

|                       |                |
|-----------------------|----------------|
| <b>Application No</b> | <b>W/36131</b> |
|-----------------------|----------------|

|                                |  |
|--------------------------------|--|
| <b>Application Type</b>        | Full Planning  |
| <b>Proposal &amp; Location</b> | PROPOSED PARTIAL CHANGE OF USE OF SMALL AREA WITHIN TIMBER FRAME FACTORY / WORKSHOP FOR USE AS A FITNESS GYM & SPINNING SPACE (TO LET). CHANGE OF USE OF PART OF ADJACENT FIELD AS DEDICATED PARKING AREA FOR THE PROPOSED GYM AND SPIN USE AT WORKSHOP, BWLCH Y DOMEN ISAF, PANT Y BWLCH, NEWCASTLE EMLYN, SA38 9JF |

|                           |  |
|---------------------------|--|
| <b>Applicant(s)</b>       | CARTREFFOSARON HOMES LTD, BWLCH Y DOMEN ISAF, PANTYBWLCH, NEWCASTLE EMLYN, SA38 9JF                      |
| <b>Agent</b>              | CASTLE ARCH DESIGNS LTD - MR MATT EDWARDS, BANK HOUSE, 9 BRIDGE STREET, NEWCASTLE EMLYN, CARMS, SA38 9DX |
| <b>Case Officer</b>       | David Roberts  |
| <b>Ward</b>               | Llangelor  |
| <b>Date of validation</b> | 18/09/2017   |

## CONSULTATIONS

**Head of Highways & Transport** – Recommending refusal on the grounds that the proposal is contrary to Policy TR2 of the Local Development Plan.

**Head of Public Health and Public Protection** – Recommends that conditions be included on any planning permission granted controlling the operating hours and noise emanating from the premises .

**Llangelor Community Council** – Has requested that Planning Committee visit the site to consider the issues.

**Local Member** - County Councillor Ken Howell has requested that because of potential concerns regarding noise pollution and the effect on neighbouring properties the application should be determined by Planning Committee.

**Land Drainage** – Has requested additional information on the proposed car park including design and drainage details.

**Public Rights Of Way**- Advises applicant to contact the Countryside Section if the adjacent Public Right of way is to be impacted upon during development.

**Dyfed Archaeological Trust**- Has recommended that the application be referred to CADW and conditions included in any planning permission granted.

**CADW** – Considers that the proposed car park would have an adverse impact on the setting of the ancient monument and has suggested that the car park should either be relocated to the rear of the industrial unit or a comprehensive landscaping scheme introduced to screen the car park.

**Neighbours/ Public** – Four neighbouring properties have been consulted by letter on the application and site notices were also erected, to date one letter of objection has been received objecting to the proposal. The representation has raised objections on the following grounds:-

- the proposed car park would be located in open countryside and would create an eyesore;
- loss of agricultural land;
- highway safety concerns due to increased traffic, vehicular conflicts, traffic congestion and the inadequate single track private access road to accommodate the proposed development;
- loss of privacy;
- security concerns;
- additional noise pollution;
- additional light pollution;
- adverse effect on livestock(especially at lambing time);
- the proposed car park will cause surface water runoff into the adjacent small holding;
- the proposed gym would be located in an unsustainable location unrelated to any settlement and does not meet the requirements for pedestrians;
- the proposal is contrary to the key aims of LDP Policy TR2;
- the proposal is contrary to Paragraph 3.18 of Planning Policy Wales Technical Advice Note No 16 Sport, Recreation and Open Space.

