

Application No	W/35898
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Application Type	Full Planning
Proposal & Location	CONSTRUCTION OF COMMERCIAL GARAGE/WORKSHOP FOR SARNAU MOTORS AT FIELD ADJ HAFOD BAKERY, LLYSONNEN ROAD, BANCYFELIN, CARMARTHEN

Applicant(s)	MRS MAIR JONES, LLYS Y COED, LLYSONNEN ROAD, BANCYFELIN, CARMARTHEN, SA33 5DZ
Agent	HAROLD METCALFE PARTNERSHIP - CERI EVANS, 32 SPILMAN ST, CARMARTHEN, SA31 1LQ
Case Officer	Helen Rice
Ward	Cynwyl Elfed
Date of validation	27/07/2017

CONSULTATIONS

Head of Transport – recommends that the planning permission be refused on grounds that:

- It appears impracticable to construct an access within the curtilage of the site which would provide sufficient visibility for vehicles emerging onto the county road
- The proposed access is located on a section of highway where forward visibility is substandard.
- The proposed development would lead to increased pedestrian movements along a section of road with no pedestrian facilities.
- The proposed development is contrary to Carmarthenshire Local Development Plan Policy TR3 (a, b and e).

**** Note: HoT has verbally indicated that the recently received amended plans are now acceptable – written confirmation/conditions awaited – final report to be updated accordingly ****

Head of Public Protection, Social Care and Housing – No objections subject to the imposition of conditions relating to noise levels and the monitoring of noise levels from the site.

Merthyr and Newchurch Community Council – No comments received.

Local Member – Cllr. I Jones has requested that the application be called in for consideration by the Planning Committee on grounds that this form of development is invaluable for rural areas.

Neighbours/Public – The application was publicised by way of a site notice with no representations having been received in response.

RELEVANT PLANNING HISTORY

W/35389 Construction of garage / workshop
 for Sarnau Motors (commerical business)
 Withdrawn

18 July 2017

APPRAISAL

THE SITE

The application site is located off the Llysonnen Road (C2081) which links the settlement of Bancyfelin to the east with the A40 junction to the west. This section of the Llysonnen Road runs parallel with the A40 dual carriageway which is located a field's width to the south of the application site. The site is immediately east of the Hafod Bakery building and forms part of a wider agricultural field. The site is therefore currently laid to grass with a strong hedgerow frontage onto the C2081. The application site land level is elevated in comparison to the road and the neighbouring site at Hafod Bakery, with hedgerow and mature trees forming the boundary of the site with the adjoining Hafod Bakery site. The wider field is currently accessed via an agricultural field gate approximately 100m to the east of the application site.

THE PROPOSAL

The proposal seeks planning permission for the erection of a new garage/workshop building, parking area and creation of a new access onto the C2081. The new garage workshop building would have an eaves height of 6m with a ridge height of 7.5m, and measure 14m in length and 10.2m in width, along with an adjacent covered car wash area. The building would accommodate three service bays, a kitchen and WC on the ground floor with a small mezzanine area above providing space for an office. The building would be finished in plastic coated profile metal sheets in either green or grey, with roller shutter doors providing access to the service bays, the only window would serve the WC on the ground floor. The elevation fronting the road would be the rear of the building, with the service bay area fronting the proposed car parking area and remaining agricultural field beyond. The plans indicates the provision of 7 parking spaces. The new access will necessitate the removal of a section of hedgerow with the required visibility splays necessitating the translocation of the part of the hedgerow behind the splay.

The applicant has provided a statement in support of the application which states that the intended business for the new building, Sarnau Motors is currently operated by a sole trader having been established in 2006. The current business is a mobile repair service that is stated to be at full capacity with repairs undertaken 6 days a week with an average waiting list of 2 weeks. The business wishes to develop a permanent base with the chosen location being on land within the ownership of the applicant's family and is stated

as being at the heart of the main existing customer base, with 85% of Sarnau Motor's customer base located within a 5 mile radius of Bancyfelin. The statement specifies that a search for suitable premises within the St Clears/Bancyfelin/Carmarthen areas since 2014 has not identified any suitable premises for the business. The submitted application indicates that the proposal would result in the creation of an additional 1 full time job and would be open weekdays between 8am to 6pm and Saturdays 8am to 1pm.

