

**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 13 RHAGFYR 2018  
ON 13 DECEMBER 2018**

**I'W BENDERFYNU/  
FOR DECISION**

*Ardal Del/  
Area South*



Cyngor **Sir Gâr**  
**Carmarthenshire**  
County Council



**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 yna 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.**

<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>13 DECEMBER 2018</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>S/36465</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	THE PROPOSAL IS TO PROVIDE 34 NO NEW AFFORDABLE HOUSING ON THE EXISTING OPEN GROUND ADJACENT TO THE EXISTING DYLAN HOUSING ESTATE. TOGETHER WITH ASSOCIATED ECOLOGICAL MITIGATION WORKS TO INCLUDE A NEW WETLAND POND FEATURE. THERE WILL BE 28 NO 2 BEDROOM 4 PERSON HOUSES AND 6 NO 4 BEDROOM 7 PERSON HOUSES AT LAND ADJ DYLAN HOUSING ESTATE, LLANELLI, SA14 9AN

<b>Applicant(s)</b>	CARMARTHENSHIRE COUNTY COUNCIL - JONATHAN MORGAN, EAST GATE, LANDMARK BUILDING, ISLAND PLACE, LLANELLI, SA31 1HQ
<b>Agent</b>	CARMARTHENSHIRE COUNTY COUNCIL - HYWEL HARRIES, BLOCK 3, PARC MYRDDIN, RICHMOND TERRACE, CARMARTHEN, SA31 1HQ
<b>Case Officer</b>	Paul Roberts
<b>Ward</b>	Bynea
<b>Date of validation</b>	20/11/2017

## CONSULTATIONS

**Head of Highways and Transport** - Has raised no objection to the application subject to the imposition of suitable conditions on any permission granted.

**Head of Waste and Environmental Services (Land Drainage)** – Has confirmed his acceptance of the surface water drainage strategy proposed.

**Head of Public Protection and Housing** – Has raised no objection to the application subject to the imposition of suitable conditions on any permission granted.

**Llanelli Rural Council** – Has objected to the application on the following grounds:-

- Concerns that the development will increase the risk of surface water flooding in the immediate vicinity of the site as well as the wider drainage catchment. The Council suggest that the watercourse into which the surface water is to be discharged is prone to flooding in lower lying areas of Llwynhendy.

- The detrimental impact upon the amenity and privacy of the occupiers of the Bryn Isaf estate to the rear of the site by way of overlooking from first floor windows.
- The proposal will result in increased traffic movements in excess of 140 vehicle movements per day in an area where traffic congestion and parking is an issue.
- The loss of parking provision for the neighbouring playing fields and parking restrictions on the neighbouring estate roads, coupled with the location of the site on a bus route will be detrimental to highway safety.
- Loss of existing play area on the site and no consideration has been given to its relocation as part of the development.

**Local Member** - County Councillor D Cundy supports the principle of developing affordable housing but has objected to the application and requested that the Planning Committee undertake a site visit to consider the impacts of the development. He raises the following concerns:-

- The original proposal was to allocate the site for bungalows, however a change of the Authority's policy resulted in a proposal for houses instead of bungalows. The proposal has not taken account of the requirements of older tenants residing in Council properties who wish to downsize into bungalows rather than live in larger two storey houses.
- Surface water flooding problems in Dylan, Bryn Isaf and further downstream in Parc Gitto will be exacerbated by the proposal.
- Increased traffic congestion and the impact upon highway safety.
- Concerns regarding the design and location of the proposed dwellings and the overlooking of existing properties. More space needs to be allowed between old and new dwellings and adequate landscaping.
- The additional family housing proposed will result in extra pressure on local services such schools and health facilities.
- The removal of parking for the playing field and the loss of the existing play area.

Cllr Cundy suggests that certain conditions must be addressed as part of the development which include:-

- The provision of a new play area and easy access between Trallwm Hall changing rooms and the playing fields.
- Adequate parking for those visiting the playing field as well as further parking for Trallwm Hall.
- Drainage proposals to improve the drainage problems of neighbouring properties and adequate distance (more than 21 metres) between existing and new properties to reduce overlooking.

- The provision of adequate fencing for the new properties as well as sympathetic soft landscaping for the benefit of existing and proposed developments.
- Adequate education places.
- Dropped kerb provision for the houses of Dylan and Amanwy to ensure that on street parking is avoided.
- A corner shop for the local community.

County Councillor S Davies who is the local member for the neighbouring Llwynhendy ward has reiterated the concerns raised by Cllr Cundy while also referring to the following additional issues of concern:-

- Inadequate sewerage system.
- The need for appropriate infrastructure including pavements, bus stops and transport services.

**The Coal Authority** – Have confirmed that they are satisfied that the ground investigation survey accompanying the application has demonstrated that the site is safe and stable for the proposed development. They have therefore raised no objection to the application.

**Dwr Cymru/Welsh Water** – Have examined the drainage proposals submitted with the application and confirmed that they have no objection to the application subject to the imposition of suitable planning conditions.

**Natural Resources Wales** - Have raised no objection to the application.

**Public Rights of Way** – Have raised no objection to the proposed diversion of the footpath crossing the site as part of the development.

**Neighbours/Public** – The application has been publicised with the posting of a number of site notices within the vicinity of the site and the publication of a notice in the local newspaper. Subsequent amendments to the development as part of the application process and the submission of additional supporting information by the applicant also required further re-consultation exercises whereby further site notices were posted and additional press notices published in the newspaper.

As a result of these publicity exercises, seven third party letters of representation have been received from neighbouring residents who object to the application. The objections are summarised below:-

- The development will exacerbate existing drainage problems in the gardens of the neighbouring properties of Bryn Isaf.
- The need to control Japanese Knotweed within the site and to avoid it spreading to neighbouring land and properties.
- Loss of privacy and light to neighbouring properties which are set at a lower level than the proposed development.

- Loss of the existing park.
- Increased traffic generation and existing, on street parking problems.
- Lack of pre-application consultation.
- Impact upon local schools and doctors surgery.
- Sewerage capacity problems and the pollution impact upon the Loughor estuary.
- Devaluation of property prices.
- Lack of parking for the playing fields.
- The appearance of the development is out of character with the scale of existing developments.
- High density and overdevelopment of the site.
- Loss of wildlife habitats.
- Dust and noise pollution during the development.
- More suitable sites available.

## **RELEVANT PLANNING HISTORY**

The following previous applications are of relevance to the proposal:-

LL/02810	New changing rooms, services and external works Full planning permission	9 January 2003
LL/00754	Portakabin to be used as changing rooms Full planning permission	15 April 2002
S/01343	Use as football pitch with associated portacabin style changing rooms Lawful Development Certificate granted	4 September 1998
D5/16798	Proposed residential development Outline planning refused	16 March 1995
D5/6170	Portable type changing room Full planning permission	11 March 1982
D5/4553	Proposed children's playground Full planning permission	10 January 1980

## **APPRAISAL**

**This is an application in which Carmarthenshire County Council has an interest either as applicant/agent or/and in terms of land or property ownership.**



## **THE SITE**

The application site consists of two separate parcels of land located to the south and east of the Dylan housing estate in Llwynhendy. Both parcels cover a combined area of approximately 1.8 hectares.

