

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

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

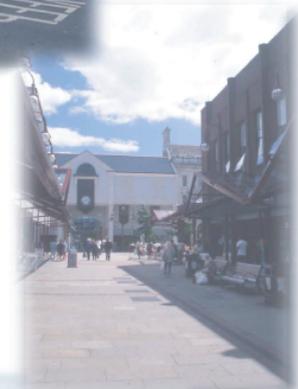
**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

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

**AR 02 HYDREF 2018
ON 02 OCTOBER 2018**

**I'W BENDERFYNU
FOR DECISION**

***Ardal
Gorllewin/
Area West***



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

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

COMMITTEE:	PLANNING COMMITTEE
DATE:	02 OCOTBER 2018
REPORT OF:	HEAD OF PLANNING

INDEX - AREA WEST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL	Page No's
W/37444	Proposed menage at Ysgubor Goch, Llanboidy, Whitland, SA34 0EE	33-38
W/37575	Two storey extension to rear of dwelling at 13 Plas Penwern, Johnstown, Carmarthen, SA31 3PN	39-43

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/37444
-----------------------	----------------

Application Type	Full Planning
Proposal & Location	PROPOSED MENAGE AT YSGUBOR GOCH, LLANBOIDY, WHITLAND, SA34 0EE

Applicant(s)	MR RICHARD BOWEN, YSGUBOR GOCH, LLANBOIDY, WHITLAND, SA34 0EE
Agent	KEN MORGAN DBM LTD - KEN MORGAN, THE STUDIO, LITTLE GREENWAY, CRINOW ROAD, NARBERTH, SA67 8TA
Case Officer	John Thomas
Ward	Llanboidy
Date of validation	26/06/2018

CONSULTATIONS

Llanboidy Community Town Council – No observations received to date.

Local Member – County Councillor Dorian Phillips is a member of the Planning Committee and has made no prior comment.

Neighbours/Public – The application has been publicised by means of a site notice displayed at the entrance of the shared access track leading to the application property off the classified Llangyning – Llanboidy Road. In response, seven letters of representation have been received from three different households raising the following issues of concern and objection:-

- Ongoing problem with drainage and the excessive flow of water into the neighbouring property;
- The proposal represents a visual intrusion, which will be exacerbated by the addition of floodlighting;
- Objection to the ménage being built above the original field height;
- Objection to any form of lighting, given the potential for light pollution;
- Objection to anything other than private use by the applicant's family;
- Adverse impact upon bat and owl colonies;
- Huge amounts of aggregate being washed into the adjacent property and blocking their drains;
- Why were local residents not notified in writing of the planning application?
- Noise from traffic accessing and exiting the site;

- The use of menage in the application description is too vague;
- What will the proposal be used for and what times

RELEVANT PLANNING & ENFORCEMENT HISTORY

W/34067	Proposed Ménage and Single Garage Full Granted	26/08/2016
W/ENF/07395	Creation of Equestrian Area File Opened	22/10/2015
W/24756	Proposed Sun Lounge Single Storey Extension Full Granted	16/06/2011
W/10474	Erection of Timber Stables Full Granted	18/08/2005
TMT/02308	Change of Use of Outbuilding to Dwelling Full Granted	13/12/2002

APPRAISAL

THE SITE

The application site lies in open countryside forming part of a larger field enclosure which previously formed part of Sarngoch Farm, the farmstead to which lies approximately 75 metres East, South-east of the application site. The site and larger field enclosure, now belong to Ysgubor Goch, a converted former redundant barn to residential dwelling located a short distance from Sarngoch Farm, which share a private access track leading north from the Llangynin – Llanboidy Road near to the Groesfford crossroads. The associated converted barn, and original farmstead lie at a slightly lower level relative to the application site as the ground slopes in a general easterly direction, while a short terrace of stables belonging to Ysgubor Goch already exist in the intermediate curtilage area between the access track and application site, in close proximity to the site.

The planning history for Ysgubor Goch dates from December 2002, when planning permission was granted for the conversion of the former barn to a residential dwelling, while later in August 2005 permission was granted for the erection of the timber stables. More recently, retrospective planning permission was sought and granted for the creation of a menage and associate works in August 2016. While work has commenced, and the associated engineering works for that proposal are now well advanced, it then became apparent that what was being constructed was larger than that granted planning permission in August 2016. Hence, the submission of this further planning application.

