

**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 03 RHAGFYR 2020  
ON 03 DECEMBER 2020**

**I'W BENDERFYNU/  
FOR DECISION**

***Ardal Del/  
Area South***



**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>03 DECEMBER 2020</b>   |
| <b>REPORT OF:</b> | <b>HEAD OF PLANNING</b>   |

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**APPLICATIONS RECOMMENDED FOR APPROVAL**

|                       |                |
|-----------------------|----------------|
| <b>Application No</b> | <b>S/40658</b> |
|-----------------------|----------------|

|                                |   |
|--------------------------------|---|
| <b>Application Type</b>        | Full Planning   |
| <b>Proposal &amp; Location</b> | Construction of two new four bedroom dwelling houses with detached garages at land adjacent to 21 Coedcae Road, Llanelli SA15 1HJ |

|                        |                             |
|------------------------|-----------------------------|
| <b>Applicant(s)</b>    | Mr. John Williams, 5103 Ltd |
| <b>Agent</b>           |                             |
| <b>Case Officer</b>    | Rob Davies                  |
| <b>Ward</b>            | Bigyn                       |
| <b>Date registered</b> | 04/06/20                    |

## Reason for Committee

This application is being reported to the Planning Committee

\* following the receipt of more than one objection from third parties

## Site

The application site consists of an irregular shaped parcel of vacant land located on the southern flank of Coedcae Road in Llanelli. The site is surrounded on all sides by residential dwellings of various designs. The site is set below the level of the existing highway adjacent to the north, and is separated from it by a mature tree line. The site is currently rough grass and bramble with a line of semi-mature Ash trees and an outgrown blackthorne hedgerow running along its boundary with Coedcae Road. The aforementioned Ash trees are protected by Tree Preservation Orders confirmed by the former Llanelli Borough Council located either on or adjacent to the application site.

## Proposal

The application seeks full planning permission for the construction of two, four bedroom, two storey detached dwellings with detached single storey garages. The proposed dwellings themselves are located centrally within the application site, offset from the boundaries either side, and are to be served via a new shared central access on to Coedcae Road.

The dwellings themselves are of a contemporary design, with a two storey front gable projection, and external finishes consisting of brick and render to the walls and grey concrete

tiles to the roof. The dwellings are between 7.3 to 8.3m in depth, 10m in width and have a maximum ridge height of 7.9m.

Cross section drawings submitted with the application indicate that it is proposed to raise levels at the application site which is currently at a lower level than Coedcae Road itself. The proposed levels will be similar to those at 23 Coedcae Road, and will ensure that a gravity foul feed connection can be made to the main sewer. In terms of surface water disposal, the drainage layouts submitted with the application indicates that use will be made of porous driveways to the front, whilst infiltration basins are proposed to the rear garden to attenuate and allow surface water to infiltrate naturally thereafter.

The proposed boundary treatment measures will consist of a mixture of 1m high brick walls to the more prominent boundaries to the front and 1.8m high feather edge fencing to the side and rear boundaries.

The Tree Report submitted with the application indicates that the protected Ash trees on the front boundary are unfortunately suffering from Ash die back disease, and therefore it is proposed to remove these trees and replace with three Sorbus Aria Lutescens, which are native trees which will achieve a maximum height of 10m, and a total crown spread of 8m so will not cause conflict with the pedestrian footpath or the new buildings. A separate TPO application to remove these Ash trees and to implement the re-planting scheme has been submitted and approved.

In addition to the drawings, the application was accompanied by the following supporting information:-

- Tree Survey Report
- Preliminary Roost Assessment of Trees for Bats
- Invasive Species Site Identification Report
- Soakaway Test Report
- Drainage Calculations

## Planning Site History

|          |   |                |
|----------|---|----------------|
| PL/00551 | Application for Tree Works subject to TPO (S33) –<br>Consent to Cut Down<br>Approved  | 10 November 20 |
| S/36622  | Two New Dwellings<br>Outline Granted  | 15 May 2018    |
| S/33561  | For TPO Applications TPO:S33 -Trimming - Tree Works<br>Subject to a Preservation Order (TPO)<br>Granted   | 20 April 2016  |
| S/27746  | Variation of Condition No. 3 and No. 4 attached to planning<br>permission S/13212 (Approved on Appeal Ref. APP/M6825/1200324)<br>dated 21.02.07 subsequently amended by S/21876 dated<br>17.11.09 to extend the period of time for submission of<br>Reserved Matters<br>Variation of Planning Condition Granted | 02 April 2013  |

