

**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 04 EBRILL 2019
ON 04 APRIL 2019**

**I'W BENDERFYNU
FOR DECISION**

***Ardal
Gorllewin/
Area West***



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.

COMMITTEE:	PLANNING COMMITTEE
DATE:	04 APRIL 2019
REPORT OF:	HEAD OF PLANNING

INDEX - AREA WEST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
W/38461	Conservation Area Consent for the renewal of expired planning approval (W/20488) residential dwelling and garage at 14 Heol Gwermont, Llansaint, Kidwelly, Carmarthenshire, SA17 5JA

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/38461
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Application Type	Conservation Area Consent
Proposal & Location	CONSERVATION AREA CONSENT FOR THE RENEWAL OF EXPIRED PLANNING APPROVAL (W/20488) RESIDENTIAL DWELLING AND GARAGE AT 14 HEOL GWERMONT, LLANSAIN, KIDWELLY, CARMARTHENSHIRE, SA17 5JA

Applicant(s)	JO LEWIS, 9 HEOL TREGWYR, LLANSAIN, CARMARTHEN, SA17 5JF
Agent	GETHIN LLOYD JAMES BA (HONS) ARCH. MCIAT, IAGO CYMRU LTD, TROED Y BRYN, LLANARTHNE, CARMARTHEN, SA32 8JE
Case Officer	Richard Jones
Ward	St Ishmael
Date of validation	19/02/2019

CONSULTATIONS

St Ishmaels Community Council – Has not responded to date.

Local Members - County Councillor L M Stephens has made no comment to date.

Neighbours/Public - The application has been publicised by the posting of a Site Notice as a development within a conservation area. Two objection letters have been received and are summarised below:-

- Significant loss of privacy to garden and habitable rooms due to overlooking from proposed first floor window.
- Additional noise and disturbance as a result of the dwelling.
- Over-development and overcrowding of the site which will have an impact upon the character of the area in addition to the effect it would have on the Llansaint Conservation Area.
- Negative visual impact on the landscape.
- Increased volume of traffic as a result of the proposal resulting in a greater risk to pedestrians in the immediate locality.

- The driveway dimensions appear to fall short of the regulations.
- Concern regarding the management, control and safe dismantling and disposal of the structure currently on site. There could be hazardous material such as asbestos in the building which could pose a threat to the health of adjacent occupiers.
- Disappointment that neighbouring dwellings were not consulted and no notice of planning being put up.
- Traffic congestion will be caused to a very narrow street and cause access issues to an adjacent property.
- Lack of visibility at the site's proposed access with Heol Gwermont. There are obstructions that prevent visibility when vehicles emerge from the site.
- Loss of view due to the proposed height of the dwelling.
- The height of the building is not in keeping with the scale of adjacent dwellings.
- Impact on ecological interests at the site.
- There are empty properties in the village and the proposal will add to the number of properties that could become further holiday homes in the village.
- The person named as the applicant on the application form is not the applicant.

RELEVANT PLANNING HISTORY

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

W/38150	Renewal of expired planning approval (W/20486) residential dwelling (Resolution to approve at Planning Committee subject to Conservation Area Consent)	Pending
W/20486	Residential dwelling Full planning permission	25 March 2010
W/17517	Demolition of former garage and outbuilding into 1 no. dwelling house with garage Full planning refused	16 November 2007
D4/24934	Temporary use of existing building as domestic garage Full planning permission	22 September 1994
D4/22795	Conversion of disused shop into a bungalow Outline planning permission	10 November 1992
D4/18273	Siting of residential unit Outline planning permission	12 September 1989

APPRAISAL

THE SITE/PLANNING HISTORY

The application site comprises a large garage and store structure sited on a parcel of land that is sandwiched between the residential dwellings of No.12 and 16a Heol Gwermont, Llansaint. The structure is set back from the highway by some 5m and measures 19m across its frontage, has a depth of 17.1m and a height of 5.4m. The site is within the Llansaint Conservation Area which is characterised by modest terraced cottages sited along an organic street pattern of narrow roads and alleys. The tight street pattern and the close arrangement of dwellings to one another provide the village with a sense of place which adds significant character to the settlement. The street pattern is irregular, twisting and turning, widening and contracting in a sequential and inviting manner. Dwellings are modest in height whilst the use of materials is predominantly lime washed stone and spar and slate roof tiles. Minor detailing of the dwellings includes chimney stacks, 40° degree roof pitches and 'clipped' eaves.

