance of the building. There would be no adverse effect on the character and appearance of the Conservation Area.
- In having special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possess as required under sections 16(2) & 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Authority finds that the proposals do not create harm to the building. The proposal would bring a new use to a currently vacant building. The alterations are considered acceptable and would not cause significant harm to the character and appearance of the building. There would be no adverse effect on the character and appearance of the Conservation Area.

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 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).

Application No	W/37326
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Application Type	Listed Building
Proposal & Location	CHANGE OF USE FROM SUI GENERIS COURT HOUSE TO OFFICES, PLACING OF EXTERNAL SIGNAGE AND PUBLIC HELP POINT AT 8 HALL STREET, CARMARTHEN, SA31 1PH

Applicant(s)	POLICE & CRIME COMMISSIONER, POLICE & CRIME COMMISSIONER, POLICE HEADQUARTERS, LLANGUNNOR, CARMARTHEN, SA312PD
Agent	HEDDWYN THOMAS, POLICE & CRIME COMMISSIONER, POLICE HEADQUARTERS, LLANGUNNOR, CARMARTHEN, SA31 2PD
Case Officer	Stuart Willis
Ward	Carmarthen South
Date of validation	01/06/2018

CONSULTATIONS

Carmarthen Town Council – Has not commented to date.

Local Member – County Councillor A Lenny is the Chair of the Planning Committee and has made no comment to date. County Council G John has not commented to date.

Neighbours/Public - The application has been publicised by the posting of a Site Notice near to the site and in the local press. No responses have been received to date.

RELEVANT PLANNING HISTORY

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

W/36625	Proposed change of use and conversion works of ground floor and part conversion of first floor to facilitate restaurant (Class A3) use at The Guildhall, Guildhall Square, Carmarthen, SA31 3LE Full planning permission	Pending
W/36626	Proposed change of use and conversion works of ground floor and part conversion of first floor to facilitate restaurant (Class A3) use at The Guildhall,	

Guildhall Square, Carmarthen, SA31 3LE
Listed Building Consent

Pending

W/24269 Refurbishment of the ground floor Magistrate's Court 1, redecoration and reorganisation of north stair and first floor foyer, external repairs to south facade stonework (including new lead cover flashing), new ventilation grilles to underfloor void on south facade and damp proof membrane (newlath) to south wall of Magistrate's Court 1. Roof repairs
Listed Building Consent

07 April 2011

APPRAISAL

This is an application in which Carmarthenshire County Council has an interest either as applicant/agent or in terms of land or property ownership.

THE SITE

The application site is the 8 Hall Street, Carmarthen. The site is located in the centre of Carmarthen between Nott Square and Guildhall Square. The surrounding area is predominantly characterised with commercial properties at ground floor level and occasional residential accommodation above. The Primary Retail Frontage runs along the northern side of the Guildhall Square and Hall Street to the east and Secondary Retail Frontage along the southern side of the square and St Mary's Street.

The building is attached to the Guildhall and was used as part of Carmarthen Magistrates Court but subsequently closed as a result of changes to the Justice Department's estate. The Magistrates Court closed in May 2016. The building has been vacant since. Carmarthenshire County Council purchased the building in 2016.

The site is located within the Town Centre of the Carmarthen as delineated in the Carmarthen Local Development Plan (LDP). The site is located within the Carmarthen Town Conservation Area.

The building is a Grade II listed building and is listed separately from the Guildhall. The listing details describes the building as follows:-

"House, later C19 reconstruction. Plaque placed here in 1911 at instigation of National Eisteddfod of Wales, commemorating Brinley Richards, composer (1817-1885). Richards, a friend of Chopin, was born here (probably in an earlier house on the site) in 1817. He was a director of the Royal Academy of Music, instigator of the Academy's local examination system, regarded as the finest piano player in Britain and renowned as a composer. His most famous composition was probably the anthem God Bless the Prince of Wales, 1862, with words by the bard, Ceiriog."