|           |  |                                     |
|-----------|--|-------------------------------------|
| S/21876 - | Variation of Condition No. 3 and No. 4 attached to planning permission S/13212 (approved on Appeal Ref. APP/M6825/1200324) dated 21.02.07 to extend the period of time for submission of Reserved Matters<br>Variation of Planning Condition Granted | 17 November 2009                    |
| S/13212   | Proposed 2 No. Plots<br>Outline Refused<br>Appeal Upheld   | 10 October 2006<br>21 February 2007 |
| S/12347   | Proposed 3 No. Dwellings<br>Outline Refused  | 06 April 2006                       |
| D5/5256   | Construction of Joinery Shop<br>Refused  | 23 October 1980                     |
| D5/4139   | Joinery Workshop<br>Refused  | 19 July 1979                        |

## Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

SP1 Sustainable Places and Spaces  
 SP2 Climate Change  
 SP3 Sustainable Distribution – Settlement Framework  
 SP9 Transportation  
 SP14 Protection and Enhancement of the Natural Environment  
 SP17 Infrastructure  
 GP1 Sustainability and High Quality Design  
 GP2 Development Limits  
 GP3 Planning Obligations  
 GP4 Infrastructure and New Development  
 H2 Housing within Development Limits  
 AH1 Affordable Housing  
 TR2 Location of Development – Transport Considerations  
 TR3 Highways in Developments – Design Considerations  
 EQ4 Biodiversity  
 EQ5 Corridors, Networks and Features of Distinctiveness  
 EP1 Water Quality and Resources  
 EP2 Pollution  
 EP3 Sustainable Drainage

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Suds Approval Body** – No objection. Confirmed SAB approval needed.

**Llanelli Town Council** - Request that a method statement is provided in relation to any proposed tree works relating to the development.

**Local Member(s)** – County Councillor J Edmunds and County Councillor E Morgan have not responded to date.

**Dwr Cymru/Welsh Water** – No objection subject to conditions.

All representations can be viewed in full on our [website](#).

## Summary of Public Representations

The application was the subject of notification by way of letters to 8no. neighbouring properties.

Two letters of representation have been received raising the following concerns and objections:-

- Impact on neighbouring properties by raising levels – levels should be reduced which would then reduce the ridge height of the dwellings in comparison to 21 Coedcae Road
- Loss of privacy
- Drainage infiltration basins on the boundaries – flood risk
- Underground services will affect root protection areas of Protected Trees
- Structural damage
- Displacement of vermin

All representations can be viewed in full on our [website](#).

## Appraisal

As Members will have noted, the LPA has received two objections from third parties whilst Llanelli Town Council has suggested that a method statement for tree works is needed. The material reasons for concern and objection raised will now be addressed individually however the issues raised in terms of structural damage and vermin control are not considered material to the proposal.

It can be noted from the Planning History relating to the site that outline planning permission for two dwellings on the application site was originally granted at appeal in 2007, and has been renewed periodically since. The most recent outline permission was granted in 2018 and is still valid. The current application is a full application instead of reserved matters because it is outside the scope of the previous outline. As such, the principle of developing two dwellings on the site has previously been established.

With regards to the concerns raised in terms of increased levels and impact upon adjacent properties by virtue of visual intrusion and privacy as a result, as aforementioned it is necessary to raise levels to a degree to ensure that a gravity feed to the main sewer for foul water can be achieved, and thus avoiding the need for a pumped solution. The proposed levels are comparative to no.23 Coedcae Road, whilst the ridge height is not excessive at 7.9m. The scheme was amended during the course of the application process whereby the dwellings were set more centrally within the plot and away from the boundaries with no's 21 and 23 Coedcae Road. This coupled with the proposed boundary treatment measures in the LPA's opinion ensures that the proposed development does not adversely affect adjacent properties. Whilst two neighbours did object to the original scheme, no further objections were raised as part of the re-consultation exercise.

In terms of the concerns raised in relation to the surface water drainage infiltration basins and their original position on the boundaries, the amended scheme submitted also moved these features off the common boundaries and set them further into the site. The application has been accompanied by a Drainage Strategy informed by soakaway tests by a suitably qualified Drainage Engineer. The principles of the proposed strategy for the SUDS scheme are considered acceptable, and this will also be subject to a separate SAB application process.