## RELEVANT PLANNING HISTORY

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

|         |  |              |
|---------|--|--------------|
| W/34982 | Proposed partial change of use of small area within timber frame factory workshop for use as a fitness gym and spinning area<br>Refused                                      | 26 July 2017 |
| W/34981 | Proposed partial change of use of timber frame factory workshop into 5 separate storage units<br>Refused   | 26 July 2017 |
| W/08628 | Change of use of redundant agricultural building and ancillary areas to light industrial use including engineering works to form new access road<br>Full Planning permission | 25 May 2005  |

## **APPRAISAL**

### **THE SITE**

The application site comprises of a portal framed building and adjoining agricultural land to the north of the industrial building, the building is currently used as a factory/workshop for light industrial purposes in the manufacture of timber framed buildings and is situated in open countryside north of the B4333 at Bwlch Y Ddommen, a small grouping of rural buildings and dwellings between Hermon and Newcastle Emlyn.

The building which is subject of this application is located some 50 metres east of a scheduled ancient monument Tomen Castle Mound. The monument comprises the well preserved remains of a motte and bailey castle.

The site is accessed via a single track private road off the B4333 just off the junction with an unclassified county road.

### **THE PROPOSAL**

The application seeks full planning permission for a change of use of part of the building for a gym and an associated car parking area for customers. The application is a resubmission of a proposal that was previously refused planning permission, the current scheme under consideration has been amended and the proposed car parking area has been moved away from the rear of the building adjacent to residential properties to the side of the industrial unit in response to amenity objections previously raised by local residents in regard to the first application that was refused planning permission in July 2017.

The proposals seeks to convert part of the building for use as a fitness gym and spinning space and will occupy the north eastern section of the building and will cover an area of 158 square metres and include 2 separate gym and spinning areas, toilet and shower facilities and boiler room, the gym will have its own independent point of access for customers/trainers and a new door will be inserted in the northern side elevation of the building adjacent to the new proposed gym car park. Two double glazed patio doors are also proposed in the rear elevation of the building overlooking the existing rear car park and storage area to allow natural sunlight into each of the two fitness use spaces. It is indicated on the proposed plans that these sets of doors will be closed when the gym is in use and their function are solely for bringing in natural light to the gym areas and as an emergency means of escape. In regard to hours of opening, the gym would be open from 6.00am to 9.00pm weekdays and from 6.00am to 4.00pm on Saturdays, closed Sunday and bank holidays. The permitted hours of operation for the existing workshop are 7.00am to 7.00pm weekdays and 7.00am to 1.00pm Saturdays and at no time on Sunday and public holidays.

In relation to parking provision, the new car park for the gym to will be able to accommodate 35 vehicles and will cover an area of 1500 square metres, parking provision for the existing industrial unit will be separate from the proposed gym car park and will remain at the rear of the existing industrial unit where up to 35 vehicles can be accommodated. To prohibit gym customers from entering/turning and parking at the rear of the site and disturbing neighbouring residents it is indicated on the plans that a large security gate will be erected

and only vehicles associated with the timber frame business will be allowed access beyond this point.

The intended operator of the gym currently runs his business from the Jubilee Centre, Station Road, Newcastle Emlyn and offers formal activity based Spin/Palates/calisthenics classes as well as informal drop in sessions for his customers/clients and has a client base of around 214 customers who reside in the local area in and around Newcastle Emlyn. Class sizes are usually around 20 attendees.

The gym operator is looking to relocate from his current premises as there is no secure long term tenancy agreement in place, has limited internal floor space to allow for business expansion and there is no dedicated parking facilities for customers resulting in customers parking their vehicles along the local highway network causing traffic congestion and parking problems for vehicles using Station Road.

The gym operator has been actively searching for alternative premises in and around the Newcastle Emlyn for the last four years and has investigated 10 premises but has found that these prospective premises have either been too small, too costly to adapt or the rents/rates have been excessive making his business unviable.

## **PLANNING POLICY**

This application has been considered against relevant policies of the Carmarthenshire Local Development Plan (Adopted December 2014) ('the LDP').

The application site lies within open countryside and is situated approximately 3 miles in distance from Newcastle Emlyn and the following policies are of key relevance to the proposal:-

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 integrates with the community and reflect local character and distinctiveness whilst creating safe, attractive and accessible environments that promote active transport infrastructure.