The largest parcel is irregular in shape extending to 1.3 hectares in area and is located to the south of the Dylan estate road. It consists of a mix of amenity grassland, scrub and wooded areas, a children's play area and a hard surfaced area. The majority of the land consists of amenity grassland that is used as an informal recreation area. The park occupies a central location within the site being fenced off from the surrounding grassed areas and has a range of children's play equipment. The hardstanding area is located immediately to the east of the park with both being accessed from the estate road via a gravelled track. There is an existing public right of way to the east of the hardstanding that crosses part of the site and provides a link between the Bryn Isaf and Dylan estates. There is no significant change in level across the site.

The southern part of this parcel consists of an area of scrubland and immature trees which extend along the southern boundary of the site. The trees are separated from the gardens of the neighbouring properties of the Bryn Isaf estate to the south by a wooded fence. There is an existing ditch running along the southern boundary of this part of the site. To the west is Trallwm community hall which is separated from the site by metal railings. There is an existing bus stop to the front of the site.

The smaller parcel of the site covers some 0.5 hectares and is located within the large recreational area located to the east of the Dylan estate. It consists of a grassed informal recreation area that adjoins a more formal sports playing field. The land is bounded to the north and east by established trees and hedgerows which provide separation from neighbouring field enclosures. The properties of the Bryn Isaf estate are located to the south of the site while the land has no defined western boundary.

The site is located in a primarily residential area with the neighbouring Dylan and Amanwy estates consisting of former Local Authority semi-detached housing. The newer Bryn Isaf estate to the south is of a similar high density albeit comprising a mix of detached and semi-detached houses.

## **THE PROPOSAL**

The application seeks full planning permission for the construction of 34 dwellings on the larger parcel of land within the site together with associated access, parking, landscaping and drainage works. The scheme will be provided by the County Council and all the houses are to be affordable and of a social rented tenure. They will all be Development Quality Requirements (DQR) compliant which is the Welsh Government's standard that Registered Social Landlords' housing must meet. The proposal also includes ecological mitigation works in the form of a new wetland pond feature on the smaller parcel of the site.

The scheme is to consist of 34 semi-detached houses comprising a mix of 28 no. 2 bedroom units and 6 no. 4 bedroom units. The layout of the development seeks to maximise the development potential of the site while having regard to the character of the surrounding area and amenity of the occupiers of existing neighbouring properties. Vehicular access is to be achieved via a new junction with the Dylan estate road. The new estate road will extend

in a southerly direction from the junction before traversing the site in an east west direction. It is to be constructed to an adoptable standard with a 5.5 metre carriageway and flanking footways.

The new houses are primarily arranged around and orientated towards the estate road while the scheme also has a strong frontage onto the existing Dylan estate road in order to create interest and reinforce the existing street scene. Pedestrian facilities are provided throughout the development while the existing public right of way crossing the eastern part of the site is to be retained, albeit on a diverted route that will follow the internal footways and a new pedestrian link to the existing estate road. Provision is made for a direct pedestrian link from the neighbouring community hall through the development to the playing field to the east.

The houses will have traditional saddle roof designs and elevations consisting of a mix of facing brick and render to complement the surrounding housing estates while at the same time creating visual interest and variation in the street scene. The latter will be reinforced by the staggered arrangement of the houses. The southerly facing roofs of the houses are to have solar PV panels to be provide a renewable and sustainable source of energy to the occupants.

Parking within the scheme is provided via a mix of front and side driveways with the two bedroom houses having two parking spaces while the larger 4 bedroom units will all have three spaces. Additional parking facilities are provided for visitors within the development while further provision is made in the eastern part of the site for both visitors and those visiting the nearby playing fields. The proposed finished levels of the development are to be comparable with the existing levels of the site.

Private garden areas are provided to the rear and side of the houses and will be enclosed by a mix of boundary treatments that will include face brick walling and timber fencing. The application has been accompanied by landscaping details which provides for the retention of the existing trees along the site's southern perimeter as well as the implementation of new grassed areas within the site. The existing grassed area in the eastern part of the site is to be retained as an area of open space.

Following discussions with officers including the Authority's Ecologist, the scheme will include the provision of a new wetland pond feature on the smaller parcel of land to the east of the playing field to mitigate for the loss of habitat in the existing ditch on the southern boundary of the main part of the site. The ditch is to be filled in as part of the development and drained with a new piped connection to a drainage ditch in the south eastern corner of the site. The pond will have a gentle gradient and be enclosed with low earthwork bunds and stock fencing while the surrounding grassed area will be separated from the playing field by a new native species hedge and be managed to enhance the biodiversity of the grassland.

The application has been accompanied by a range of supporting information which include the following:

- Drainage Strategy for foul and surface water;
- Design and Access Statement;
- Ground Investigation and Preliminary Risk Assessment Report;
- Pre-application Consultation Report; and
- Ecological Assessment.

The drainage strategy sets out a strategy to dispose of surface water run-off from the development to the existing drainage ditch in the south eastern corner of the site via an attenuated system. Surface water will be disposed of via a piped system within the development that will discharge into a geocellular storage tank system beneath the estate road that will attenuate the flows to a maximum discharge rate of 2.35 litres per second into the drainage ditch. As mentioned above, the ditch along the southern boundary of the site is to be filled in as part of the development and a piped drain provided therein to drain any run off to the existing drainage ditch in the south eastern corner of the site.

Foul water from the development will discharge to an existing public sewer that traverses the eastern part of the site in a north south direction. The application is also accompanied by a scheme of surface water removal from the combined public sewer that will provide betterment to the network by removing a volume of surface water from the system greater than that generated by the development itself. The scheme centres around a sports pavilion and adjacent car park located off Bryndulais Avenue in Llanelli which are in the Council's control. Surface water run-off from the roof of the pavilion and part of the car park, which cover a combined impermeable area of 1078 square metres, will be diverted from the public sewer and discharge directly to the adjacent River Lledi via a new outfall headwall.

The scheme is in compliance with the requirements and objectives of the Memorandum of Understanding (MOU) which sets out the partnership approach between Carmarthenshire County Council, the City and County of Swansea, Natural Resources Wales and Welsh Water to improve and safeguard the environmental quality of the Carmarthen Bay and Estuaries Special Area of Conservation (SAC), Burry Inlet and, Burry Inlet Special Protected Area (SPA) and Burry Inlet Ramsar, collectively known as the Carmarthen Bay and Estuaries European Marine Site (CBEEMS).

The preliminary ecological assessment confirms that the amenity grassland within the site has low biodiversity value while the area of scrub is also of low ecological value. It therefore concludes that the development will have no adverse impact upon ecology. Notwithstanding this, it does identify the presence of Japanese Knotweed in part of the site which will need to be managed and eradicated as part of the development.

The ground investigation assessment confirms that the risk of coal mining related subsidence within the site is negligible whereby it is considered to be safe and stable to develop.

### Community Benefits

As mentioned above, all 34 of the units to be provided within the scheme will be affordable and provided by the County Council.

The applicant has agreed to make a financial contribution of £64,560 towards the improvement of education facilities within the local catchment schools of Ysgol Brynteg primary school and Bryngwyn secondary school. The level of contribution was agreed following discussions with officers of the Authority's Education Department and is to be paid prior to the release of the planning permission given that it cannot be secured via a Section 106 agreement in that the County Council are the applicants.