The exterior is described as "House, 2-storeys, 2-bays offset to right, stuccoed with slate close-eaved roof, crested ridge tiles and red and black decorated brick stack to left. Plinth, channelled ground floor, moulded cornice above and pilaster to first floor left. Two plate-glass sash windows in chamfered and stopped openings on first floor, triple sash to ground floor left and doorway to right with overlight and 2 steps up to 6-panelled door with moulded panels. Windowless left end wall. Memorial plaque to Brinley Richards: "The Committee of

the National Eisteddfod of Wales, Carmarthen, 1911 has placed this tablet here in memorial to Brinley Richards Musician and Composer who was born on November 13th 1817 in a house once standing in this street then known as Market Street. He died in London May 1st 1885.”

The reason for listing is given as “Included as a late C19 house with contemporary external detail, of group value with the Guildhall. Historically notable as on site of birthplace of Brinley Richards, composer.”

There is an associated full planning application also before the Planning Committee for the same proposals.

There has been a planning application and listed building consent for the change of use of the main part of the Guildhall building to A3 use. This was presented to the Planning Committee on 17th April 2018 and members resolved to approve the Listed Building Consent and the full application. The Listed Building Consent has been sent to Cadw to clarify whether they would request it be called in by Welsh Government. At the time of writing we are awaiting their response.

THE PROPOSAL

The application seeks listed building consent for the change of use of the building from sui generis as part of the court house to B1 offices. There are also alterations to the building comprising the addition of a “Help Point” and signage to the front of elevation of the building.

STATUTORY DUTIES, GOVERNMENT POLICIES & ADVICE, COUNTY COUNCIL POLICIES

Section 16 (2) & 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

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

Paragraph 6.2.1 of Welsh Government policy document ‘Planning Policy Wales’ (November 2016) sets out the Government objective to safeguard the character of historic buildings and manage change so that their special architectural and historic interest is preserved.

Paragraph 5.12 of Tan 24 states that applicants for listed building consent are required to provide a heritage impact statement. This presents the results of a heritage impact assessment, which is a process designed to ensure that the significance of the building is taken into account in the development and design of proposals for change. Heritage impact assessments should be proportionate both to the significance of the listed building, and to the degree of change proposed, and the statement should provide enough information to allow the local planning authority to judge and impact when considering applications for listed building consent.

Paragraph 5.14 of Welsh Government Guidance Tan 24 states that many listed buildings can sustain a degree of sensitive alteration and extension to accommodate continuing of new uses.

Paragraph 2.4 of Welsh Government Guidance 'Managing Change to Listed Buildings in Wales' states proposals should retain historical details wherever possible; repair where necessary; reinstate where appropriate and respect historic character in any replacement.

Paragraph 2.5 of Welsh Government Guidance 'Managing Change to Listed Buildings in Wales' states that the layout and detail inside buildings can also be important for their date and development as well as function and status.

Retain internal layout and detail wherever possible; repair where necessary.

Paragraph 4.2 of Welsh Government Guidance 'Managing Change to Listed Buildings in Wales' states repairs should be the minimum necessary to stabilise and conserve the building both for its long-term survival and to meet the needs of continuing use.

You will need listed building consent for repairs that do not match the existing historic fabric exactly, or which require the extensive removal of historic material.

Paragraph 4.5 of Welsh Government Guidance 'Managing Change to Listed Buildings in Wales' states new work or alteration may sometimes be necessary or appropriate to keep a historic building in long-term viable use or to give it a lease of life.

SP13 of the Local Development Plan of the Built and Historic Environment states proposals should preserve or enhance the built and historic environment of the County, its cultural, townscape and landscape assets and where appropriate, their setting. Proposals relating to the following will be considered in accordance with national guidance and legislation.

- Sites and features of recognised Historical and Cultural Importance;
- Listed Buildings and their setting;
- Scheduled Ancient Monuments and other sites of recognised archaeological importance.

Proposals will be expected to promote high quality design and that reinforces local character and respects and enhances the local setting and the cultural and historic qualities of the plan area.

THIRD PARTY REPRESENTATIONS

There have been no adverse representations received to date and the application is before the Planning Committee as the Authority has an interest in the site as landowner.