Finally in terms of the points raised in relation to the protected trees, as already mentioned the Tree Report submitted with the application proposes to fell all the trees on the site, including the protected trees, due to their condition and the fact that the majority are Ash and Ash die back is present on site. Instead it is proposed to replace with three Sorbus Aria Lutescens, which are native trees which will achieve a maximum height of 10m, and a total crown spread of 8m so will not cause conflict with the pedestrian footpath or the new buildings. A separate TPO application to remove these Ash trees and to implement the re-planting scheme has been submitted to the Authority and considered in detail by the Authority's Arboriculture Officer. The TPO application has been approved and therefore the trees can be removed without impediment subject to the specified re-planting.

The application was accompanied by a Preliminary Assessment of the Trees for Bats which concluded that the trees and hedgerows had negligible potential to support roosting Bats. The trees have no direct evidence of use by Bats nor any suitable potential for them to do so and therefore the loss of these trees would not result in any negative impacts to the favourable conservation status of local Bat populations or require an EPS licence. The Authority's Planning Ecologist has considered the application and the referenced report and has raised no objection to the proposed development subject to conditions.

The Invasive Species Site Identification Report identified no Japanese Knotweed on the site, and therefore no scheme of eradication is required.

## **Planning Obligations**

The applicant has agreed to provide a financial contribution towards affordable housing based upon the requirements of Policy AH1 of the LDP and the Adopted Supplementary Planning Guidance. This will be secured via a Unilateral Undertaking before a planning permission is released.

# **Well-being of Future Generations (Wales) Act 2015**

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **Conclusion**

The principle of developing the application site for two dwellings has been established on numerous previous occasions. The proposed dwellings are considered acceptable in size, scale and design terms, in keeping with their surroundings.

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

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, the application is put forward with a recommendation for approval subject to the following conditions. Members are respectfully requested to resolve to approve the application and grant the Authority's Head of Planning plenary powers to release the planning permission on the successful completion of the Unilateral Undertaking in relation to affordable housing.

## **Conditions and Reasons**

### **Condition 1**

The development hereby approved shall be commenced before the expiration of five years from the date of this permission.

*Reason:*

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

### **Condition 2**

The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans:-

Planting Plan received 3<sup>rd</sup> November, 2020

Site location and land ownership plan 1:1250 @ A3 (JO23/01) received 3<sup>rd</sup> November, 2020

Soakaway test plan 1:200 @ A3 received 3<sup>rd</sup> November, 2020

Proposed drainage layout plan 1:1250 @ A3 (JO23/02) received 3<sup>rd</sup> November, 2020

Raingarden details 1:50 @ A3 (JO23/04) received 3<sup>rd</sup> November, 2020

Porous Drive Details 1:100 @ A3 received 3<sup>rd</sup> November, 2020

Location plan 1:500 @ A3 (A101 Rev 1) received 3<sup>rd</sup> September, 2020  
Block plan 1:200 @ A3 (A102 Rev 1) received 3<sup>rd</sup> September, 2020  
Site sections 1:100 @ A3 (A103 Rev 1) received 3<sup>rd</sup> September, 2020  
Proposed foul drainage layout 1:200 @ A3 (A104 Rev 1) received 3<sup>rd</sup> September, 2020  
Site sections 1:100 @ A3 (A114 Rev 1) received 3<sup>rd</sup> September, 2020  
Section locations 1:200 @ A3 (A115 Rev 1) received 3<sup>rd</sup> September, 2020  
Boundary details 1:200 @ A3 (A116 Rev 1) received 3<sup>rd</sup> September, 2020  
Site sections 1:100 @ A3 (A117 Rev 1) received 3<sup>rd</sup> September, 2020  
Plot 1 – Elevations 1:100 @ A3 (A105) received 7<sup>th</sup> May, 2020  
Plot 1 – Ground floor plan 1:50 @ A3 (A106) received 7<sup>th</sup> May, 2020  
Plot 1 – First floor plan 1:50 @ A3 (A107) received 7<sup>th</sup> May, 2020  
Plot 1 – Roof plan and section AA 1:50; 1:100 @ A3 (A108) received 7<sup>th</sup> May, 2020

*Reason:*

In the interest of visual amenity.

### **Condition 3**

The development should take place strictly in accordance with the Recommendations detailed in Sections 8.1, 8.2, 8.3 and 8.4 of the Preliminary Roost Assessment of Trees report produced by Hawkeswood Ecology and received by the Local Planning Authority on the 1<sup>st</sup> June, 2020.