It is of note that whilst the existing park on the site is to be removed as part of the development, the applicant has submitted a separate planning application for the creation of a new replacement park on land located immediately to the east of the proposed new

housing development. Similar to the existing park, the new facility will have equipment for children up to the age of 11 and will be sited adjacent to the existing public right of way thereby allowing easy access for the residents of the wider residential area.

## **PLANNING POLICY**

### Local Development Plan (LDP)

In the context of the Authority's current Development Plan the majority of the larger parcel of the application site wherein the houses are to be constructed is located within the development limits of Llanelli and allocated for housing purposes under Policy H1 of the Plan. Housing allocation reference GA2/H57 refers. The allocation is identified as accommodating approximately 25 dwellings under Policy H1, however, this figure is indicative for the purposes of the Plan.

The eastern periphery of this part of the site which includes the area of open space, two of the proposed units and part of the estate road is located outside the development limits in an area identified as public open space under Policy REC3 of the Plan. Similarly, the smaller parcel of the site located the east of the playing field also falls outside the development limit and within the same open space designation.

Reference is drawn to the following policies of the Plan which are of relevance to the proposal.

In terms of the Plan's strategic policy context, Policy SP1 promotes environmentally sustainable proposals and encourages the efficient use of vacant, underused or previously developed land.

Policy SP2 supports proposals which respond to, are resilient to and adapt to minimise for the causes and impacts of climate change. Proposals for development which are located within areas at risk from flooding will be resisted unless they accord with the provisions of TAN15.

Policy SP3 identifies Llanelli as being one of three Growth Areas within the Plan's Settlement Framework for the County which reflects their high population levels and the availability of an extensive range of services and facilities in the strategic context. The settlements are well served by facilities that are vital to support sustainability being on sustainable transport routes and are therefore capable of accommodating a proportionally higher level of growth and development.

Policy SP5 allocates sufficient land for 15,778 new dwellings within the Plan area in accordance with the Settlement Framework with a high proportion (8,333) of these dwellings being directed towards the Growth Areas.

Policy SP9 promotes the provision of an efficient, effective, safe and sustainable integrated transport system.

Policy SP14 requires that development should reflect the need to protect, and wherever possible enhance the County's natural environment in accordance with national guidance and legislation.

Policy SP17 states that development will be directed to locations where adequate and appropriate infrastructure is available or can be readily available.

Policy GP1 is a general policy which, amongst others, 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. Developments should also not have a significant impact upon the amenity of adjacent land uses and properties, be served by appropriate access provision and have regard to the safe and efficient use of the transport network. Proposals are also required to have regard to the generation, treatment and disposal of waste.

Policy GP2 permits proposals within defined development limits subject to the policies and proposals of the plan, national policies and other material planning considerations.

Policy GP3 states that the Council will, where necessary seek developers to enter into planning obligations or to contribute via the Community Infrastructure Levy to secure improvements to infrastructure, community facilities and other services to meet the requirements arising from new developments. Allied to this, Policy AH1 states that a contribution towards affordable housing will be required on all housing allocations and windfall sites. It goes on to state that the Council will seek a level of affordable housing of 30% in the higher viable areas, 20% in the middle viable areas, and 10% within the Ammanford/Cross Hands sub market areas. The application site falls within the 20% viability area.

Policy AH2 permits proposals for 100% affordable housing on sites immediately adjacent to the development limits of defined settlements in circumstances where, amongst others, it represents a logical extension to the development limits and is of a scale appropriate to and in keeping with the character of the settlement. The benefits of the affordability of the dwellings must also be retained for subsequent occupants while the size, scale and design of the houses must be compatible with an affordable dwelling.

Policy GP4 states that proposals will be permitted where the infrastructure is adequate to meet the needs of the development. Proposals where new or improved infrastructure is required but does not form part of an infrastructure provider's improvement programme may be permitted where it can be satisfactorily demonstrated that this infrastructure will exist, or where the required work is funded by the developer. Planning obligations and conditions will be used to ensure that new or improved facilities are provided to serve the new development.

Policy H1 allocates land for residential development for the plan period to 2021.

Policy TR2 requires that developments which have the potential for significant trip generation should be located in a manner consistent with the Plan's objectives and in locations which are well served by public transport and are accessible by cycling and walking.

Policy TR3 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. Reference is also made to the need to meet required access and parking standards as well as promoting the interests of pedestrians, cyclists and public transport as part of proposals.

Policy EQ4 relates to biodiversity and states that proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation (i.e. NERC & Local BAP, and other sites protected under European or UK legislation), will not be permitted unless satisfactory mitigation is proposed, and in exceptional circumstances where the reasons for development outweigh the need to safeguard biodiversity and where alternative habitat provision can be made.

Policy EP1 permits proposals where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters.

Policy EP2 states that proposals should wherever possible seek to minimise the impacts of pollution. New developments will be required to demonstrate that they satisfactorily address any issues in terms of air quality, water quality, light and noise pollution, and contaminated land.

Policy EP3 requires proposals to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Urban Drainage Systems (SUDS), has been fully investigated. Furthermore, Policy EP6 states that in areas where land instability is known, proposals must be accompanied by a scoping report to ascertain the nature of the instability.

Policy REC2 requires that all new development of five or more units will be required to provide on-site open space in accordance with the Council's adopted standards. Policy REC3 makes provision for new open space proposals within the Plan area.

### National Planning Policy

Planning Policy Wales (PPW) (Edition 9, November 2016) provides a national overview of planning policy on a wide range of issues relevant to the proposed development. The Welsh Government supports the vision for good quality, mixed housing accessible to all which conforms to sustainability principles which underpin all planning policy guidance.

The document refers to the Welsh Government's approach, as set out in its National Housing Strategy, to provide more housing of the right type and to offer more choice while ensuring that new housing and residential environments are well designed and make a significant contribution to promoting community regeneration and improving the quality of life. Further emphasis is placed on the requirement to ensure that new housing development in villages, towns or edge of settlement is a mix of affordable and market housing that retains and, where practical, enhances important landscape and wildlife features in the development.

Para 9.1.2 of PPW goes on to highlight that local planning authorities should, amongst others, promote sustainable residential environments that are easily accessible by public transport, walking and cycling, have good access to employment, retail and other services and make the most efficient use of land.

PPW is supplemented by a continually updated series of Technical Advice Notes (TANs). The following TANs are relevant in the consideration of this application:

TAN 2 (Planning and Affordable Housing) provides guidance on the role of the planning system in delivering affordable housing.

TAN 5 (Nature Conservation and Planning) seeks to ensure that protected species, habitats and designated sites are both protected and conserved by the planning system.

TAN 12 (Design) seeks to promote sustainability principles through good design and identifies how local planning authorities can facilitate this process through the planning system.

TAN 15 (Development and Flood Risk) aims to direct new development away from those areas that are at high risk of flooding and defines what is considered to be vulnerable development and provides advice on permissible land uses in relation to the location of the proposed development and the consequences of flooding.

TAN 18 (Transport) endeavours to ensure Wales develops an efficient and sustainable transport system to meet the needs of a modern, prosperous and inclusive society.