PLANNING POLICY

This application has been considered against relevant policies of the Carmarthenshire Local Development Plan (Adopted December 2014) ("the LDP") and other relevant Welsh Government Guidance. The application site is not located within a designated settlement and is therefore classed as countryside in the LDP. The relevant policies are:-

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

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

Policy EMP2 New Employment Proposals clarifies that new developments for employment purposes will be permitted within, adjacent or directly related to defined settlements subject to meet with specific criteria. In particular, the policy requires applicants to undertake a sequential search to identify whether there is any existing or allocated employment land available for the use, followed by an assessment of any suitable land or building within an existing settlement, then adjacent to such settlement and finally on areas directly related to a recognised settlement. This sequential approach must be addressed before allowing new employment development with the overall objective being to seek to maximise the use of existing/allocated land within settlements in the interests of sustainability. Provided that this sequential approach is duly addressed the proposal must also be of an appropriate scale and from that would not be detrimental to the character and appearances of the area and is compatible with its location and with neighbouring uses.

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

Policy TR3 Highways in Developments – Design Considerations relates to the highway design and layout considerations of developments and states that proposals which do not generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted.

Policy EQ5 Corridors, Networks and Features of Distinctiveness seeks to ensure that

existing ecological networks, including wildlife corridor networks are retained and appropriately managed.

Other Welsh Government Guidance of relevance include:

Planning Policy Wales (9th Edition) November 2016 which recognises the need for new employment opportunities within rural locations, but specifies that such developments would generally be located within or adjacent to defined settlement boundaries, preferably where public transport provision is established. However, PPW also recognise that some industries may have specific land requirements which cannot be accommodated within settlements. PPW advise that the absence of allocated employment sites should not prevent authorities from accommodating appropriate small-scale rural enterprises in or adjoining small rural settlements. The expansion of existing businesses located in the open countryside should be supported provided there are no unacceptable impacts on local amenity (paragraph 7.3.2).

The above advice is further echoed in Technical Advice Note 6 (TAN 6) – Planning for Sustainable Rural Communities (2010) which specifies that new development should be located within or adjacent to settlements. Similarly, Technical Advice Note 23 (TAN) 23: Economic Development (2014) places a requirement on authorities to apply the sequential approach when considering applications for new employment developments. This approach echoes the central object of the planning system to steer development to the most appropriate sustainable locations. TAN23 calls for authorities to assess the benefits of the development at the application site against those of meeting demand in a sequentially preferable location. It specifies that development on land not allocated in the development plan should only be permitted in exceptional circumstances and must be fully justified.

CONSIDERATION OF THE PROPOSAL

The key considerations relating to this case have been determined as whether the principle of the development is considered acceptable in light of the national and local planning policy background, the impact of the development on the character and appearance of the area and highway safety impacts.

Principle of Development

The application site is located within the countryside approximately 2km (1.2miles) north east of Bancyfelin and 5km (3miles) west of Carmarthen, and adjacent to an existing commercial business known as Hafod Bakery. The site is not considered to be adjacent to an existing settlement, and by reason of its distance from both Bancyfelin and Carmarthen is not considered to be directly related to these settlements and is therefore located within the countryside.

Policy EM2 echoes advice set out in National policy and specifies the need to undertake a sequential approach to site selection when assessing applications for new employment developments. In particular the policy requires a sequential search to identify that there is no allocation or existing employment sites available for the development. This should then be followed by an assessment of suitable land or buildings within development limits, then adjacent to them and finally directly related to a settlement. The policy does not go on to enable consideration of locations within the countryside, distant from any defined

settlements. As such, in principle, the development is contrary to Policy EM2 of the Local Development Plan.

The submitted information indicates that searches have been undertaken for existing commercial sites within existing settlements (Carmarthen/Bancyfelin/St Clears) in 2014 and that no suitable sites were found. The information submitted to support this claim includes lists of properties for rent, all of which have been discounted. Whilst a number of the properties would be unsuitable in that a number are offices within existing towns, other industrial units have been discounted on various grounds including, that planning permission would be required for the change of use into a B2 use, the units are too large and the internal layout was not suitable. The only detail provided with the application relates to one search undertaken in December 2014. No information about more recent searches has been provided.