Full planning permission was approved subject to conditions at this site for a dwelling in March 2010. This permission has since lapsed, nevertheless this permission demonstrates that residential development, albeit under the previous Local Plan's policies, was acceptable at this location. The design, scale, layout and parking arrangements approved in 2010 are the same as those currently under consideration. Moreover, the site has a history of unimplemented residential planning approvals dating back to 1978. These permissions are considered material to the consideration of this current application.

Members made a resolution to approve full planning permission at this site for a single detached residential dwelling subject to the granting of a counterpart conservation area consent at the 7th February 2019 Planning Committee.

THE PROPOSAL

Conservation Area Consent is sought for the demolition of the building that stands on site and having regard to the special character and appearance of the Llansaint Conservation Area. Applications for Conservation Area Consent are required when structures of a certain size, are proposed for demolition. Consideration will also be required on whether the dwelling proposed makes a positive contribution towards the character and appearance of the conservation area.

The building to be demolished is known as the former Cooperative store which measures 5.9m in width by 12m in length and has a maximum height of 4.5m. The structure is constructed of brickwork, some elevations in stretcher bond facing brickwork and the remainder in render. It has a fibre cement mansard type roof, flat roofed extension to the side and rear, with metal roof windows and dates back to circa 1930. The building is set back approximately and 3.5m from the edge of Heol Gwermont, a narrow road primarily characterised by a mix of terraced and detached dwellings of early 20th century construction, rear boundaries walls and garden outbuildings such as garages and sheds.

Following demolition it is proposed to construct of a detached garage and dwelling as per the details submitted under application W/38150 which the committee have already resolved to approve. For clarity the dwelling will be approximately 2.2m from the edge of Heol Gwermont and will have a frontage width of 6.7m, a length of 11.2m and a height of 7.9m. A proposed detached garage will be sited to the north east of the dwelling and set back some 2.5m from the front building line. The garage will measure 3.6m in width by 5.7m in length and will be constructed with a pitched roof measuring 4.5m in height. External finishes will consists of slates to the roof, a smooth external render to the elevations and hardwood windows. A rear garden area will be provided which will have a maximum depth of approximately 7.5m. Additional off street parking will be provided in an area in front of the proposed detached garage.

PLANNING POLICY

The relevant policies are:-

In the context of the current development control policy framework the site is located within the defined development limits for Llansaint and within the Llansaint Conservation Area as contained in the adopted Carmarthenshire Local Development Plan Adopted December 2014 and within a Conservation Area.

Policies SP13 and EQ1 of the LDP relate to development in conservation areas and require that development preserves and enhances the historic environment.

Section 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to pay special attention shall be paid the desirability of preserving or enhancing the character of appearance of a conservation area.

Paragraph 2.2 of Technical Advice Note 12 Design (2014) states:-

2.2 The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales - from householder extensions to new mixed use communities.

Paragraph 2.6 of Technical Advice Note 12 Design (2014) states:-

2.6 Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities.

Planning Policy Wales 10 (December 2018) provides advice in relation to the assessment of proposals in Conservation Areas. Specifically, Para 6.1.14 states there should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings. Positive management of conservation areas is necessary if their character or appearance are to be preserved or enhanced and their heritage value is to be fully realised. Planning authorities should establish their own criteria against which existing and/or new conservation areas and their boundaries should be reviewed. The preparation of conservation area appraisals and management plans can assist planning authorities in the exercise of their development management functions.

Para 6.1.15 states there is a strong presumption against the granting of planning permission for developments, including advertisements, which damage the character or appearance of a conservation area or its setting to an unacceptable level. In exceptional cases, the presumption may be overridden in favour of development considered desirable on public interest grounds.

Para 6.1.16 states that preservation or enhancement of a conservation area can be achieved by a development which either makes a positive contribution to an area's character or appearance or leaves them unharmed. Mitigation measures can also be considered which could result in an overall neutral or positive impact of a proposed development in a conservation area.

Para 6.1.17 states that conservation area designation introduces control over the total or substantial demolition of unlisted buildings within these areas, but partial demolition does not require conservation area consent. Procedures are essentially the same as for listed building consent. When considering an application for conservation area consent, account should be taken of the wider effects of demolition on the building's surroundings and on the architectural, archaeological or historic interest of the conservation area as a whole. Consideration should also be given to replacement structures.

