

<b>Application No</b>	<b>W/37484</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CONSTRUCTION OF ONE DWELLING FOR OWNERS AND OPERATORS OF ADJ GOLF COURSE; TOGETHER WITH CONSTRUCTION OF GOLF COURSE STORE FOR GOLF COURSE MAINTENANCE MACHINERY AT DERLLYS COURT GOLF CLUB, LLYSONNEN ROAD, BANCYFELIN, CARMARTHEN, SA33 5DT

<b>Applicant(s)</b>	MR ROBERT WALTERS, DERLLYS COURT GOLF CLUB, LLYSONNEN ROAD, BANCYFELIN, CARMARTHEN, SA33 5DT
<b>Agent</b>	HAROLD METCALFE PARTNERSHIP - CERI EVANS, 32 SPILMAN ST, CARMARTHEN, SA31 1LQ
<b>Case Officer</b>	Stephen Thomas
<b>Ward</b>	Cynwyl Elfed
<b>Date of validation</b>	04/07/2018

## CONSULTATIONS

**Head of Highways and Transport** – Recommendation that any planning permission that may be granted should include conditions on access specifications.

**Newchurch & Merthyr Community Council** – No observations received to date.

**Local Member** - County Councillor Irfon Jones has requested that the application be presented to the Planning Committee due to the personal circumstances of the family

**Neighbours/ Public** – The application has been publicized by the posting of a public notice at the highway access to the application site. No representations received to date.

## RELEVANT PLANNING HISTORY

There is no relevant planning history on the application site.

## APPRAISAL

### THE SITE

The application site is located in the open countryside to the south east of the existing farm complex known as Derllys Court, located between Bancyfelin to the west and Carmarthen to the east. The site is in the western side of a field located between the farm complex and an existing 18 hole golf course on undulating land and is accessed via a no through unclassified road from the Meidrim road to the south and immediately to the north of the farm becomes a 'green lane' which continues on to Merthyr. The site is surrounded by farm land that is farmed by the occupiers of Derllys Court and the golf course that is operated by the applicant and his family. The highway runs along the site's whole western boundary.

The application site measures 59 metres in a north – south direction by 33 metres in an east – west direction.

## **THE PROPOSAL**

The application seeks full planning permission for the construction of a single dwelling on the application site, together with a purpose built building for the purpose of storage and maintenance of machinery used on the maintenance of the golf course. The proposed dwelling is to have two floors with the first floor partially within the roof and is intended to have four bedrooms. The dwelling is intended to be finished in painted render to the walls under a natural slate roof. The dwelling is to have a 'T' shape with a two storey porch structure to the principal elevation, together with a dormer window either side at first floor level.

Furthermore, it is intended to construct a steel portal framed building for the use of storage and maintenance of machines used in the maintenance of the golf course. The building is to be clad in a box profile steel cladding to both the roof and the walls. The building will have a low pitched saddle roof with its ridge running west to east. The building is to be 8 metres west to east and 9 metres north to south. It is to have a large roller shutter door in the north western corner.

The proposed dwelling is to be located in the northern portion of the application site with the machinery shed in the southern portion, with the site access located between the two proposed structures.

## **PLANNING POLICY**

The application site, as previously mentioned, is located in open countryside and therefore there is a general presumption against new dwellings in such locations, unless exceptional circumstances can be demonstrated. Such exceptional circumstances usually include providing accommodation for rural enterprise workers e.g. agriculture or forestry as well as those to meet genuine local needs at a location within hamlets or a group of dwellings.

There are no specific relevant policies within the adopted County Local Development Plan that deal with dwellings in open countryside locations, however, in order to allow discussions over the merits of this case the following policies of the Carmarthenshire Local Development Plan are considered relevant to the proposal as well as those other relevant Welsh Government Guidance.

**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 GP1 – Sustainability and High Quality Design** 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.

Other Welsh Government Guidance of relevance include:

Planning Policy Wales (9th Edition) November 2016 (PPW) Technical Advice Note 6 (TAN 6) – Planning for Sustainable Rural Communities (2010)  
Technical Advice Note 12 (TAN 12: Design (2014)

## **APPRAISAL**

The key considerations of relevance to this case are whether the proposal complies with the requirements of Planning Policy Wales (PPW) (9th edition) and Technical Advice Note 6: Planning for Sustainable Rural Communities (TAN6), in terms of dwellings in open countryside, outside the defined development limits of any recognized settlements and its impact upon the character and appearance of the area.