No information has been provided to confirm whether or not sites allocated for employment purposes in the LDP were reviewed. In particular, there are specific land allocations for employment purposes in both St Clears (allocation T2/5/E2) and in Carmarthen, at Cillefwr Industrial Estate (allocation GA1/E1) that would be suitable for a B2 use. However, no such information as to whether these areas were looked into has been provided. As such, only existing sites have been reviewed with no information to confirm whether other sites within settlements or land directly related to settlements having been assessed. It appears therefore that once the existing sites identified in 2014 were discounted, the applicant considered that this was sufficient to justify a countryside location. It also appears that the principal reason for locating the building in this location is that it is on land within the ownership of the applicant. This approach does not reflect the sequential approach guidance set by both National and Local policy and as such, it is considered that insufficient justification has been provided to demonstrate that the application site is the most suitable location for the development.

The overall aim of the policy is to try and direct development to the most sustainable location. This location is distant from any settlement and therefore everyone using the business, especially given its nature, would have to specifically travel by vehicle to the destination. There are no bus stops in the vicinity. Whereas if the business were located in a location within an existing settlement, the journey could be made as part of a wider journey (i.e. dropping the car off and then proceeding to home/work/shopping on foot/public transport) and thus would not generally result in a significant increase in traffic movements. Whilst the applicant has confirmed that many of its clients currently pass the site on a daily basis, there is no facility for them to subsequently proceed with their journeys whilst their vehicles are being repaired. In all therefore, this site is not considered to represent a sustainable location for the development, especially having regard to the nature of the use.

Evidently, the proposal would result in the creation of an additional 1 full time job in the area, which is a material consideration to balance against the above policy objection. TAN23 requires local planning authorities to assess the economic benefit associated with determining planning applications for economic development. Where a planning authority is considering an application that could cause harm to social and environmental objectives, which this case does, the TAN proposes an approach where three questions that should be asked.

- Are there alternative sites for the proposal?
- How many direct jobs will result from the proposal?

- And would such a development make a special contribution to policy objectives?

Having regard to the above questions, it is considered that insufficient information has been provided to fully demonstrate that there is no alternative site for the proposal. There are allocated employment land areas within both St Clears and Cillefwr Industrial Estate with land available subject to obtaining planning permission. The nature of the intended use would be an acceptable form of development within these areas and in particular offer a more sustainable site location than the current site.

The proposal would, according to the application form, result in an additional 1 full time post to make a total of 2 full time jobs. Whilst an addition of a single job is welcomed, it is considered that the amount generated is not considered of such a degree to amount to a material consideration that would overcome the policy objection set out above.

Whilst it is noted that the local Councillor has stated the need to generate employment growth in rural areas, it is not considered that positioning this type of development in this location would make a particular special contribution towards policy objectives.

In summary therefore, it is not considered that sufficient information has been submitted to demonstrate that there is no other suitable alternative location for the development proposed to satisfy the sequential approach to site selection. The overall objective of the sequential site selection process is to seek to concentrate developments in the most sustainable locations. The application site, is located within the countryside, and whilst on a relatively busy road, does not have any pedestrian access or public transport linkages and thus is classed as unsustainable. Whilst the proposal would generate 1 additional full time job, it is not considered that this alone is sufficient to overcome the policy objection.

Impact upon character and appearance of the area

The application site includes part of an existing agricultural field that lies adjacent to the Hafod Bakery site. The proposal would necessitate the creation of an access that would result in puncturing the existing strong hedgerow along the field's boundary with the adjacent highway as well as translocation of part of the hedgerow behind the required visibility splays and erection of the building and car parking area behind. Whilst the form of the development would appear similar to other agricultural buildings which are synonymous within the countryside, it would not be viewed within the context of an existing agricultural enterprise and would rather appear as an incongruous industrial unit in the countryside.

Highway safety

The Highway Authority has confirmed that they would object to the development on grounds of insufficient visibility both in terms of access and forward visibility, lack of pedestrian linkages and the unsustainable location. In terms of access visibility, the applicant has since confirmed that they have control over the length of the splay required in a westerly direction and it appears that the required splay could be achieved subject to hedgerow translocation. However, this does not overcome the concerns raised from a forward visibility perspective in that it remains to be the case that there is insufficient visible distance for vehicles using the road to stop should a vehicle come out of the access. This is exacerbated by the geometry and topography of the road. This in itself would create a danger to users of the highway detriment to highway safety and thus does not comply with the requirements of policy TR3 of the LDP.