THE PROPOSAL

This application seeks consent, partly retrospective, for the creation of a ménage to the west of the host dwelling known as Ysgubor Goch. This is the second such application for the same form of development, albeit now for a slightly larger scale of development to that previously granted. The first application reference W/34067 was submitted in response to an enforcement investigation following a complaint received from the neighbouring property raising concerns over land drainage. That proposal showed a ménage measuring 60m (L)

x 30m (W) with a land drain connection to an existing watercourse which flows into the neighbouring third party field. The present proposal now shows a 58m (L) x 38m (W) menage in predominantly the same location, albeit the proposal also now includes additional engineering works to form a level hard standing area for the parking of horseboxes and trailers in the intermediate area between the proposed menage and southern boundary of the field enclosure. The full extent of the engineering works extends to an area closer to 46m x 97m, which includes the steep embankment cut to a maximum height of 1.75m along the Western edge of the site.

In addition to the engineering works the proposal also includes the formation of the sand school area on top of a stone sub-structure; 1.5m high timber post & rail fence; installation of a perimeter water drainage pipe; 1.5m x 1.5m silt trap chamber; and 6 no. 5m high 120watt LED floodlights. The latter element of the proposed development is supported by a lighting plan illustrating the light coverage which will be achieved. Access to the proposed menage area will be via the existing gated access serving the stable block and yard, which would be contiguous with the application site.

The site is well screened to the West by raising ground, and similarly to the South as well as by a retained mature hedge, while to the North a further mature hedge screens the development. To the East, which is the most conspicuous aspect from a public vantage point, the site would previously have benefited from a mature tree lined hedge, which is understood to be outside of the applicant's control and has recently been thinned and laid, thereby making the site more evident in the landscape.

THIRD PARTY REPRESENTATIONS

Concerns regarding drainage have previously been raised in the consideration of earlier planning application W/34067, while in addition to the previously approved drainage arrangements the present application now includes a silt pit adjacent to the existing point where the ditch on the applicant's land runs into the adjacent farmer's field. This is intended to address concerns over the potential for silt to be carried off the site onto the adjacent land and blocking their land drains. Colleagues in the Land Drainage Section of the Council have been consulted on this application and have raised no objection to the application. It is not therefore considered that the proposal would unacceptable exacerbate drainage over and above the current situation given the proposed drainage arrangements.

As to opined visually intrusive nature of the proposal and the issue raised with the level at which the menage would be formed above the original field level. As has been demonstrated and illustrated by means of the submitted cross sections, the menage would be formed through a combination of cut-and-fill, with the vast majority of the engineered plateaux being below or at the previous ground level. The site now appears more conspicuous in the landscape from one particular aspect and vantage point, through the actions of the neighbouring landowner in thinning and laying the immediately adjacent hedge. On this particular point, and given the concerns over any adverse impact upon potential protected species in the vicinity. The action of thinning the hedge has potentially had a more adverse impact for any local bat colonies as it has diminished what would previously have potentially served as a bat foraging corridor adjacent to the Eastern boundary of the application site. The Planning Ecologist have considered their species database for the area and have assessed that a bat survey was not justified in this instance. The time restriction secured by the recommended conditions is not purely to safeguard residential amenity, but also any potential bat activity in the Spring and Autumn as lighting will not be of concern to bats between November and March as they will be in hibernation. Over the Summer months

when bats will be active, there won't be the need for artificial lighting given the extended daylight hours.

As to the further concern over the potential for light pollution or noise from traffic accessing the site. As colleagues from the Public Protection Division of the Council have raised no objection to the application following their consultation, while a lighting plan for the proposed floodlighting of the menage has been supplied in support of the application and is specifically referred to in one of the recommended conditions. On the concern raised over the potential noise nuisance from traffic accessing and exiting the site. Given that the menage is for private use only, there is unlikely to be any significant increase in traffic movements over the existing, further reinforced and safeguarded by one of the recommended conditions. There also remains the fall-back of separate legislation governing statutory nuisance, under the provisions of the Environmental Protection Act 1990.

Finally, the absence of any direct letters of notification to residents in the vicinity of the application site has been raised, while in such remote rural locations a site notice has the potential to inform more people of a pending planning application than neighbour notification letters. The statutory requirements for publicity in such instances dictates that either a site notice is displayed in the vicinity of the application site, or neighbour notification letters as posted to immediately adjacent properties. This requirement is in the alternative and there is no requirement to do both.