Since the Guildhall building has become vacant this building has also been empty. The proposal for the change of use of the main Guildhall building does not include 8 Hall Street. Externally the site appears separate from the main building. The site is located in a commercial area within the Town Centre and an office use is not considered to be out of keeping with the character of the surrounding uses. The application site is not one with a shop frontage and therefore unlikely to be suitable for retail use.

The various relevant guidance documents, policies and legislation referred to earlier in the report highlight the importance of any works being appropriate and fully justified. The applicant has provided a Historic Impact Statement (HIS) looking at the works and their impact on the building. The guidance and policies also acknowledge the need where appropriate for buildings to be adapted. The building itself as it stands is as a result of changes over time where alterations have played their part in creating the historic building we have today. These alterations would have partly been due to the changing use of the building where adaptation has been necessary to allow the building to continue being used. The nature of the associated works has been revised since the original submission. The initial proposal included a new ramped access, obscure film to the main ground floor window, security lock to the front door and also a Police Lantern. There were concerns with the proliferation of new elements to the front elevation of the building which other than an existing plaque currently has not additional structures. The applicant has also amended the location of the Help Point and signage in order to reduce the visual clutter and these changes to the scheme are welcomed. The signage and Help Point are now more discreetly positioned to the western side of the doorway and the other sign positioned within the lines of the stucco render.

CONCLUSION

Overall it is not considered that the works are detrimental to the character and appearance of the building and this Listed Building Consent application is put forward with a recommendation for approval.

A resolution to approve the Listed Building Consent would need to be sent to Cadw for them to confirm whether they would request it be called in.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The works hereby granted consent shall be commenced before the expiration of five years from the date of this permission.
- 2 The works hereby granted consent shall be carried out strictly in accordance with the following drawings and conditions:-
 - 1:100 scale Proposed Elevations (04A) received on 8th June 2018;
 - 1:50 scale Help Point and Sign Details (08A) received on 6th June 2018;
 - 1:200 and 1:1250 scale Block and Location Plan (05) received on 8th May 2018.

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.

REASONS FOR DECISION

In having special regard to the desirability of preserving the building or its setting, or any features of special historic interest which it possess, and to pay special attention to the desirability of preserving or enhancing the character or appearance of the area as required

under sections 16(2) & 66 (1) & 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Authority finds that the proposals do not create harm to the building. The proposal would bring a new use to a currently vacant building. The alterations are considered acceptable and would not cause significant harm to the character and appearance of the building. There would be no adverse effect on the character and appearance of the Conservation Area.

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 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).

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	W/37328
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Application Type	Full Planning
Proposal & Location	RETROSPECTIVE PLANNING APPLICATION FOR AN AGRICULTURAL MACHINERY SALES AREA INCLUDING ASSOCIATED GROUND WORKS, STORAGE SHED AND LANDSCAPING AT LAND AT, TAN Y BRYN, NANTGAREDIG, CARMARTHEN, SA32 7LH

Applicant(s)	MR M GOULBOURNE, TAN Y BRYN, NANTGAREDIG, CARMARTHEN, SA32 7LH
Agent	JCR PLANNING LTD - MR JASON EVANS, UNIT 2 CROSS HANDS BUSINESS WORKSHOP, HEOL PARC MAWR, CROSS HANDS, CARMARTHENSHIRE, SA14 6RE
Case Officer	Stuart Willis
Ward	Llanddarog
Date of validation	01/06/2018

CONSULTATIONS

Head of Transport – Has raised concerns/questions over elements of the proposal and requested clarification:-

- Visibility from the site access is obstructed to the west side (2.4m x 10m) by the roadside boundary hedgerow which appears to be under the control of applicant (land edged in blue). A visibility splay of 2.4m x 59m is required to be created by the removal/lowering or setting back of initial 5-8m of hedgerow.
- More detail is required regarding the parking and turning facilities serving the visitors/customers. The applicant confirmed on site that this would occur fronting and to the side of the dwelling known as Tan Y Bryn, which is outside of the red line site boundary. This detail is also not specified on the layout plan.
- It is not clear from the proposed site plan where the larger vehicles/HGV's visiting the site to deliver/pick-up agricultural equipment, machinery and vehicles turn adequately within the site. The space between the proposed storage shed and the red steel container is annotated 'access & circulation' and does not appear sufficient to accommodate the turning manoeuvres of the larger vehicles and trailers.