In terms of PPW new houses in the countryside, away from existing settlements or from areas allocated for development must be strictly controlled in order to safeguard the character and appearance of the countryside, to reduce the need to travel by car and to economise on the provision of services. Specifically paragraph 9.2.22 states:

“In planning for housing in rural areas it is important to recognize that development in the countryside should embody sustainability principles, benefitting the rural economy and local communities while maintaining and enhancing the environment. There should be a choice of housing, recognizing the housing needs of all, including those in need of affordable or special needs provision. In order to safeguard the character and appearance of the countryside, to reduce the need to travel by car and to economise on the provision of services, new houses in the countryside, away from existing settlements recognized in development plans or from other areas allocated for development, must be strictly controlled.....”

Furthermore, paragraph 9.3.6 of PPW also discusses that new housing in the open countryside should be strictly controlled and under what exceptional circumstances rural dwellings may be considered. It states:

“New House building and other new development in the open countryside, away from established settlements, should be strictly controlled. The fact that a single house on a particular site would be obtrusive is not, by itself, a good argument in favour of permission; such permissions could be granted too often, to the overall detriment of the character of an area. Isolated new houses in the open countryside require special justification, for

example where they are essential to enable rural enterprise workers to live at or close to their place of work in the absence of nearby accommodation. All applications for new rural enterprise dwellings should be carefully examined to ensure that there is a genuine need. It will be important to establish whether the rural enterprise is operating as a business and will continue to operate for a reasonable length of time. New rural enterprise dwellings should be located within or adjoining the existing farm/business complex or access....”

TAN6 further reinforces these principles where it states in paragraph 4.3.1:

“One of the few circumstances in which new isolated residential development in the open countryside may be justified is when accommodation is required to enable rural enterprise workers to live at, or close to, their place of work. Whether this is essential in any particular case will depend on the needs of the rural enterprise concerned and not on the personal preference or circumstances of any individuals involved. Applications for planning permission for new rural enterprise dwellings should be carefully assessed by the planning authority to ensure that a departure from the usual policy of restricting development in the open countryside can be fully justified by reference to robust supporting evidence.”

The application site is located in an open countryside location, well outside the defined development limits of any recognized settlement. Therefore, the policy is to strictly control the construction of new dwellings in such a location, unless there are exceptional circumstances, well supported by robust evidence that stands up to scrutiny. In this case the only justification given is that the proposed dwelling is required by the applicant and his family to enable them to continue to run the adjacent golf course. The applicant and his family currently reside with his elderly and frail mother in Derllys Court farmhouse. Due to the proximity of the current farmhouse to the golf course and its club house it is considered that there is no justification for a further dwelling on the application site. Furthermore, the applicant states within the statement of justification that the golf course has successfully grown to have a membership well over 400 and six people are employed at the golf course at present and that an operating base to store and maintain machinery and a place to live is essential to carry on the business. Golf machinery needs to be stored on site and for security and administrative reasons the family need to live adjacent, on land which adjoins the golf course.

The remaining part of the justification are personal reasons that relate to a time after the elderly mother, in that the applicant and his brother will be forced to sell the farm and that this will result in the applicant and his family without a house nor the use of the farm outbuildings. Currently, the applicant and his family still reside within the farmhouse, therefore, under current circumstances there is no justification for the additional dwelling on the holding.

An alternative scenario may be available for the applicant, which is not mentioned in the justification, in that the conversion of outbuildings at Derllys Court farm complex could be considered under Policy H5 of the Carmarthenshire Local Development Plan. Although this option has not been considered in the submitted justification it is something that has been raised in previous advice given by the Planning Service. This option would also require justification and supporting information, but may be considered more favourably, depending on the nature of the buildings and the works proposed to them. The applicant at that time indicated a preference to keep those buildings as part of Derllys Court, however, in planning no weight can be given to personal preference to justify development, as set out in Welsh Government guidance.

Finally, the other alternative is the golf club house, which it is understood has two units of accommodation, which may be considered for residential purposes following the submission of an alternative application for planning permission, supported by robust evidence. However, this has also not been considered in the justification submitted with the current application. Again, this issue was raised in the previous advice given earlier, but the applicant stated that the preference was for a new dwelling.

For the above considered reasons the proposed dwelling should not be supported and the recommendation is that the application be refused.

Turning to the proposed storage/maintenance building similar planning policy guidance applies due to its location in open countryside. The applicant has indicated that there is the need for machinery to maintain the golf course and that there is a need for alternative arrangements in the event of Derllys Court farm being sold. As in the case with the proposed dwelling there is no current justification for an alternative building as the status quo allows for the use of a building on the farm complex and therefore the proposal falls foul of planning policy, particularly that of Policy EMP3 of the adopted LDP and PPW. If the dwelling is refused there will be no justification for the store and maintenance building to be constructed at the location proposed. It is therefore considered that this should not be supported and the application refused.