TAN 20 (The Welsh Language) provides guidance on how the planning system considers the implications of the Welsh language when LDPs are prepared. In essence, the TAN advises that planning applications should not be subject to Welsh language impact assessment as this would duplicate LDP site selection processes where LDP objectives indicated the need for such an assessment.

### **THIRD PARTY REPRESENTATIONS**

The application has attracted a number of objections from local residents while the local member and community council have also raised concerns regarding the development. The issues raised are addressed in the following appraisal.

The majority of respondents have opined that that the highway network in the surrounding area is inadequate to safely accommodate the additional traffic generated by the development. Many refer to existing on street parking problems in the area while others raise concerns regarding the loss of existing parking for the neighbouring playing field.

The Head of Highways and Transport having carefully assessed the application has raised no objection to the proposal from a highway capacity or safety perspective. He is satisfied that the likely additional traffic can be safely accommodated on the local highway network serving the site and surrounding residential area. Moreover, he's confirmed his acceptance of the development layout proposed and the access thereto while the parking provision within the scheme accords with the Authority's parking standards.

Furthermore, the site is located in a sustainable location with good accessibility to public transport as well as nearby schools and facilities including the neighbouring community hall and recreation facilities. The site is on an existing bus route which provides access to the wider Llanelli area and its associated services, facilities and employment areas. The existing bus stop fronting the site is to be relocated to a different location along the estate road to allow for the development of the site and a condition requiring the submission and approval of details of its proposed location will be imposed on any permission granted in accordance with the Head of Transport's advice.

As to concerns regarding the loss of the parking facilities for the neighbouring playing field, although the hardstanding area within the site is used informally by visitors to the playing field, it is nevertheless not a designated parking facility or identified for the same with the LDP. The layout of the development provides additional car parking spaces to those required by the residents of the new development which include 6 vehicle spaces in the eastern part of the development adjacent to the playing fields. Furthermore, and as requested by Cllr Cundy, the scheme includes a direct pedestrian link between the existing parking and changing room facilities at Trallwm Hall and the playing fields whereby visitors will be able to safely walk the short distance between both facilities through the development. The Head of Transport has raised no concerns regarding development from a loss of parking perspective.

The proposal is therefore considered to be in compliance with Policies SP1, SP3, SP9, GP1, and TR3 of the LDP in terms of its sustainability and highway impacts upon the surrounding area.

A further common ground of objection is the high density of the development which it is suggested will overdevelop the site and be out of character with the scale of existing developments in the area. In addition, Cllr Cundy suggests that the proposal to provide houses in the development does not take into account the requirements of older tenants residing in Council properties who wish to downsize into bungalows.

Turning firstly to the latter issue, the Head of Public Protection and Housing has confirmed that the Bynea ward wherein the site is located is an area of high housing need and the provision of the two and four bedroom properties proposed on a social rented basis will assist in meeting this identified need. Cllr Cundy's comment regarding the need for bungalows in the area is noted, nonetheless, the Local Planning Authority is required to determine the proposal in its current form which is in accordance with the objectives of Policy AH1 and TAN 2 in that it will provide affordable housing to meet an identified housing need in the local area.

With regard to suggestions that the proposal will overdevelop the site, the site is identified as accommodating 25 residential units in the LDP, however, it is important to note that this is a notional figure for the purposes of the Plan. Although the number of dwellings proposed (34) exceed this figure, the resulting density is not considered to be high or at variance with the prevailing pattern of development in the surrounding area which is characterised by high density former local authority housing to the north and west and a newer estate development to the south. The general scale, design and spatial layout of the scheme are considered to be acceptable within the context of its surroundings. The design with its mix of hard and soft landscaping proposals, high quality boundary treatments and the retention of the existing landscaped area to the east of the site will respond well to the site's setting and the neighbouring playing fields. The strong frontage to the Dylan estate road will complement the existing street scene while the permeability of the site in terms of vehicular and pedestrian links and mix of parking solutions will reinforce the attractiveness of the scheme.

The proposal is therefore in accord with the objectives of policies SP1, H2 and GP1 of the LDP in terms of its visual impact upon the surrounding area.

Members will have noted from the appraisal above that the eastern periphery of the application site is located outside the development limits of Llanelli as defined in the LDP in an area identified as public open space in the Plan. However, the development limit has been arbitrarily drawn whereby it does not follow any discernible feature on the ground.



Although two of the houses are located outside the development limit on an area identified as public open space, an equivalent area located within the development limit for housing purposes is to be retained as public open space as part of the development in the south eastern part of the site. There will therefore be no unacceptable loss of open space as a result of the proposal.

In addition, it is noteworthy that Policy AH2 permits proposals for 100% affordable housing on sites immediately adjacent to the development limits of defined settlements subject to certain qualifying criteria as referred to above. The proposal meets the requirements of the policy in that the two affordable units in question represent a logical extension to the development limits and are of a scale appropriate to and in keeping with the character of the settlement. Furthermore, the affordability of the dwellings will be retained by the Council for subsequent occupants and their size and design are compatible with those of an affordable dwelling.

As to concerns regarding the loss of the existing park, the applicant has recently submitted a separate planning application for the creation of a new replacement park on land immediately to the east of the proposed new housing development. The new facility is to be equipped for children up to the age of 11 and its location adjacent to the public right of way and close to the surrounding housing estates will ensure it is easily accessible to residents.

The issue of the impact of the development upon the residential amenity of surrounding residential properties has been carefully examined as part of officer's assessment of the application. A minimum separating distance of some 22 metres to the facing elevations of the neighbouring properties of Bryn Isaf to the south of the site will ensure that any overlooking of these properties will not be intrusive. Similarly, the layout will not cause any unacceptable impacts by way of loss of light and overshadowing. It is not envisaged that the scale of development proposed will result in any adverse impacts in terms of traffic noise and disturbance and it is of note that the Head of Public Protection has raised no objection to the development from a residential amenity perspective. Any permission granted will be conditioned to require the submission of a construction method statement which will include measures such as a dust mitigation scheme designed to minimise the impact upon local residents and the surrounding environs.

The development therefore accords with policies SP1, GP1, and TR3 in terms of its impact upon the surrounding area.

As to the concerns regarding surface water flooding, the application has been accompanied by a detailed drainage strategy wherein run-off from the development will be discharged to an attenuation system below the new estate road before being discharged to an existing drainage ditch on the perimeter of the site at a controlled greenfield run-off rate. The new piped system in the ditch along the southern boundary of the site that is to be filled in as part of the development will discharge to the same ditch. The scheme will provide a sustainable means of disposal ensuring that no surface water will enter the public sewerage system and no detriment is caused to neighbouring occupiers and landowners. The Authority's drainage engineer and Natural Resources Wales have raised no objection to the scheme. The former has recommended the imposition of a condition requiring the submission and approval of the detailed design of the surface water drainage and attenuation scheme prior to the commencement of the development and the planning permission will be conditioned in accordance with this advice.

Turning to foul drainage, Welsh Water have raised no objection to the applicants' proposal to discharge foul water into the existing public sewer that crosses the site. The surface water removal scheme proposed as part of the development will remove surface water run-off from an impermeable area of 1078 square metres from the combined public sewer which is equivalent to the foul flows from 120 dwellings. This will equate to almost four times the volume of foul flows from the development being removed from the system which will provide substantial betterment to the combined sewer network in terms of its hydraulic capacity in accordance with the objectives of the MOU. This will safeguard against any detriment to the environmental quality of the CBEEMS.