- Reference to the CSS Wales' Parking Standards 2008 – Retail Warehousing and Garages, Car Sales Premises, Zone 2-5 for guidance on the required car parking provision required to serve this development.
- The Design and Access Statement states on page 7 that - “The business in question operates by an appointment only basis, meaning that customers are only able to visit the site to view the items that are for sale subject to prior notification to the applicant. The business does not involve or include attending to customers on a ‘passing trade’ basis.” Clarification of how this would be controlled was requested.

Head of Public Protection – Has not raised any objection to the proposal.

Land Drainage Section – Has not responded to date.

Llanarthne Community Council – Has not commented to date.

Local Member – County Councillor A Davies has stated that she supports the application and if officers wish to decline the application that it be presented to the Planning Committee. Reference is made to the applicant having built his business in an “organic manner” over the last 12 years and that it provides an “invaluable service” to the local community.

Natural Resources Wales – Has raised no objection to the proposal.

Neighbours/ Public - The application has been publicised by the posting of a site notice and in the local press with no responses having been received as a result.

RELEVANT PLANNING HISTORY

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

D4/22726	Construction of a bungalow and garage Reserved Matters granted	05 November 1992
D4/18252	Siting of an agricultural dwelling Outline planning permission	05 December 1989

APPRAISAL

This application has been submitted following an investigation/action undertaken by the Authority's planning enforcement officers.

THE SITE

The application consist site consists land associated with a dwelling known as Tan y Bryn. The dwelling is a bungalow constructed in the 1990's which is subject to an agricultural occupancy condition. The condition restricts occupancy to those solely or mainly employed in agriculture on the holding relating to the adjacent land for the property known as Pen y Glogue. The site is located in the open countryside outside of any development limits as delineated by the Carmarthenshire Local Development Plan. The site is also located in the Towy Valley Special Landscape Area. The site is accessed off the western flank of the B4310 some 80-90m south of the junction with the B4300. The site is 1.4km to the east of Capel Dewi and 0.7km south of Nantgaredig. The application relates to the land associated

with the dwelling which is at a higher level from the access and continues to rise to the north and west (rear) of the property and comprises approximately 0.4ha of land. There is vegetation to parts of the roadside boundary however parts of the site remain visible from public views and the site is at a higher level than the road. The character of the area is of sporadic dwellings and farmsteads.

THE PROPOSAL

The application seeks retrospective planning permission for an agricultural machinery sales area including associated ground works, storage shed and landscaping. The excavation works have already been undertaken and the proposed building partly constructed. A series of level/terrace areas have been created as the land rises to the north of the property which are used for open storage.

The application states that the business has been run in its current form since 2012 although a smaller scale operation has been at the site since 1998. The business relates to buying and selling of agricultural machinery and the applicant is the sole employee. It is stated that there is no maintenance or servicing at the site. If this is required it is said that the machinery is taken to a nearby local business. It is indicated that approximately 10-15 items are sold a month. This is either by customers picking up the items on an appointment basis or them being delivered to their homes. The application indicates that the majority of the items sold are to those within 5 miles of the site. It is stated that as the business has grown the application has "had to adapt the property to accommodate" the additional demand.

The site is split in to three main areas. There is an access and circulation area to the front of the bungalow, external storage and the proposed internal storage to be provided by the now partly constructed building. It is stated that excavations took place since 2014 and the application is also to retain these. It is said that the business does not involve "passing trade" and that the opening hours are between 9.00am-5.30pm Monday to Friday and "up to one customer a day being accommodated on each weekend".

The storage building is said to be for smaller items of equipment. This would be clad in metal profile sheeting with one open elevation. It would have a mono-pitch roof and cover an area of approximately 10 m x 10 m.