CONCLUSION

On balance, and after careful examination of the site and its surrounding environs, together with consideration of the representations received, the scale, design and location of the proposed menage is considered acceptable and not out of keeping with the rural character and appearance of the application site. The proposal is therefore in accord with the policies of the adopted Local Development Plan and is put forward with a favourable recommendation, subject to the prescribed conditions.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) the ménage and stable block, being retrospective developments as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 16th March 2018.
- 2 The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans dated 14 June 2018.
 - 1:1250 scale Location Plan (Drawing No. 100) received 12-05-2018;
 - 1:500 scale Proposed Block Plan received 08-06-2018;
 - 1:200 scale Proposed Sections Plans A:A and B:B received 08-06-2018;
 - 1:20 scale Proposed Silt Pit Plan received 08-06-2018;
 - 1:50 scale Proposed Fence Detail Plan received 08-06-2018;

- 3 The ménage hereby approved shall only be used for private purposes incidental to the enjoyment of the dwelling house known as Ysgubor Goch and shall not be used for any commercial purposes.
- 4 The menage shall only be illuminated between the hours of 06:00 and 20:00 on any one day.
- 5 The intensity and spread of the floodlighting illumination hereby permitted shall be strictly in accordance with the submitted Lighting Plan (Deluce Lighting dated 23-05-2018).

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.
- 3 To clarify the extent of the permission in the interests of residential and visual amenity.
- 4 & 5 In the interests of residential amenity and to safeguard potential ecological interests.

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 GP1 and EQ4 of the Carmarthenshire Local Development Plan, 2014 (LDP) in that the development is not detrimental to the amenity of nearby properties, and is of appropriate design. The development has been acceptably sited and will not have a detrimental impact upon the character or biodiversity of the surrounding area.

NOTES

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

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

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

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

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

Application No	W/37575
-----------------------	----------------

Application Type	Full Planning
Proposal & Location	TWO STOREY EXTENSION TO REAR OF DWELLING AT 13 PLAS PENWERN, JOHNSTOWN, CARMARTHEN, SA31 3PN

Applicant(s)	MR DAVID FURLONG, 13 PLAS PENWERN, JOHNSTOWN, CARMARTHEN, SA31 3PN
Agent	,
Case Officer	Paul Roberts
Ward	Carmarthen South
Date of validation	24/07/2018

CONSULTATIONS

Carmarthen Town Council – Have raised no objection to the application

Local Members – County Councillor G John has not commented on the application to date. County Councillor A Lenny is a member of the Planning Committee and has made no prior comment on the application.

Welsh Water – Have raised no adverse comments in respect of the proposal.

Neighbours/Public – The neighbouring dwellings within the vicinity of the application property have been consulted on the application. In response, four letters of objection have been received from neighbouring residents which raise the following issues of concerns:

- Errors in the plans submitted.
- Concerns regarding the height of the extension and the impact in terms of loss of light.
- Loss of privacy to neighbouring properties from the large window and door openings in the extension as well as the velux windows in the roof space.
- Lack of privacy for the occupiers of the new extension given the first floor window and door openings.
- The extension and large window and door openings are out of keeping with the appearance of existing properties in the estate.
- Restriction and loss of existing views.

RELEVANT PLANNING HISTORY

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

D4/22750 Erection of houses garages and associated
roads and sewers.
Full planning permission

24 September 1992

APPRAISAL

THE SITE

The application site consists of the curtilage of a detached two storey house located in the Plas Penwern estate in Johnstown, Carmarthen. The house is of a traditional pitched roof design having a front parking area and modest sized rear garden that is enclosed with timber fencing. The property is bounded by the curtilages of neighbouring residential properties with a neighbouring dwelling of the Plas Penwern estate located to the west and the residential properties that front onto Llansteffan Road to the east. The properties of the neighbouring Heol Drindod estate are located to the south (rear) of the site. The surrounding Plas Penwern estate is characterised by detached two storey houses and associated garaging facilities.

THE PROPOSAL

The application seeks full planning permission for the construction of a two storey extension to the rear of the existing house. It is to project from the western half of the rear elevation of the house having a depth and width of 3.9 and 4.6 metres respectively. The extension will provide additional kitchen/diner accommodation on the ground floor and a new master bedroom on the first floor. It is to have a pitched roof and a mix of facing brick and rendered elevations to match those of the host dwelling.

The rear elevation of the extension is to have a number of small window openings at ground and first floor level. The original proposal submitted with the application also included large glazed window and door openings in the eastern side elevation of the extension at both ground and first floor level with the latter having a juliet style balcony feature. However, concerns raised by officers regarding the impact of the first floor openings upon the privacy of neighbouring properties by way of the direct overlooking of private garden areas has resulted in the first floor door opening and juliet balcony feature being removed from the side elevation. Two first floor windows are retained in this side elevation, however, they are shown to be glazed in obscure glass.

The application has been accompanied by a bat survey report which found no evidence of bats in the application property.

PLANNING POLICY

In the context of the current development control policy framework the following policies of the Carmarthenshire Local Development Plan (LDP) are of relevance to the proposal.

Policy GP1 is a general policy which seeks, amongst others, to promote sustainability and high quality design and to ensure that new development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing. The policy also requires that

development proposals should not have a significant impact on the amenity of adjacent land uses and properties.