The proposal is therefore considered to be in accord with the objectives of policies EP2 and EP3 of the LDP in that it will dispose of foul and surface water in an acceptable and sustainable manner without causing unacceptable harm to neighbouring properties or the wider water environment.

A number of respondents have concerns regarding the impact of the development upon local services and facilities such as schools and health facilities and question whether sufficient capacity exists to accommodate the development. The development will be well related to the services and facilities available in Llwynhendy as well as benefiting from good levels of accessibility to public transport facilities and the higher order facilities available in the wider Llanelli area. The applicant will make a financial contribution towards the improvement of facilities within the local catchment schools of Ysgol Brynteg and Bryngwyn secondary school as part of the development. Furthermore, it is not envisaged that the range of health care services available in the wider area including doctor's surgeries and hospital facilities will be adversely affected by a development of the scale proposed. In this regard, the proposal is in accord with the requirements of Policy GP3 and SP1 of the LDP.

In terms of the respondents' wildlife and habitat concerns, the ecological assessment confirms that the site is of low ecological value. The creation of the new wetland pond feature, new native species hedgerow and the management of existing grassland in the smaller parcel of the site will provide ecological enhancements as part of the development. The Authority's Planning Ecologist and Natural Resources Wales concur with the conclusions of the ecological assessment and have raised no objection from an ecology perspective subject to the implementation of the abovementioned enhancement measures.

The proposal is therefore considered to be in accord with the ecological objectives of Policy EQ4 of the LDP.

The suggestion by the respondents that there are more suitable sites available to develop are not relevant to the application in that the site is allocated for residential development purposes in the LDP. Similarly, matters relating to the devaluation of property prices and the need for a corner shop in the community are not material in the consideration of the application.

Finally, the pre-application consultation undertaken by the applicant was in accord with the relevant statutory requirements. Concerns regarding the presence of Japanese Knotweed in part of the site and its potential spread as part of the development will be addressed with the imposition of a suitable condition requiring the implementation of an appropriate eradication scheme as part of the development.

## **CONCLUSION**

On balance, and after careful examination of the site and its surrounding environs, together with the representations received to date, the proposal is considered to represent an acceptable form of residential development that will be in keeping with and complement the general character and appearance of the surrounding area. The site is allocated for housing purposes and its development complies with the key policy and sustainability objectives of the Authority's adopted LDP as well as those of National Planning Policy.

The general scale, design and layout of the scheme will be in keeping with the character and appearance of the surrounding area and the development will provide a range and choice of affordable housing that will be well related to the existing services and facilities in the wider Llanelli area. Moreover, they will have access to a range of sustainable modes of transport and the development will make a valuable contribution towards the Authority's strategic objective of meeting a shortfall of affordable homes in the surrounding area. The development will also contribute to the improvement of educational facilities in the local catchment schools.

The development also satisfies the sustainability requirements of the LDP from an environmental quality and utility provision perspective by implementing a drainage strategy that will dispose of foul and surface water in a sustainable and controlled manner as well as providing betterment to the capacity of the public sewerage system. Furthermore, and as outlined in the appraisal above, there are no highway, amenity, or ecological objections to the development

Accordingly, the application is put forward with a favourable recommendation subject to the requirement that the applicant pay the financial contribution towards the improvement of education facilities prior to the granting of the planning permission.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 The development shall begin no later than five years from the date of this decision.
- 2 The development shall be carried out in accordance with the following approved plans and documents:-
  - Existing site and location plan (01D) received on 30 October 2018;
  - Drainage strategy for foul and surface water – Technical Note prepared by Atkins dated January 2017 received on 13 November 2018;
  - Storm water storage estimate – technical note prepared by Atkins dated 25 October 2018 received on 13 November 2018;
  - Proposed drainage layout (5119256-ATK-HDG-GEN-DR-C-002 Rev P01) received on 13 November 2018;
  - Proposed site plan (02F) received on 26 October 2018;
  - Existing and proposed surface water drainage runs plan (01) received on 23 October 2018;
  - Ground Investigation Report (G944/GIR) dated November 2016 prepared by Quantum Geotechnical and received on 23 October 2018;
  - Preliminary Risk Assessment/Desk Study (G944/PRA) dated November 2016 prepared by Quantum Geotechnical and received on 23 October 2018;

- Proposed house type C – plan, elevations and section (05A) received on 23 October 2018;
- Proposed site sections A-A, B-B & C-C (08A) received on 23 October 2018;
- Borehole Mining Investigation Findings dated 25 September 2017 prepared by Quantum Geotechnical and received on 20 October 2017;
- Ecological Assessment dated September 2016 prepared by Habitat Matters Ltd and received on 20 October 2017;
- Proposed house type B – plan, elevations and section (04) received on 20 October 2017;
- Proposed house type A – plan, elevations and section (03) received on 20 October 2017;
- Existing site sections A-A, B-B & C-C (07) received on 7 November 2018;
- Design and access statement dated 6 February 2016 referenced 8845-187 received on 20 October 2017.

- 3 The parking spaces and layout shown on the plans herewith approved shall be provided in accordance with the details shown prior to the occupation of the dwellings. Thereafter, they shall be retained, unobstructed, for the purposes of parking only.
- 4 Prior to the occupation of the dwellings hereby approved the required access roads and footpaths leading from the existing public highway to the respective units shall be laid out and constructed in accordance with the details shown on the drawings hereby approved.
- 5 There shall at no time be any means of vehicular access to the development from the access or car park of the neighbouring community hall to the west of the application site.
- 6 Prior to any use of the estate road by vehicular traffic, a visibility splay of 2.4 metres x 33 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access road in relation to the nearer edge of carriageway of the Dylan estate road.
- 7 Prior to the commencement of development, a detailed scheme for the relocation of the existing bus stop and shelter fronting the site and programme for the implementation of the same shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.
- 8 The dwellings hereby approved shall not be occupied until the foul drainage scheme shown on the proposed drainage layout (5119256-ATK-HDG-GEN-DR-C-002 Rev P01) received on 13 November 2018 has been implemented in accordance with the details shown.
- 9 The surface water removal scheme shown on the existing and proposed surface water drainage runs plan (01) received on 23 October 2018 shall be implemented in accordance with the details shown prior to the occupation of the dwellings
- 10 No development shall commence until details of the detailed design of a scheme for the disposal of surface water, based upon the strategy shown in the proposed drainage layout (5119256-ATK-HDG-GEN-DR-C-002 Rev P01) received on 13 November 2018, have been submitted to and approved in writing by the local planning

authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of the dwellings and maintained thereafter in perpetuity.