Screening is proposed along the bank between the upper and lower areas and also above the higher level.

The supporting information refers in particular to policies GP1 and EMP2 of the LDP. It acknowledges that there is no planning permission or certificate of lawfulness for the business. The supporting information feels that there is support from EMP2 stating that "EMP2 sets out that support will generally be offered to new employment proposal providing they are within, adjacent or directly related to the Development Limits of a defined settlement. In the case of the application proposal, as detailed in Section 2 of this Statement, the application site is closely related to the settlement of Nantgaredig, being located only a short distance south of it".

Reference is then made to the applicant considered relocating the business in 2012 to Nantgaredig however there were no sites available at that time. It is stated that a recent search also shows no site available in Nantgaredig. The agent also feels that the scale of the operation is appropriate. They also comment that the scale of the business will not

increase. They feel that the proposed landscaping prevents any visual impact issues and that the use is comparable with the neighbouring uses.

PLANNING POLICY

In the context of the current development control policy framework the site is located outside the defined development limits as contained in the adopted Carmarthenshire Local Development Plan Adopted December 2014.

Policy GP1 Sustainability and High Quality Design.

This states that development proposals will be permitted where they accord with a number of criteria including the following, 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, utilises materials appropriate to the area within which it is located; 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; 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.

Policy TR3 Highways in Developments - Design Considerations.

This policy states that the design and layout of all development proposals will, where appropriate, be required to include:

- a. An integrated network of convenient and safe pedestrian and cycle routes (within and from the site) which promotes the interests of pedestrians, cyclists and public transport;
- b. Suitable provision for access by public transport;
- c. Appropriate parking and where applicable, servicing space in accordance with required standards;
- d. Infrastructure and spaces allowing safe and easy access for those with mobility difficulties;
- e. Required access standards reflective of the relevant Class of road and speed restrictions including visibility splays and design features and calming measures necessary to ensure highway safety and the ease of movement is maintained, and where required enhanced;
- f. Provision for Sustainable Urban Drainage Systems to allow for the disposal of surface water run-off from the highway.

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.

Proposals which will not result in offsite congestion in terms of parking or service provision or where the capacity of the network is sufficient to serve the development will be permitted. Developers may be required to facilitate appropriate works as part of the granting of any permission.

Policy SP1 Sustainable Places and Spaces states that proposals for development will be supported where they reflect sustainable development and design principles. This relates to a number of factors including by distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements; promoting, where appropriate, the efficient use of land including previously developed sites; integrating with the local community, taking account of character and amenity as well as cultural and linguistic considerations; respecting, reflecting and, wherever possible, enhancing local character and distinctiveness; creating safe, attractive and accessible environments which contribute to people's health and wellbeing and adhere to urban design best practice; promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling; utilising sustainable construction methods where feasible; improving social and economic wellbeing; and protect and enhance the area's biodiversity value and where appropriate, seek to integrate nature conservation into new development.

Policy SP2 Climate Change states that development proposals which respond to, are resilient to, adapt to and minimise for the causes and impacts of climate change will be supported. In particular proposals will be supported where they: adhere to the waste hierarchy and in particular the minimisation of waste; promote the efficient consumption of resources (including water); reflect sustainable transport principles and minimise the need to travel, particularly by private motor car; avoid, or where appropriate, minimise the risk of flooding including the incorporation of measures such as SUDS and flood resilient design; promote the energy hierarchy by reducing energy demand, promoting energy efficiency and increasing the supply of renewable energy; and incorporate appropriate climate responsive design solutions including orientation, layout, density and low carbon solutions (including design and construction methods) and utilise sustainable construction methods where feasible.

Policy SP3 Sustainable Distribution – Settlement Framework states that the provision for growth and development will be at sustainable locations in accordance with the Settlement Framework identified in the LDP.