Policy EMP3 Employment- Extensions and Intensifications seeks to facilitate the extension, expansion and intensification of existing enterprises provided there are no adverse effects on the environment or prejudice other redevelopment proposals and would not create adverse amenity issues for neighbouring uses and is of an appropriate scale and use that is compatible with its location.

Policy GP1 Sustainability and High Quality Design is an overarching policy that seeks to achieve sustainable and high quality developments throughout the County that respect the existing character and appearance of the area in terms of siting, appearance, scale, height, massing, detailing, landscaping, materials and the amenity of local residents.

Policy TR2 Location of Development- Transport Considerations relates to proposals which have the potential for significant trip generation and seeks to ensure that such proposals are located in a manner consistent with the local development plan's strategic objectives and settlement framework and is accessible to non-car modes of transport.

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 SP13 Protection and Enhancement of the Built and Historic Environment states that development proposals should preserve or enhance the built and historic environment of the County.

Policy SP14 Protection and Enhancement of the Natural Environment states that development should reflect the need to protect and wherever possible enhance the County's natural environment

### **THIRD PARTY REPRESENTATIONS**

One letter of objection has been received objecting to the proposed development on a number of grounds. The objector contends that the proposed new car park would lead to loss of agricultural land and would be a visual eyesore and constitute new development in the open countryside, this is noted but views of the new car park from neighbouring residential properties would be screened by the existing workshop and existing hedgerows from the adjacent residential properties. The new car park could be viewed from the Scheduled Ancient Monument. Cadw have also expressed concern that the new car park would have an adverse impact on the setting of the ancient monument, in that the use of the field as a car park would be clearly visible from the ancient monument. Parked cars can be very noticeable in the countryside due to their varying colours and is increased by movement. The view from the monument will only be slightly screened by the existing post and rail fence and therefore the monument will appear to be more enclosed by modern features than at present; however a comprehensive landscaping/hedge/tree planting scheme along the fence-line of the southern boundary of the proposed gym car park would screen this visual impact.

It is considered that the land proposed for the car park is not high quality agricultural land and is classified as moderate quality.

The objector has also raised highway safety concerns contending that the increased number of vehicles would lead to vehicular conflicts and the private road to the building is a single track lane that is inadequate to cater for the development. In response The Head of Highways and Transport has been consulted and has raised no adverse comments in regard to highway safety.

Objections have also been made on residential amenity grounds in that the proposal would lead to loss of privacy, increased noise and disturbance from the increased numbers of cars visiting the premises and sounds emanating from the gym and light pollution from car headlights visiting the gym in hours of darkness and increased security concerns.

With the relocation of the gym car park away from adjacent garden curtilages at the rear of the building, there would be no issues of overlooking into garden areas by gym customers as the car park would be located 73 metres away from the closest residential curtilage. The entrance to the gym would also not be visible from neighbouring residential properties.

In relation to increased noise and disturbance the Public Protection Division have raised no adverse comments in regard to noise but have recommended that a number of noise related planning conditions be included in any planning permission granted including restricting the hours of opening and controlling the possible noise levels emanating from the premises.

In relation to increased light pollution, it is considered that the existing building will screen the impact of light emanating from car head lights of gym customers also the introduction of a solid gate at the access point to the rear of the workshop would further reduce the impact of car headlights on neighbouring residential properties.

In relation to increased security concerns, it is considered that the introduction of a secure gate to prohibit access to the rear of the workshop will improve security for both the existing workshop and adjoining residents.

The objector also claims that the proposal would have an adverse impact on their livestock especially during the lambing season however this is not considered to be material land use planning consideration.

It is also contended that the proposed car park will cause surface water runoff into the adjacent small holding, no adverse comments have been received from The council's Land Drainage Team but have requested that surface water drainage details for the car park be submitted for assessment, this information was requested from the agent but has yet to be provided.