**** Note: HoT has verbally indicated that the recently received amended plans are now acceptable – written confirmation/conditions awaited – final report to be updated accordingly ****

CONCLUSION

After careful consideration of the scheme as submitted it is considered that insufficient information has been submitted to demonstrate that the necessary sequential approach to site selection has been exhausted to the extent that this site is the only available site for the proposed development. The development would result in the creation of a new business use in an unsustainable countryside location with no public transport or pedestrian linkages contrary to both national and local planning policies. It is not considered that the creation of 1 additional job presents a sufficient material consideration that would outweigh the clear policy objection to the development. Furthermore, the proposal does not demonstrate sufficient visibility for users of the road to the detriment of highway safety. The application is therefore recommended for refusal on the following grounds.

RECOMMENDATION – REFUSAL

REASONS

- 1 The proposal is contrary to SP1 Sustainable Places and Spaces of the Carmarthenshire Local Development Plan :-

SP1 Sustainable Places and Spaces

Proposals for development will be supported where they reflect sustainable development and design principles by:

- a. Distributing development to sustainable locations in accordance with the settlement framework, supporting the roles and functions of the identified settlements;
- b. Promoting, where appropriate, the efficient use of land including previously developed sites;
- c. Integrating with the local community, taking account of character and amenity as well as cultural and linguistic considerations;
- d. Respecting, reflecting and, wherever possible, enhancing local character and distinctiveness;
- e. Creating safe, attractive and accessible environments which contribute to people's health and wellbeing and adhere to urban design best practice;
- f. Promoting active transport infrastructure and safe and convenient sustainable access particularly through walking and cycling;
- g. Utilising sustainable construction methods where feasible;
- h. Improving social and economic wellbeing;
- i. Protect and enhance the area's biodiversity value and where appropriate, seek to integrate nature conservation into new development.

In that:

The proposal does not distribute development to a suitable location and is contrary to the settlement framework. The application has failed to demonstrate there is a justifiable need for the development in this location or that it could not be located in a more sustainable and suitable location. The site is located outside of, and is not directly related to the development limits of a recognised settlement.

- 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 application has failed to demonstrate that there is a justifiable need for the proposal in the location indicated or that it could not be located in a more sustainable and suitable location. The development would result in the addition of an incongruous industrial style building in the countryside that would not conform with or enhance the character of the area and fails to protect or enhance the landscape

- 3 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:

The site is located outside of, and is not directly related to the development limits of a recognised settlement and is therefore within the countryside. The application has failed to demonstrate there is a justifiable need for the proposal in this location or that it could not be located in a more sustainable and suitable location. The sequential search undertaken is not considered adequate and has not provided sufficient justification for the proposed location. It has failed to show that the development could not be reasonably accommodated in other more suitable and sustainable locations. The development would result in the addition of an incongruous industrial style building in the countryside that would not conform with or enhance the character of the area and fails to protect or enhance the landscape.

- 4 The proposal would be in conflict with the advice set out in (paragraph 7.3.2) of Planning Policy Wales (Edition 9) November 2016 which states:

While some employment can be created in rural locations by the re-use of existing buildings, new development will be required in many areas. New development sites are likely to be small and, with the exception of farm diversification and agricultural development to which separate criteria apply, should generally be located within or adjacent to defined settlement boundaries, preferably where public transport provision is established. However, some industries may have specific land requirements which cannot be accommodated within settlements. The absence of allocated employment sites should not prevent authorities from accommodating appropriate small-scale rural enterprises in or adjoining small rural settlements. The

expansion of existing businesses located in the open countryside should be supported provided there are no unacceptable impacts on local amenity

In that:

The site is located outside of, and is not directly related to any development limits of a recognised settlement and is therefore in the countryside. The application has failed to demonstrate there is a justifiable need for the proposal in this location or that it could not be located in a more sustainable and suitable location. The sequential search is not considered adequate and has not provided sufficient justification. It is not considered that the development has specific land requirements to justify this location. The economic benefits of the proposal would not outweigh the policy objection to the development.