Policy EMP2 New Employment Proposals states that proposals for employment developments which are within, adjacent or directly related to the Development Limits of all defined settlements (Policy SP3) will be permitted provided that:

- a. A sequential search has been undertaken identifying that there is no allocation or existing employment site available that can reasonably accommodate the use, followed by there being no suitable land or building (for conversion or re-use) available within the Development Limits, then adjacent to limits, and finally on a site directly related to a recognised settlement;
- b. The development proposals are of an appropriate scale and form, and are not detrimental to the respective character and appearance of the townscape/ landscape;
- c. The development proposals are of an appropriate scale and form compatible with its location and with neighbouring uses.

Special Landscape Area Policy

In terms of National Policy and Guidance Technical Advice Note (TAN) 23: Economic Development (2014), Technical Advice Note 6 (Planning for Sustainable Rural Communities) and Planning Policy Wales Chapter 7 (Economic Development) and Chapter 4 (Planning for Sustainability) are particularly relevant.

THIRD PARTY REPRESENTATIONS

There have been no third party representations received other than the request from the Local Member for the application to be presented to the Planning Committee. The Councillor stated that the reason for requesting the application go before the Planning Committee as the applicant has built his business in an “organic manner” over the last 12 years and that it provides an “invaluable service” to the local community.

The site is located outside of development limits of any settlement as defined in the Local Development Plan. Policy EMP2 is a key policy consideration as this relates to employment proposals outside of allocated employment sites. This relates to proposals which are “within, adjacent or directly related to development limits”. Therefore it needs to be considered if the site is “directly related” to development limits as the site is not within or adjacent to development limits of any settlement. No definition is given of “directly related”. The nearest settlement to the site is approximately 0.4 miles away from the site. The site is therefore some distance from the nearest settlement. The proposal is not put forward as a farm diversification scheme and therefore is assessed as a new business in the open countryside. The site is visibility separate from any settlement and would not be considered as directly related to Nantgaredig or any other settlement. It is therefore considered to be an unsustainable location.

If the site was considered to be directly related to a settlement, the remainder of the policy would need to be considered. A sequential search is the first criteria. The application refers to a search in 2012 and recently for sites within Nantgaredig however no evidence of such a search or its results have been provided. It is also noted that the search appears to only relate to sites in Nantgaredig. The policy does not state that the search should only relate to the nearest settlement. It asks for a search of existing employment sites, allocations, followed by suitable land or buildings within development limits, then adjacent to them and finally those directly related to settlements. It is not considered that sufficient evidence has been provided to show an appropriate search for alternative locations has been made.

The proposal being of appropriate scale and form to the character of the area is the next consideration. While the premises currently has agricultural machinery located on it, it is primarily an open storage area. Land has been excavated to create plateaus within the site on what was previously a grassed field. It is not considered that an open storage area of this nature and scale would be appropriate to the character of the area. The site is at a higher level than the road to the front of the site and is visible from the road and public views. The site is located in a Special Landscape Area and whilst there is landscaping proposed the fact that the development may be screened does not remove the concerns over the appearance and impact of the excavated storage area. The proposal also includes a new building which has been partly constructed on site already. It is stated that the building is required for smaller items however no further details are provided. The building covers approximately 10 m x 10 m. This along with the increasing size of the yard over time show the expanding nature of the site. The building is at a higher land level than the dwelling and

appears a separate isolated building in the countryside. Little justification has been provided for the proposed building and as with the open storage is considered harmful to the character of the area.

The business relates to agricultural machinery however there is no clear need for the business to be located in the countryside. The nature and use of the site is one that could be provided in allocated employment sites where there could be linked trips and therefore be more sustainable. The application refers to sales being to those within a 5 miles radius however this is something that cannot be controlled in the future and customers could be based in any location. A list of customers and suppliers is provided however this is simply a list of names rather than any business records and as stated above could alter. The application states that passing trade will use the site however again there is no control for how this would be managed. The workings of the business could change, as could the operator and owner in the future and therefore the nature of the business could also change. The business appears to have grown incrementally and now covers approximately 0.4ha of land. The business is not considered to be suitable at this location.