Issues

The main issue for consideration regarding this application will be whether the demolition of the existing outbuilding and its replacement with a new dwelling and detached garage has regard to preserving or enhancing the character and appearance of the conservation area, its setting and any buildings or features of architectural or historic interest which it possesses.

The building to be demolished is currently used for storage and evidence suggests it was built in the 1930s and used as a Coop store at some point in the past. It was not evident on the inspection of the site it is used by as commercial use or used for any purpose other than storage. The building shows signs of neglect with vegetation growing from the walls and is of no significant architectural merit or group value to the conservation area. This utilitarian building is also considered an anomaly within this residential street and it is considered its demolition will not harm the character of the conservation area.

Turning now to whether the dwelling that will be built will preserve or enhance the character of the conservation area. The design and scale of the dwelling is consistent with surrounding properties, sharing similarities in terms of, relationship and proximity to the highway, frontage width, height, depth, vertical window openings, and entrance to front elevation, clipped eaves and use of materials. On this basis the proposal is considered to be consistent with the character and appearance of the area, whilst preserving and enhancing the Llansaint Conservation Area.

The dwelling is not considered cramped or over-developed within the plot, given that its dimensions allow for an adequately sized rear garden comprising approximately 70 square metres. The building to plot ratio is comparable to neighbouring dwellings in the conservation area. Overall the dwelling will appear visually acceptable and will preserve the conservation area and is not considered to harm the character and appearance of this part of the village.

THIRD PARTY REPRESENTATIONS

Three objection letters have been received which repeat the matters raised regarding the application for full planning permission, ref: W/38150, save for a concern regarding the authenticity of the applicant's name on the application form. The objectors claim that the applicant is not aware of the application being submitted despite her name written on the form. This is noted however, no written confirmation has been submitted by the person in question indicating that the information on the application form is incorrect.

The remaining issues raised will not be addressed in full in this report as these were done in the officer's appraisal on W/38150. Concerns with regard to the impact on the character and appearance on the Llansaint conservation area are nevertheless valid in respect of this application and have been addressed in the "Issues" section of the report.

CONCLUSION

In conclusion, the proposed dwelling is considered acceptable in that its design and scale is consistent with neighbouring dwellings and will ensure no detrimental harm to the character and appearance of the Llansaint Conservation Area. The demolition of the existing outbuilding that stands on site will not have a harmful impact on the conservation area and its loss is considered to preserve and enhance the character of the conservation area.

It is requested that members of the Planning Committee resolve to approve the application subject to the applicant entering into a S106 legal agreement to secure a financial contribution towards affordable housing in the area. On this basis approval is recommended.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years of the date of this permission.
- 2 The development shall be carried out strictly in accordance with the following approved plans and documents received on 4th February 2019, unless otherwise stipulated by conditions:-
 - Site and Location Plan [PA/06] 1:500, 1:2500 @A2;
 - Existing Floor Plan [PA/01] 1:50 @A2;
 - Existing Elevations [PA/02] 1:50 @A2;
 - Existing Elevations [PA/03] 1:50 @A2;
 - Proposed Floor Plans [PA/04] 1:50 @A2;
 - Proposed Elevations [PA/05] 1:100 @A2;
 - Design and Access Statement;
 - Heritage Impact Assessment.
- 3 No work for the demolition of the buildings hereby approved shall commence until such time as the applicant or their agents or successors in title have secured a time specific contract for the demolition of the existing buildings and redevelopment of the site in accordance with a valid planning permission. Details of such a contract shall be made available to the Local Planning Authority.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.
- 3 In order to ensure that the site is not left vacant and derelict, and the replacement buildings are constructed within a reasonable period of time from the commencement of the demolition work.

SUMMARY REASONS FOR APPROVAL

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

- The proposal complies with Policy SP13 and EQ1 of the adopted Carmarthenshire Local Development Plan (2014) in that the proposed dwelling will not adversely affect existing buildings, structures, open spaces, trees and other features which make a positive contribution to the character and appearance of the conservation area. The demolition of the existing outbuilding is considered acceptable and will ensure the Llansaint Conservation Area is preserved and enhanced.

NOTE(S)

- 1 This permission is subject to a Unilateral Undertaking to secure financial contributions towards affordable housing that is payable prior to the commencement of any further works (£51.35 per square metre of internal floor space).
- 2 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions which require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

- 3 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).