- 11 The existing trees on the southern boundary of the site shall be retained as part of the development.
- 12 No development shall commence until details/samples of the material to be used in the construction of the external surfaces of the dwellings have been submitted to and approved in writing by the local planning authority.
- 13 No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
  - i) A traffic management plan for the construction phase of the development to include the parking of vehicles of site operatives and visitors and loading and unloading of plant and materials;
  - ii) storage of plant and materials used in constructing the development;
  - iii) construction compounds, car parks, offices etc;
  - iv) wheel washing facilities;
  - v) measures to manage noise and the emission of dust and dirt during demolition and construction; and
  - vi) a scheme for recycling/disposing of waste resulting from demolition and construction works;
  - vii) Identification of surrounding watercourses and potential pollution pathways from the construction site to those watercourses. How each of those watercourses and pathways will be protected from site run off during construction.
- 14 During the construction phase of the development, no noise generating works, demolition or construction shall take place other than within the hours of 07:30 – 18:00 Monday – Friday, Saturday 08:00 – 14:00 and not at all on Sundays, Bank or Public Holidays. The construction work be undertaken in compliance with BS: 5228 Noise Vibration and Control on Construction and Open Sites.
- 15 No development shall take place until a detailed method statement for the removal or the long-term management/control of Japanese Knotweed on the site have been submitted to and approved in writing by the local planning authority. The method statement shall include measures that will be used to prevent the spread of Japanese Knotweed during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/root/stem of any invasive plant listed under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

- 16 The wildlife mitigation scheme shown on the existing site and location plan (01D) received on 30 October 2018 shall be provided in accordance with the details shown prior to the occupation of the dwellings and thereafter maintained in accordance with the recommendations contained therein.

## **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that only the approved works are carried out.
- 3-7 In the interests of highway safety.
- 8-9 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 10 To ensure the development is drained in a sustainable and acceptable manner.
- 11 To retain existing landscape features.
- 12 In the interests of visual amenity.
- 13 To prevent the pollution of the environment and in the interests of safeguarding residential amenity.
- 14 In the interests of safeguarding residential amenity.
- 15 To prevent the spread of Japanese Knotweed.
- 16 To provide ecological enhancements as part of the development.

## **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 proposed development complies with Policies SP1, SP3 and GP1 of the LDP in that it consists of a sustainable form of development that is appropriate in scale and design to the existing urban form of the area and is not likely to cause unacceptable harm to neighbouring properties.
- The proposed development complies with Policy H1 and H2 of the LDP in that it is allocated for residential development purposes within the Plan. Furthermore, the proposal is in accord with policies AH1 and AH2 of the LDP in that it will consist of an affordable housing scheme that will be in keeping with the existing settlement and the houses are of a scale and design commensurate with an affordable dwelling.

- The proposed development complies with Policies SP9, GP1 & TR3 of the LDP in that the proposal is located in a sustainable location and will not be detrimental to highway safety.
- The proposed development complies with policies EQ4, EP2 and EP3 of the LDP in that it will not result in any unacceptable ecology, flooding or pollution impacts.
- The proposed development complies with policy GP4 in that it will be served by infrastructure that is adequate to meet the needs of the development.
- The proposed development complies with policies GP3, REC2 and REC3 of the LDP in that provision is to be made for a new children's playground adjacent to the development and the proposal will make a financial contribution toward the improvement of education facilities in area.

## NOTES

- 1 The applicant/developer is advised that this permission is granted subject to the payment of a commuted sum to the Council in respect of improvements to educational facilities in the locality.
- 2 Further advice and guidance from consultees is provided in their consultation responses which can be viewed on the Authority's website. This may include reference to other relevant permissions and legislation.
- 3 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.

<b>Application No</b>	<b>S/37933</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	SINGLE STOREY REAR EXTENSION WITH A BALCONY TO THE FIRST FLOOR AT 105 PENTRE NICKLAUS VILLAGE, LLANELLI, SA15 2DF

<b>Applicant(s)</b>	MR MATHEW WILLIAMS, 71 GLENALLA ROAD, LLANELLI, SA15 1EF
<b>Case Officer</b>	Robert Davies
<b>Ward</b>	Glan Y Mor
<b>Date of validation</b>	17/10/2018

## CONSULTATIONS

**Llanelli Town Council** – No response received to date.

**Local Members** – County Councillor L Roberts opines that the proposal will overlook the neighbouring property and will compromise the privacy of 106 Pentre Nicklaus. Councillor Roberts requests that the Planning Committee undertake a site visit prior to determining the application.

County Councillor J Prosser, who is a Member of the Planning Committee, also requests that the Planning Committee undertake a site visit prior to determining the application.

**Dwr Cymru/Welsh Water** – No objection.

**Neighbours/Public** – 2no. neighbouring properties were notified of the application. To date one letter of representation has been received raising the following objections:-

- Loss of privacy as a result of overlooking from the proposed balcony;
- Loss of morning sunlight, which will also result in a damper garden;
- Loss of views of the golf course to the east;
- The increased footprint of the property will exacerbate existing drainage problems in the garden;
- Devaluation of property;
- Request that the Planning Committee undertake a site visit prior to determining the application.



## **RELEVANT PLANNING HISTORY**

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

S/12435	Proposed amendments to previously approved application ref. LL/02037 dated 19.09.02 to include change of house types, plot re-orientation, plot and highway re-alignment and amended slab levels Full planning permission	20 April 2006
LL/02037	Residential – 176 houses Full planning permission	19 September 2002
S/03042	Residential Outline planning permission	24 May 2001

## **APPRAISAL**

### **THE SITE**

The application site consists of a modern detached dwelling located on the Pentre Nicklaus Village housing development in Machynys, Llanelli. The property itself occupies a corner plot on the estate.

### **THE PROPOSAL**

The application seeks full planning permission to construct a single storey flat roof rear extension with balcony above. The proposed extension is 8.4 metres in width, 4 metres in depth and is 2.8m high to the top of the flat roof. The proposal will provide additional kitchen and living area at ground floor, with a balcony above accessed from the first floor study via a new set of sliding doors. The proposed balcony is surrounded by a glazed balustrade, whilst a 1.8m high obscure glazed screen is proposed on the western elevation of the balcony.

### **PLANNING POLICY**

The area is covered by the Carmarthenshire Local Development Plan that was formally adopted in December 2014. The application site is located within the defined settlement limits of Llanelli as delineated within the Adopted LDP and the key relevant policies are as follows:-

Policy GP1 of the LDP 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. It also seeks to ensure that proposals do not have a significant impact on the amenity of adjacent properties.

Policy GP6 of the LDP relates specifically to domestic extension proposals and states that extensions should be subordinate in scale and external appearance in comparison to the host dwelling; should not adversely affect the amenities of neighbouring properties; and should allow for sufficient garden amenity space to remain.

### **THIRD PARTY REPRESENTATIONS**

As aforementioned in this report, one neighbouring property has objected to the application whilst both Local County Councillors have also provided comments. The material reasons for concern and objection raised will now be addressed individually as part of this appraisal, however as Members will be aware, there is no legal right to a view whilst devaluation of property is also not a material planning consideration.

In terms of overlooking from the proposed balcony, as aforementioned the proposal makes provision for a 1.8m high obscure glazed screen on the western elevation facing no.106 Pentre Nicklaus. This will ensure that users of the balcony cannot directly overlook the objector's property from an elevated position. In addition to this, the existing dwelling is orientated in a south easterly direction ensuring that views are focussed away from the objector's dwelling.

With regards to loss of sunlight, the proposed extension is only single storey and is not considered excessive in scale. The proposal is also offset away from the boundary with the objector's property. Therefore it is not considered that the proposal will adversely affect the amount of sunlight entering no.106 Pentre Nicklaus. It is worth noting that an extension of the scale currently proposed, with the exception of the balcony, would not normally require planning permission, however Permitted Development Rights were removed on this housing development.