Turning to other matters the site is located away from other dwellings, given its isolated location and therefore it is not considered there are any concerns in terms of impacts on amenity of occupants of other properties in the area. Queries have been raised by the Head of Transport over certain aspects of the proposal and we are awaiting a response from the Agent in regard to these. The ability of the site to accommodate sufficient parking and turning facilities has been questioned and the current access is not considered to be of sufficient standard to accommodate the development. Alterations to the access would require further works to the roadside vegetation. This would have further visual impacts and there is insufficient information in relation to how this would affect the levels of the site and access. Control of the use of the site in terms of "passing trade" was also questioned. While the site is currently in the same ownership as the dwelling this may not be the case in the future. The access to the site and the site itself are in close proximity to the dwelling itself.

CONCLUSION

After careful consideration of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that on balance the proposal is not acceptable.

As such the application is put forward with a recommendation of refusal for the following reasons.

RECOMMENDATION – REFUSAL

REASONS

- 1 The proposal is contrary to Policy EMP2 "New Employment Proposals" of the Carmarthenshire Local Development Plan:-

Policy EMP2 New Employment Proposals

Proposals for employment developments which are within, adjacent or directly related to the Development Limits of all defined settlements (Policy SP3) will be permitted provided that:

- a) **A sequential search has been undertaken identifying that there is no allocation or existing employment site available that can reasonably accommodate the use, followed by there being no suitable land or building (for conversion or re-use) available within the Development Limits, then adjacent to limits, and finally on a site directly related to a recognised settlement;**
- b) **The development proposals are of an appropriate scale and form, and are not detrimental to the respective character and appearance of the townscape/ landscape;**
- c) **The development proposals are of an appropriate scale and form compatible with its location and with neighbouring uses.**

In that:-

- (i) The application site is not within, adjacent or considered to be directly related to the developments limits of any defined settlements. The location is in the open countryside and not considered to be in a sustainable location. Insufficient justification has been given as to why the business needs to be located in this location. Insufficient information has been provided in relation to any sequential search for alternative locations.
- (ii) The development is not of an appropriate scale or form and is detrimental to the character and appearance of the landscape. The site is located within a Special Landscape Area and even with the proposed landscaping it is considered that there would be an adverse impact on the character of the area. The development has required extensive excavation and would have primarily external storage which detracts from the rural character of the area. The proposal also includes the completion of a partially constructed building which appears as an isolated building further harming the character and appearance of the area.

2 The proposal is contrary to Policy GP1 “Sustainability and High Quality Design” of the Carmarthenshire Local Development Plan:-

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)).

In that the development fails to conform with or enhances the character and appearance of the site. It also fails to appropriately incorporate existing landscape or take account of site contours and changes in levels. The site is located within a Special Landscape Area and even with the proposed landscaping it is considered that there would be an adverse impact on the character of the area. The development has required extensive excavation and would have primarily external storage which detracts from the rural character of the area. The proposal also includes the completion of a partially constructed building which appears as an isolated building further harming the character and appearance of the area.

- 3 The proposal is contrary to Policy EQ6 “Special Landscape Areas” of the Carmarthenshire Local Development Plan:-

Policy EQ6 Special Landscape Areas

Special Landscape Areas are designated in the following locations and as identified on the Proposals Map:

**Tywi Valley
Carmarthenshire Limestone Ridge
Teifi Valley
Drefach Velindre
Bran Valley (North of Llandovery)
Mynydd Mallaen
Llanllwni Mountain
North Eastern Uplands
Mynydd y Betws
Gwendraeth Levels
Pembrey Mountain
Swiss Valley
Talley
Lwchwr Valley
Lower Taf Valley
Cwm Cathan
Cothi Valley
Carmarthen Bay and Estuaries**

Proposals for development which enhance or improve the Special Landscape Areas through their design, appearance and landscape schemes will be permitted (subject to the policies and proposals of this Plan).

In that the development fails to enhance or improve the Special Landscape Area. The site is located within a Special Landscape Area and even with the proposed landscaping it is considered that there would be an adverse impact on the character of the area. The development has required extensive excavation and would have primarily external storage which detracts from the rural character of the area. The proposal also includes the completion of a partially constructed building which appears as an isolated building further harming the character and appearance of the area.