The objector also considers that the proposal is contrary to local development plan and national planning policy guidance in that the proposal would be located in the open countryside, in an unsustainable location and is inaccessible to non- car modes of transport and these points are noted.

The Head of Highways and Transport has recommended that the application be refused on the grounds that The proposal is contrary to the key aims of LDP policy TR2, which seeks to reduce the reliance on the car and deliver a more sustainable pattern of development, and to locate major travel intensive proposals such as housing, employment retailing and leisure within the County's urban centres or other locations which are well served by public transport, cycling and walking, in order to reduce the need to travel and provide a choice and variety of transport modes.

Paragraph 3.18 in Planning Policy Wales Technical Advice Note 16 Sport, Recreation and Open Space states:-

"In rural areas, facilities should be located in or adjacent to settlements. Any proposed developments in the open countryside would require special justification. Appropriate proposals linked to farm diversification may be given favourable consideration."

## **CONCLUSION**

After careful consideration, it is considered that the potential adverse impacts of the proposal on the residential amenity of nearby properties and the setting of the nearby ancient monument could be mitigated by the imposition of appropriate conditions and the submission of a comprehensive landscaping scheme to screen the proposed car park from the ancient monument and adjoining properties; however there are still fundamental planning policy objections as the proposed site is located in open countryside unrelated to

any settlement and it is therefore recommended that planning permission be refused for the following reasons:

## **RECOMMENDATION – REFUSAL**

### **REASONS**

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

#### **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 proposed location is situated in open countryside, in an unsustainable location unrelated to any settlement and does not meet the requirements of pedestrians, cyclists and public transport users and does not facilitate ease of access for all.

- 2 The proposal is contrary to Policy SP1 “Sustainable Places and Spaces” of the Carmarthenshire Local Development Plan, which states:-

**Policy 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 proposed location is situated in open countryside, in an unsustainable location unrelated to any settlement and does not meet the requirements of pedestrians, cyclists and public transport users and does not facilitate ease of access for all.

- 3 The proposal is contrary to Policy EMP3 "Employment – Extensions and Intensification" 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 proposed location is situated in open countryside, in an unsustainable location unrelated to any settlement and does not meet the requirements of pedestrians, cyclists and public transport users and does not facilitate ease of access for all.

- 4 The proposal is contrary to Policy TR2 "Location of Development – Transport Considerations" of the Carmarthenshire Local Development Plan which states:

#### **Policy TR2 Location of Development – Transport Considerations**

**Proposals which have a potential for significant trip generation will be permitted where:**

- a) **It is located in a manner consistent with the plans strategic objectives, its settlement framework and its policies and proposals;**
- b) **It is accessible to non car modes of transport including public transport, cycling and walking;**
- c) **Provision is made for the non-car modes of transport and for those with mobility difficulties in the design of the proposal and the provision of on site facilities;**

**d) Travel Plans have been considered and where appropriate incorporated.**

In that the proposal is contrary to the key aims of LDP Policy TR2, which seeks to reduce the reliance on the car and deliver a more sustainable pattern of development, and to locate major travel intensive proposals such as housing, employment retailing and leisure within the County's urban centres or other locations which are well served by public transport, cycling and walking, in order to reduce the need to travel and provide a choice and variety of transport modes.

- 5 The proposal is contrary to the advice contained in Paragraph 3.18 in Planning Policy Wales Technical Advice Note 16 - Sport, Recreation and Open Space which states:-

**3.18 In rural areas, facilities should be located in or adjacent to settlements. Any proposed developments in the open countryside would require special justification. Appropriate proposals linked to farm diversification may be given favourable consideration.**

In that the proposed location is situated in open countryside, in an unsustainable location unrelated to any settlement and does not meet the requirements of pedestrians, cyclists and public transport users and does not facilitate ease of access for all.