

Application No	W/37263
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Application Type	Outline
Proposal & Location	CONSTRUCTION OF ONE DWELLING AT PLOT 4, DREFACH ROAD, PLASYDDERWEN, MEIDRIM, CARMARTHENSHIRE

Applicant(s)	MR LEE BREMNER, 25 RHODFA MORGAN DRIVE, LLANGUNNOR, CARMARTHEN, SA31 2NT
Agent	HAROLD METCALFE PARTNERSHIP, 32 SPILMAN STREET, CARMARTHEN, CARMS, SA31 1LQ
Case Officer	Stephen Thomas
Ward	Trelech
Date of validation	17/05/2018

CONSULTATIONS

Head of Transport - Recommendation that any permission that the Local Planning Authority may grant will be subject to the imposition of two conditions on the specification of the parking facilities and footway provision.

Meidrim Community Council – No observations received to date.

Local Member – County Councillor Mrs J Lewis as a member of the Planning Committee has not made any prior comments on this application.

Neighbours/Public - The application has been publicised by the sending of eight letters of notification to the occupiers of neighbouring properties. Five letters of representation have been received objecting to/ concerned with the proposed development on the following grounds:-

- The planning application only specifies a 'dwelling' which is hiding the fact that the plan is for a house. The plots are only supposed to have bungalows on them. Object to a house;
- The heights given for the eaves and ridge in relation to the submitted plan area equate to a construction of a house i.e. 6m eaves 8.5m ridge. If it was for a bungalow the eaves height would be approximately 2.4 metres;
- The original development for this site i.e. Plots 1 to 4 were restricted to bungalows;
- The previous approved plan for plot 4 was for a bungalow;
- The details on the application are vague, providing very little information;

- Since the approval of the bungalow there have been applications for a house, all having been refused or withdrawn;
- This plot has no access since the road to it is closed for health and safety reasons. The road is also un-adopted and should only serve 7 dwellings, whereas there are already 9 dwellings served by this closed access road.

RELEVANT PLANNING HISTORY

The following relevant planning applications have previously been submitted on the application site:-

W/30709	Two dwellings Withdrawn	24 April 2018
W/18446	Access road to proposed plots and proposed plot layouts Reserved Matters granted	3 June 2008
W/17565	Construction of house Full planning permission	24 April 2008
W/16074	Access road to proposed plots and proposed plot layouts Reserved Matters refused	4 January 2008
D4/8641	Erection of bungalow Approval of details	17 June 1981
D4/7646	Siting of residential development Outline planning permission	5 February 1981

APPRAISAL

This planning permission is dependent upon the developer, prior to the commencement of development, entering into a Section 106 Agreement with Carmarthenshire County Council, in respect of the payment of a contribution towards Affordable Dwelling provision.

THE SITE

The application site is located in the eastern periphery of Meidrim village with access off a minor road leading from the centre of Meidrim to Glandwr. The access to the site is via a steep estate road with pavements, which is currently used for nine residential properties in this small housing estate. The application site measures approximately 23 metres in width, with the maximum length of the southern boundary at 37 metres and the length of the northern boundary at 42 metres. Due to the rising slope from north to south, the immediate area is characterised by properties being cut into the land or which use the existing form of the land to shape split level style dwellings. The most recent dwellings constructed beyond the application site have been constructed on land that has a more level profile than the application site.

THE PROPOSAL

The application as submitted seeks outline planning permission for a development of a single dwelling on the application site. Details have been provided and detailed approval is sought for the access to the development, with all further detailed matters on external appearance, layout, scale and landscaping being reserved for future consideration. An indicative layouts has been submitted as part of the application for illustrative purposes only, as well as scale parameters of the proposed dwelling as:

Length – 18 – 20 metres

Width – 9 – 10.5 metres

Height to eaves – 5.5 – 5.9 metres

Height to ridge – 7.5 – 8.5 metres

The application is accompanied by a signed Unilateral Undertaking in respect of the payment of a financial contribution towards affordable dwelling provision and an appropriate Certificate of Title.

PLANNING POLICY

In terms of the application's policy context, reference is made to the following existing development plan policies:-

Carmarthenshire Local Development Plan (CDLP)

The application site is located within the development limits of Meidrim as delineated by Inset map CL11 as well as the site forming part of a larger allocation for residential development within the Plan. The allocated number of swellings in the Plan is for 12 Units.

Policy H1 ensures the provision of an adequate supply of land and this is an allocated site within the Local Development Plan (CL11).

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

THIRD PARTY REPRESENTATIONS

The application has attracted letters of objection/concern and the main material considerations are summarised as follows:-

Scale Parameters

The application that has been submitted and is for consideration in this report is an outline application. The representations received indicate that the details submitted with the application are rather vague and providing very little information. The application form as submitted has reserved detailed matters of external appearance, layout, scale and landscaping for future consideration should outline planning permission be granted. According to regulations, applications for outline planning permission require:

- Where layout is a reserved matter, the application must state the approximate location of buildings, routes and open spaces included in the development proposed.
- Where scale is a reserved matter, the application must state the upper and lower limit for the height, width and length of each building included in the development proposed.
- Where access is a reserved matter, the application must state the area where access points to the development proposed will be situated.

In terms of layout, the application has been accompanied with a block plan to a scale of 1:500 showing the location of the proposed building and access route to it.

In terms of access, this has not been reserved for future consideration, and is for consideration in this application and a proposed access has been identified on the submitted 1:500 scale block plan.

Since scale is a matter that has been reserved for future consideration, the application has been submitted with scale parameters of a length of 18 to 20 metres, a width of 9 to 10.5 metres, a height to eaves of 5.5 to 5.9 metres and a ridge height of 7.5 to 8.5 metres.