Finally in terms of drainage, it is considered that the proposed development will not exacerbate any existing drainage problems in the rear garden area of no.106 Pentre Nicklaus. Sufficient garden space remains at the application property to ensure that adequate drainage systems can be put in place, and this will be safeguarded at any subsequent Building Regulations stage. It is worth noting that the land falls away from the rear of the dwelling towards the south east corner of the garden.

### **CONCLUSION**

The proposed extension and balcony are considered acceptable in size, scale and design terms in keeping with the property itself and immediate environs. The proposal will not in the LPA's opinion result in any adverse amenity issues whilst it is considered that the issues of concern and objection raised have adequately been addressed as part of the above appraisal. Sufficient rear garden amenity space will remain post development.

On balance after careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that the proposal does accord with the Policies contained within the Adopted LDP. As such the application is put forward with a recommendation for approval.

### **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 development hereby permitted shall be carried out strictly in accordance with the following schedule of plans received on the 15th October, 2018:-

- Block and location plans (001) 1:200; 1:500; 1:1250 @ A3;
- Existing floor plans (101) 1:100 @ A3;
- Proposed floor plans (102A) 1:100 @ A3.

3 Prior to the beneficial use of the development hereby approved the 1.8m high obscure glazed screen on the western side of the balcony as shown on the approved drawings shall be erected strictly in accordance with that shown and thereafter retained as such in perpetuity.

## **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of visual amenity.
- 3 In order to preserve residential 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.

- It is considered that the proposal complies with Policy GP1 of the LDP 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 LDP in that it is appropriate in terms of scale and design, sufficient amenity/garden space remains, and it shall not adversely affect the amenities of the occupiers of the neighbouring properties.

## **NOTES**

- 1 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, are available on the Authority's website.
- 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.

<b>Application No</b>	<b>S/37971</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	TO REFURBISH, ALTER AND CHANGE THE USE OF THE EXISTING OFFICES, TO PROVIDE 8 RESIDENTIAL FLATS CONSISTING OF A MIX OF NEW ONE BED, TWO BED AND STUDIO, HOUSING ASSOCIATION APARTMENTS AT WRW CONSTRUCTION LTD, 3-5 GORING ROAD, LLANELLI, SA15 3HF

<b>Applicant(s)</b>	POBL - ANDREW REES, 7-13 THE KINGSWAY, SWANSEA, SA1 5JN
<b>Agent</b>	DENNIS HELLYAR ARCHITECTS - DENNIS HELLYAR, UNIT 15, BSC, HOOD ROAD, BARRY, CF62 5QN
<b>Case Officer</b>	Robert Davies
<b>Ward</b>	Elli
<b>Date of validation</b>	26/10/2018

## CONSULTATIONS

**Head of Highways and Transport** – No objection.

**Head of Housing** – No objection.

**Llanelli Town Council** – No response received to date.

**Local Members** – County Councillor J P Jenkins has not responded to date.

**Dwr Cymru/Welsh Water** – No objection subject to the imposition of conditions and advisory notes on any planning permission granted.

**The Coal Authority** - No response received to date.

**Neighbours/Public** – Two neighbouring properties were notified of the application whilst a site notice was also erected publicising the application. To date three letters of representation have been received from neighbouring properties raising the following concerns and objections:-

- Goring Road already has properties converted into flats as well as a health clinic and a solicitors' office. Some households have more than two vehicles. The development of apartments at All Saints Church, plus the proposed eight apartments in this application, will add to the existing problems that residents have on a daily basis finding a parking space in the designated residents parking areas.
- Parking on Goring Road itself will be an easier option for future residents than using the car parking area to the rear. The car park only provides one space per flat which is not sufficient as many households these days have more than one vehicle.
- Goring Road is used by the general public for parking purposes when visiting commercial premises at the top of Goring Road, Thomas Street and West End. It is also used as a shortcut.
- Traffic congestion is already a problem when leaving Goring Road at its junction with Hall Street/West End.
- The proposal will exacerbate existing traffic and parking problems at Goring Road and will therefore be detrimental to highway safety.
- The addition of another house of multiple occupation is unnecessary and inappropriate for the demographic of the area, namely family homes.
- Extra vehicles would cause more noise, pollution and dust.
- There will be additional noise due to comings and goings at the property which would not be the case if the property reverted to two single dwellings.

## **RELEVANT PLANNING HISTORY**

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

D5/6417	Conversion into 6 self-contained flats with car parking Full planning permission	14 June 1982
D5/880	Change of use to office Full planning permission	19 May 1975

## **APPRAISAL**

### **THE SITE**

The application site relates to Nos. 3 and 5 Goring Road, in Llanelli, which used to consist of the former offices for WRW, a local construction firm. The firm has relocated its office base to North Dock in Llanelli. Goring Road itself is a one way street leading down from Thomas Street/Old Road to the east, to West End/Hall Street to the west. The street is primarily residential in character interspersed with some non-residential uses, whilst there are on street parking restrictions along its length in the form of either resident permit parking or general parking restricted to 1 hour periods at certain times of the day.

The application property is three storey in nature and has a designated off street parking area to the rear of the building accessed via a lane to the south of No.1 Goring Road. The property would have once been a pair of dwellings forming a terrace of three with No.1 Goring Road, however when the property was used as offices internal links were created to amalgamate two properties into one.

## **THE PROPOSAL**

The application seeks full planning permission to change the use from offices to 8no. flats set over three floors consisting of a mix of one bed, two bed and studio housing association apartments. The plans submitted indicate that provision can be made for 8no. parking spaces to the rear of the building, whilst a sheltered bike store (10no. bicycles) and a bin storage area are also to be provided to the rear of the building.

## **PLANNING POLICY**

The area is covered by the Carmarthenshire Local Development Plan that was formally adopted in December 2014. The application site is located within the defined settlement limits of Llanelli as delineated within the Adopted LDP. The key relevant policies are as follows:-

Policy SP1 of the LDP promotes environmentally sustainable proposals and encourages the efficient use of vacant, underused or previously developed land.

Policy SP3 of the LDP refers to the settlement framework and states that provision for growth and development will be at sustainable locations in accordance with the LSP's settlement framework. In this respect Llanelli is identified as a Growth Area.

Policy SP6 of the LDP ensures the delivery of affordable housing that in turn will contribute to the creation of sustainable communities within the Plan area.

Policy SP9 of the LDP promotes the provision of an efficient, effective, safe and sustainable integrated transport system.

Policy SP14 of the LDP states that development should reflect the need to protect, and wherever possible enhance the County's natural environment in accordance with national guidance and legislation.

Policy SP17 of the LDP states that development will be directed to locations where adequate and appropriate infrastructure is available or can be readily available.

Policy GP1 of the LDP 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 GP2 of the LDP states that proposals within defined development limits will be permitted, subject to policies and proposals of the plan, national policies and other material planning considerations.

Policy GP4 of the LDP states that proposals for development will be permitted where the infrastructure is adequate to meet the needs of the development. Proposals where new or improved infrastructure is required but does not form part of an infrastructure provider's improvement programme may be permitted where it can be satisfactorily demonstrated that this infrastructure will exist, or where the required work is funded by the developer. Planning obligations and conditions will be used to ensure that new or improved facilities are provided to serve the new development.