### **THIRD PARTY REPRESENTATIONS**

In this case there are no issues of objection that have been raised by third parties in respect of the planning application.

### **CONCLUSION**

Therefore, having carefully considered the application as submitted, the proposed dwelling, by reason of its remote location, fundamentally conflicts with the advice set out in PPW and insufficient justification has been provided to permit the dwelling as an exception to these policies. Furthermore, it is considered that the proposed storage and maintenance building conflicts with Policy EMP3 of the LDP due to its proposed location and insufficient justification. The proposal therefore also conflicts with the advice set out in PPW, which requires robust evidence in support of such a proposal.

It is not considered in this instance that material planning considerations outweigh these concerns and therefore it is recommended that the application be refused for the following reasons.

## **RECOMMENDATION – REFUSAL**

### **REASONS**

- 1 The proposal is contrary to paragraph 9.2.22 of Planning Policy Wales (Edition 9, November 2016) which states:-

**9.2.22 In planning for housing in rural areas it is important to recognise that development in the countryside should embody sustainability principles,**

**benefiting the rural economy and local communities while maintaining and enhancing the environment. There should be a choice of housing, recognising the housing needs of all, including those in need of affordable or special needs provision. In order to safeguard the character and appearance of the countryside, to reduce the need to travel by car and to economise on the provision of services, new houses in the countryside, away from existing settlements recognised in development plans or from other areas allocated for development, must be strictly controlled. Many parts of the countryside have isolated groups of dwellings. Sensitive filling in of small gaps, or minor extensions to such groups, in particular for affordable housing to meet local need, may be acceptable, but much depends upon the character of the surroundings, the pattern of development in the area and the accessibility to main towns and villages.**

In that the development site is located in open countryside where new house building should be strictly controlled. Insufficient justification has been provided to support the case for a dwelling in such a location. Therefore, the proposal would represent a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.

- 2 The proposal is contrary to paragraphs 9.3.6 of Planning Policy Wales (9<sup>th</sup> edition, November 2016) which state:-

**9.3.6 New house building and other new development in the open countryside, away from established settlements, should be strictly controlled. The fact that a single house on a particular site would be unobtrusive is not, by itself, a good argument in favour of permission; such permissions could be granted too often, to the overall detriment of the character of an area. Isolated new houses in the open countryside require special justification, for example where they are essential to enable rural enterprise workers to live at or close to their place of work in the absence of nearby accommodation. All applications for new rural enterprise dwellings<sup>19</sup> should be carefully examined to ensure that there is a genuine need. It will be important to establish whether the rural enterprise is operating as a business and will continue to operate for a reasonable length of time. New rural enterprise dwellings should be located within or adjoining the existing farm/business complex or access. Local planning authorities should follow the guidance in TAN 6 with regard to the requirements for rural enterprise dwelling appraisals.**

In that the development site is not located within a settlement and therefore in the open countryside where new house building should be strictly controlled. Insufficient justification has been provided to support the case for a dwelling in such a location. Therefore, the proposal would represent a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.

- 3 The proposal is contrary to paragraph 4.3.1 of Planning Policy Wales Technical Advice Note 6: Planning for Sustainable Rural Communities, which states:

**4.3.1 One of the few circumstances in which new isolated residential development in the open countryside may be justified is when accommodation is required to enable rural enterprise workers to live at, or**

close to, their place of work. Whether this is essential in any particular case will depend on the needs of the rural enterprise concerned and not on the personal preference or circumstances of any of the individuals involved. Applications for planning permission for new rural enterprise dwellings should be carefully assessed by the planning authority to ensure that a departure from the usual policy of restricting development in the open countryside can be fully justified by reference to robust supporting evidence.

In that the development site is located in the open countryside where new house building is strictly controlled. Insufficient evidence has accompanied the application justify a dwelling in such a location. Therefore, the proposal represents a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.

- 4 The proposal is contrary to Policy EMP3 of the Carmarthenshire Local Development Plan, which states:

**Policy EMP3 Employment – Extensions and Intensification**

**Proposals for extensions and/or intensification of existing employment enterprises will be permitted provided that:**

- a. The development proposals are not likely to cause environmental damage or prejudice other redevelopment proposals;
- b. The proposal does not extend and/or intensify a use or activity that might result in adverse amenity issues, or may not be compatible, with neighbouring uses;
- c. The development proposals are of an appropriate scale and form compatible with its location;

**Proposals for the expansion of existing rural enterprises will be supported subject to the above provisions and the policies and proposals of this Plan.**

In that the development site is located in the open countryside where generally new buildings are strictly controlled. It is considered that the proposed dwelling is unjustified in its proposed location, the proposed storage/maintenance building is unjustified in the same location. It will also represent a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.