In the determination of applications for outline planning permission, it is the principle of planning permission that is being considered whereby detailed matters are usually considered in a future detailed submission that would need to conform to any conditions that are imposed on the outline planning permission. Since sufficient information has been submitted with the application it is considered that the application can be determined accordingly.

House -v- Bungalow

The representations make reference to the fact that the original proposal for this part of the estate was for bungalows and that if the proposal is for a house that it is not acceptable as previous applications for houses have been refused or withdrawn. The objectors indicate that the scale parameters given in the application would suggest that the proposed dwelling is for a house rather than a bungalow.

The planning history for this site shows a number of applications with the latest planning application submitted under application number W/30709 for two dwellings. That application was withdrawn. However, an earlier application for full planning permission for this site was submitted under application number W/17565 for the construction of a house. This application was granted full planning permission on 24th April 2008. The approved plans for that application have been examined and show a split level dwelling that has two floors and have height measurements of between 3.9 metres and 5 metres to eaves and between 7.5 metres and 8.5 metres to ridge. The overall ridge height measurements are identical to those included in the parameters for the current application, whilst the eaves measurements are lower than those included within the parameters. Since the overall height of the building compares well with a dwelling already granted on this site it is considered that the effect of a building as proposed will not have a greater impact and should be granted, especially when the overall design of the dwelling will be considered in a further submission.

Drainage

This is a matter that has been raised by the objectors in so far as there is concern that the proposed development will change the natural drainage of the site which may result in affecting neighbouring properties. The application was supported by a drainage report that indicated that the site was not suitable for a sustainable drainage scheme, therefore it has to be drained to the nearest watercourse, but will need to be attained and discharge at no greater than Greenfield runoff. No further detail can be submitted until the reserved matters stage, if outline planning permission is granted.

Access Road Closure and Unadopted

One representation raises this issue as an objection in that the estate road is apparently closed due for health and safety reasons. The objector does not go into any details as to the reasons for this, and furthermore, it appears that there is no physical barriers to prevent access to the proposed site. The existing occupiers of the other eight dwellings on this estate are able to physically access their properties via the estate road and there does not appear to be any planning reasons that the current proposed dwelling can be accessed in the same way. The Authority is aware that there has been an alleged dispute on this site between various parties, however, that is a matter that the Council cannot become involved. Furthermore, when determining a planning application the Council as Local Planning Authority cannot consider the fact that the estate road is un-adopted as that is determined by other legislation.

CONCLUSION

Clearly the site is within the recognised settlement limits of Meidrim and forms part of a housing allocation as defined in the adopted Carmarthenshire Local Development Plan. The scale parameters of the proposed dwelling is considered reasonable especially when looking at previous decisions on this plot, and therefore is acceptable within the context of the provisions of Policy GP1 of the Carmarthenshire Local Development Plan.

Therefore, whilst there are some local concerns regarding the proposals, it is considered as compatible and meets the main policy criteria from the adopted Carmarthenshire Local Development Plan. It generally provides a sustainable residential opportunity for Meidrim. As such the application is put forward with a recommendation for outline approval subject to the imposition of the following appropriate conditions.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The permission now granted is outline permission only, within the meaning of the Town and Country Planning (General Development Procedure) Order 1995.
- 2 Application for approval of reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development must be commenced not later than whichever is the later of the following:-

- (a) the expiration of five years from the date of this outline planning permission.
 - (b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.
- 3 The permission now granted relates to the land defined by the 1:1250 & 1:500 scale Location and Block Plan, drawing number C/4399/1, received on 26th April 2018.
 - 4 Development shall not commence until detailed plans of the layout, appearance, scale and landscaping have been submitted, and received the written approval of the Local Planning Authority.
 - 5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping for the entire site which shall include details of the retention of existing trees and hedgerows, a full survey of all existing trees and hedgerows on the land, together with measures for their protection to BS5837 standard during the course of the development, and thereafter shall be retained in perpetuity.
 - 6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the commencement of the development and any trees or plants which within a period of 5 years from the commencement of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variations and thereafter shall be retained in perpetuity.
 - 7 Prior to the commencement of development the written approval of the Local Planning Authority shall be obtained for a scheme of parking within the curtilage of the site, and this shall be dedicated to serve the proposal. The approved scheme is to be fully implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity.
 - 8 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 Estate Road. This work shall be completed to the written approval of the Local Planning Authority and to the specification of the Local Highway Authority.
 - 9 The reserved matters to be the subject of approval under condition no. 4 above shall include full details of the existing and proposed levels of the whole site, including cross-sections through the site.
 - 10 The reserved matters to be the subject of approval under condition no. 4 above shall include the design, height and materials of construction of all boundary and forecourt wall and fences. Thereafter the development shall be carried out in accordance with the approved details.

REASONS

- 1+2 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 3 In the interest of clarity as to the extent of the permission.
- 4-6 In the interest of visual amenities.
- 7+8 In the interests of highway safety.
- 9 In the interest of clarity as to the relationship of the development to the site.
- 10 In the interest of visual amenity.

REASONS FOR GRANTING PLANNING PERMISSION

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

- The proposal complies with Policies H1 and GP1 of the adopted Carmarthenshire Local Development Plan (CLDP) (adopted December 2014) in that the application site is located within the defined development limits for Meidrim and is within an area that is allocated for residential development. The scale parameters suggest a building that will be compatible with the surrounding development.

NOTES

- 1 The applicant is advised that this planning permission is subject to the applicant/developer first entering into a Section 106 Agreement/Unilateral Undertaking for the provision of a financial contribution towards affordable housing.
- 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).
- 4 The developer's attention is particularly drawn to the advice given in the County's Head of Highways and Transport's response in relation to surface water disposal, adoption and parking standards.