*Reason:*

In the interests of ecology in accordance with Policy EQ4 of the LDP.

### **Condition 4**

The landscaping/tree re-planting works shall be carried out in accordance with the Planting Plan drawing received on the 3<sup>rd</sup> November, 2020 during the first planting season immediately following the completion of the development.

*Reason:*

In the interest of visual amenity and to compensate for the loss of existing landscape features.

### **Condition 5**

Prior to the commencement of development a detailed Biodiversity Enhancement Scheme including locations, types, specifications and numbers of biodiversity enhancement measures should be submitted to and approved in writing by the Local Planning Authority. The approved scheme should subsequently be implemented in strict accordance with approved details prior to the beneficial occupation of the dwellings.

*Reason:*

In the interest of ecology and to accord with the Environment (Wales) Act 2016 and Planning Policy Wales 2018.

### **Condition 6**

Prior to the commencement of development an exterior lighting plan should be submitted to and approved in writing. The lighting plan will need to include details and measures that

focus particularly on minimising lighting impacts near to any proposed Bat roost features i.e. artificial Bat boxes and maintaining flight lines and dark corridors. The approved scheme should subsequently be implemented in strict accordance with approved details prior to the beneficial occupation of the dwellings.

*Reason:*

In the interests of ecology in accordance with Policy EQ4 of the LDP.

### **Condition 7**

Prior to the commencement of development a sensitive clearance strategy for reptiles prepared by a competent ecologist shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme should subsequently be implemented in strict accordance with approved details.

*Reason:*

In the interest of ecology.

### **Condition 8**

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

*Reason:*

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.

### **Condition 9**

The proposed drainage arrangements shall be carried out in strict accordance with the approved drainage plans referenced A104 Rev 1 received 3<sup>rd</sup> September, 2020 and JO23/02 received 3<sup>rd</sup> November, 2020, and thereafter retained as such in perpetuity.

*Reason:*

To ensure a satisfactory form of drainage.

### **Condition 10**

The first floor bathroom windows shall be glazed in obscure glass and thereafter retained as such in perpetuity.

*Reason:*

To preserve residential amenity.

## **Notes/Informatives**

### **Note 1**

This planning permission is granted subject to the covenants contained in the Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 dated ..... in connection with the payment of a commuted payment towards affordable housing provision.

## **Note 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

## **Note 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](http://www.carmarthenshire.gov.uk)).

|                       |                 |
|-----------------------|-----------------|
| <b>Application No</b> | <b>PL/00053</b> |
|-----------------------|-----------------|

|                                |   |
|--------------------------------|---|
| <b>Application Type</b>        | Householder   |
| <b>Proposal &amp; Location</b> | Proposed Single Storey Rear Extension with Balustrade above at 53 Bwlchgywynt, Llanelli, SA15 2AJ |

|                        |             |
|------------------------|-------------|
| <b>Applicant(s)</b>    | Mr Darzins  |
| <b>Case Officer</b>    | John Thomas |
| <b>Ward</b>            | Glanymor    |
| <b>Date registered</b> | 31/07/2020  |

## Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties.

## Site

The application property is a large detached house with an integral garage situated at the end of a line of similarly sized and modern design houses on the Bwlchgywynt Estate, itself located on part of the Machynys peninsular in South Llanelli. The existing house is three storey in scale and appearance and, as is the case with all the other houses to this side of the estate which have open aspects onto the adjacent shoreline and estuary, the house has been designed and orientated to maximise this Westward outlook, with a large proportion of the elevation glazed to optimise the available views. This extends to each house invariably having a first floor balcony integral in its design, which is true of the application property which has a staggered balcony arrangement.

While the house is located within the larger estate development it is only immediately bordered on one side by an adjacent dwelling house, with internal estate roads to two sides, and the shoreline to the other. The adjacent house to the immediate East South-east follows an identical curved building line to others on this side of the estate, and although similar in scale to the application property, is of a different modern house design, most notably it has a continuous balcony across the whole rear elevation. The house type designs along this same row of houses are comprises of the same two house designs in an alternating pattern.

## Proposal

The application seeks full planning permission to both extend the area immediately behind the ground floor double garage to form a single storey rear extension, as well as extend the

existing balcony area above outwards to be in-line and continuous with the further first floor balcony area. The proposed extension would measure 7m x 3m in footprint, with a roof height of 3.2m, thereby filing and enclosing an area of rear patio.