Policy H2 of the LDP states that proposals for housing developments on unallocated sites within development limits of a settlement will be permitted provided they are in accordance with the principles of the plan's strategy and its policies and proposals.

Policy AH1 of the LDP requires a contribution to affordable housing on all housing allocations and windfall sites.

Policy TR2 of the LDP states that developments which have the potential for significant trip generation, should be located in a manner consistent with the plan's objectives and in locations which are well served by public transport and are accessible by cycling and walking.

Policy TR3 of the LDP highlights 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 EQ1 of the LDP states that proposals affecting landscapes, townscapes buildings and sites or features of historic or archaeological interest will only be permitted where it preserves or enhances the built and historic environment.

Policy EQ4 of the LDP relates to biodiversity and states that proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation (i.e. NERC & Local BAP, and other sites protected under European or UK legislation), will not be permitted unless satisfactory mitigation is proposed, and where exceptional circumstances where the reasons for development outweigh the need to safeguard biodiversity and where alternative habitat provision can be made.

Policy EP1 of the LDP states that proposals will be permitted where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters. Proposals will, where appropriate, be expected to contribute towards improvements to water quality.

Policy EP2 of the LDP states that proposals should wherever possible seek to minimise the impacts of pollution. New developments will be required to demonstrate and satisfactorily address any issues in terms of air quality, water quality, light and noise pollution, and contaminated land.

Policy EP3 of the LDP requires proposals to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Urban Drainage Systems (SUDS), has been fully investigated.



### **THIRD PARTY REPRESENTATIONS**

As aforementioned in this report, three letters of representation have been received which raise objections and concerns in relation to the proposed development. The issues raised are considered to be material planning considerations and will therefore be addressed as part of this appraisal.

In terms of the parking and highway safety related concerns, the application site has an extant use as commercial offices, and therefore the proposed use as residential flats is considered to represent a less intensive use of the site. As already mentioned, provision is made for 8no. car parking spaces to the rear of the building, whilst the proposed cycle rack provision will hopefully encourage residents and visitors of the development to travel sustainably to and from the site, which is in accordance with the Active Travel (Wales) Act 2013. This level of parking provision is considered acceptable in such an edge of town centre and sustainable location, well served also by public transport links. Members will have noted that the Authority's Head of Transport has raised no objection towards the proposed development.

The proposed residential end use of the development is considered more compatible with the residential character of Goring Road than the previous commercial office use. The proposal relates to self-contained flats and not a house of multiple occupancy.

It is considered that the proposal is not of a scale or nature that will result in unacceptable levels of noise, pollution or dust.

### **CONCLUSION**

The application site is located within the defined settlement limits of Llanelli as delineated within the Adopted LDP and therefore there is no in-principle objection to developing the site for residential use. The proposed end use is considered compatible with the residential character of Goring Road.

It is considered that there are no loss of amenity issues associated with the proposed development whilst it is considered that the reasons for concern and objection raised have adequately been addressed as part of the above appraisal.

The applicant in this instance, namely Pobl, are a Registered Social Landlord, and the Authority's Housing Division has confirmed that the proposed scheme will be subject to a Social Housing Grant. The above will ensure that the flats themselves are affordable and retained as such in perpetuity.

On balance after careful examination of the site and its surrounding environs in the context of this application, together with the representations received to date it is considered that the proposal does accord with the Policies contained within the Adopted LDP. As such the application is put forward with a recommendation for approval subject to the following conditions.

### **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 development hereby permitted shall be carried out strictly in accordance with the following schedule of plans received on the 24th October, 2018:-
  - Location Plan (01) 1:1250 @ A4;
  - Existing floor plans and elevations (02) 1:100 @ A1;
  - Proposed ground plans (03) 1:50 @ A1;
  - Proposed first and second floor plans and elevations (04) 1:50; 1:100 @ A1.
- 3 No development shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
  - i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 100% of housing units/bed spaces;
  - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
  - iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
  - iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
  - v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- 4 The first floor bathroom and landing windows in the northern elevation shall be glazed in obscure glass and thereafter retained as such in perpetuity.
- 5 Prior to the beneficial use of the residential flats hereby approved, the bike storage area as shown on the drawings hereby approved should be completed and made available for use.
- 6 Prior to the beneficial use of the residential flats hereby approved, the bin storage area as shown on the drawings hereby approved should be completed and made available for use

## **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2+6 In the interest of visual amenity.
- 3 To secure the affordable housing needed for the locality.
- 4 To preserved residential amenity.
- 5 In the interest of highway safety and in the interest of sustainable travel.

## **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 proposal complies with Policy SP1 of the LDP in that the proposed development is environmentally sustainable.
- It is considered that the proposal complies with Policy SP3 of the LDP in that the proposed development accords with the LDP's settlement framework.
- It is considered that the proposal complies with Policy SP6 of the LDP in that the applicant is a Registered Social Landlord and the proposed scheme is subject to a Social Housing Grant. Therefore the flats will be affordable.
- It is considered that the proposal complies with Policy SP9 of the LDP in that the proposed development is located in a sustainable location, accessible by a variety of transport means.
- It is considered that the proposal complies with Policy SP14 of the LDP in that proposed development protects and does not adversely affect the natural environment.
- It is considered that the proposal complies with Policy SP17 of the LDP in that the proposed development will be served by appropriate infrastructure.
- It is considered that the proposal complies with Policy GP1 of the LDP in that the proposed development is sustainable and will enhance the character and appearance of the area.
- It is considered that the proposal complies with Policy GP2 of the LDP in that the site is located within the defined settlement limits of Llanelli and accords with all other policies of the plan.
- It is considered that the proposal complies with Policy GP4 of the LDP in that adequate infrastructure is proposed to serve the proposed development.

- It is considered that the proposal complies with Policy H2 of the LDP in that the proposed housing development is located within defined settlement limits and accords with the principles of the plan's strategy and its policies.
- It is considered that the proposal complies with Policy AH1 of the LDP in that the applicant is a Registered Social Landlord and the proposed scheme is subject to a Social Housing Grant. Therefore the flats will be affordable.
- It is considered that the proposal complies with Policy TR2 of the LDP in that the proposed development is located in a highly accessible and sustainable location.
- It is considered that the proposal complies with Policy TR3 of the LDP in that the proposed development would not be detrimental to highway safety or cause significant harm to the amenity of residents.
- It is considered that the proposal complies with Policy EQ1 of the LDP in that the proposed development preserves the built and historic environment.
- It is considered that the proposal complies with Policy EQ4 of the LDP in that the proposed development will not have an adverse impact on priority species, habitats and features of principal importance.
- It is considered that the proposal complies with Policy EP1 of the LDP in that the proposed development will not lead to a deterioration of either the water environment and/or the quality of controlled waters.
- It is considered that the proposal complies with Policy EP2 of the LDP in that the proposed development will not result in any adverse pollution issues.
- It is considered that the proposal complies with Policy EP3 of the LDP in that the impact of surface water drainage and the effectiveness of incorporating SUDS has been fully investigated.

## NOTES

- 1 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, are available on the Authority's website.
- 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.