Policy GP6 permits extensions to existing residential dwellings subject to them being subordinate and compatible to the size, type and character of the existing development, not resulting in the overdevelopment of the site, or leading to reduced and inadequate areas of parking, utility, vehicle turning, amenity or garden space. The external appearance of extensions should also complement the existing development and proposals should not adversely affect the local environment and amenities of neighbouring developments.

THIRD PARTY LETTERS OF REPRESENTATION

Letters of objection have been received from the residents of a number of neighbouring properties which raise a number of issues of concern.

The occupier of the neighbouring property of Plas Penwern has highlighted errors in the plans while also raising concern regarding the height of the extension and the likely loss of light to an existing habitable room. As to the first issue, the orientation of the elevations of the extension were incorrectly annotated in the original drawings, however, this has subsequently been corrected with the submission of amended drawings. With regard to the issue of loss of light, although the extension will be of the same height as the existing dwelling, its modest depth of 3.9 metres combined with a separating distance of some 6 metres to the windows at the rear of the respondent's house will safeguard against any unacceptable impact. Moreover, it is of note that the respondent's detached garage will be located between the house and the new extension.

The concerns raised by the residents of the properties of Llansteffan Road to the east of the site regarding the impact upon the privacy of their properties have been addressed in that the first floor door opening and juliet balcony feature in the eastern side elevation of the extension have now been removed from the application. The two remaining first floor windows in this elevation will be glazed in obscure glass and a suitable planning condition securing the retention of this glazing will be imposed on any permission granted. The condition will also require that any part of the two first floor windows located less than 1.7 metres above the floor of the bedroom that they will serve shall be of a non-opening design thereby preventing any overlooking of the respondents' properties.

Concerns raised by one of the respondents that the velux windows proposed in the roof space of the extension will also erode their current privacy levels are misjudged in that the lowest point of these windows will be set at a height of 3 metres above the floor level of the new first floor bedroom thereby preventing any outlook towards neighbouring properties.

A resident of the Heol y Drindod estate to the rear of the application property has also raised concerns regarding the privacy impact upon their property while suggesting that they would have a direct outlook towards the new first floor bedroom in the extension. However, a separating distance of 40 metres between the extension and the rear elevation of the respondent's property combined with the size of the first floor rear windows of the extension will ensure there will be no harmful impact upon the occupiers of both properties.

Turning to concerns regarding the design of the extension, its modest scale and pitched roof design ensures it is subordinate and compatible to the size, design and character of the host dwelling and will not be incongruous with the character and appearance of the surrounding residential area. Furthermore, although the extension will be visible from the rear of a

number of surrounding properties, it will be well separated from the facing windows and garden areas of these properties and not harmfully reduce or impact upon the outlook of their occupiers.

CONCLUSION

On balance, and after careful examination of the site and its surrounding environs, together with the representations received to date, the scale and design of the proposed extension are considered to be acceptable and in keeping with the character and appearance of the existing property and surrounding residential area. Furthermore, the local amenities of surrounding occupiers will not be adversely affected by the development.

The proposal is therefore considered to be in accord with the design and amenity objectives of Policies GP1 and GP6 of the adopted Local Development Plan and put forward with a favourable recommendation.

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 works hereby granted consent shall be carried out strictly in accordance with the details shown on the existing and proposed floor, elevation, site and location plan drawing referenced (P/01A) received on 19 September 2018.
- 3 The development hereby approved shall be undertaken in strict accordance with the recommendations contained in the advice section of the bat survey report prepared by Environment Systems dated 5 July 2018 and received on 13 July 2018.
- 4 Prior to the use of the extension hereby approved, the two first floor windows in the eastern side elevation of the extension, as shown on the existing and proposed floor, elevation, site and location plan drawing referenced (P/01A) received on 19 September 2018, shall be fitted with obscured glazing and any part of the windows that are less than 1.7m above the floor of the room in which they are installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

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 In order to ensure that there is no detriment to the maintenance of the favourable conservation status of Bat species.
- 4 To protect the privacy and amenity of adjacent occupiers.

REASONS FOR DECISION

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 proposal complies with Policy GP1 of the Carmarthenshire Local Development Plan in that it is appropriate in terms of scale and design, and will not cause unacceptable loss of amenity to neighbouring uses.
- It is considered that the proposed development complies with Policy GP6 of the Carmarthenshire Local Development Plan in that it is appropriate in terms of scale and design, sufficient amenity/garden space remains, and it will not adversely affect the amenities of the occupiers of the neighbouring properties.

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).
- 3 This application has been determined within the scope of the delegated authority granted to the Head of Planning by the Meeting of Carmarthenshire County Council on 12 October 2011 (Minute No 7 refers).