Part of the proposed roof area presently forms one of the two first floor balcony areas, while the application also proposes extending the balcony area outwards by a further 2.8m to bring it in-line with the other balcony area. This would create a continuous balcony area across the whole rear elevation, not too dissimilar to that which the near neighbouring property presently enjoys. The proposal would also bring the balcony in-line with the neighbours full width balcony.

## Planning Site History

The application site has been the subject of the following previous planning applications:-

|         |  |                  |
|---------|--|------------------|
| S/31833 | Flat Roof Extension To Rear And Alter/Extend Balconies To Form Sundeck<br>Exiting From Upper Lounge/Bedrooms<br>Full Refusal   | 01 June 2015     |
| S/28233 | Removal Of Condition No 8 Attached To Planning Permission S/19221<br>Removal Of Condition Granted  | 02 July 2013     |
| S/28166 | Construction Of 4no. Units including associated garages,<br>means of enclosure, landscaping and associated building<br>and engineering works. Proposed development represents a<br>replan of previous Consent granted under S/19221<br>Pending   |                  |
| S/19221 | Construction Of 205 Residential Apartments and Dwellings<br>with Associated Access and Landscaping together with the<br>discharge of Pre Commencement Conditions No's 10, 12,<br>13 & 16 attached to Outline Planning Permission S/14180<br>Reserved Matters Granted<br>Unilateral Undertaking | 07 October 2010  |
| S/19189 | Discharge of condition no. 10 attached to Planning<br>Permission S/14180 - Contaminated Land<br>Withdrawn  | 23 November 2009 |
| S/19187 | Discharge of Condition No. 16 Attached to Planning<br>Permission S/14180 - Drainage<br>Withdrawn   | 23 November 2009 |
| S/14180 | Residential development together with associated highway<br>and junction improvements, car parking and servicing, open<br>space and landscaping, and other ancillary uses and activities<br>Outline Granted<br>S106 by Planning Condition  | 21 November 2006 |

# Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

GP1 Sustainability and High Quality Design  
GP6 Extensions

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Llanelli Town Community Council** - No observations received to date.

**Local Member(s)** – County Councillors Louvain Roberts and John Prosser have made no prior comment.

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

All representations can be viewed in full on our [website](#).

## Summary of Public Representations

The application was the subject of notification by way of neighbour notification letters.

Four representations were received, one neither objecting nor supporting the application but making observations, while the further three representations state their objection to the proposal. The concerns and objections expressed are as follows:-

- The adjoining parking area is privately owned and should not be used by contractors, for parking, deliveries or access purposes;
- The extension will decrease light to one of the neighbours living area windows;
- Privacy to the first floor balcony will be reduced;
- Views presently enjoyed will be compromised, thereby impacting on the property value.

All representations can be viewed in full on our [website](#).

## Appraisal

### Principle of Development

The proposed single storey rear extension is relatively modest in size, measuring 7m x 3m, and a roof height of 3.2m. In the context of the existing dwelling this would amount to less than a 20% increase in footprint, and less than 10% increase in gross habitable floor area.

The first floor balcony is an existing feature of the house, and invariably also a feature of all the other houses in the same row, albeit of varying sizes, but following a common theme.

## **Design**

In respect of the design of the rear extension, the proposal would serve to “square-off” a rear corner area which presently serves as part of the patio, while given it’s size and location would have no adverse impact on the character and appearance of the host dwelling.

The proposed balcony extension, like the existing, is largely transparent and will serve to replicate the existing glass panelled balustrading, with the exception of the proposed side privacy screen to a height of 1.8m. As is now customary with such open air features in close proximity to flanking properties, the side panel will be obscure glazed, not clear glazed like the remainder of the balcony. As previously highlighted, first floor balconies are an integral feature of those properties benefiting from beach facing aspects.

## **Residential Amenity and Privacy**

The proposed first floor balcony extension has attracted objection on the grounds of light deprivation as well as perceived loss of privacy. On the latter point, the only window present in the near neighbouring property that could conceivably be affected is a first floor side elevation window. This window presently has an unrestricted view directly onto the applicant’s existing balcony area, as does the neighbour’s balcony which is devoid of any privacy screen or similar. The present proposal will serve to rectify this deficiency to both party’s benefit.

In respect of the claimed light obstruction to what is a secondary window to a first floor habitable room. The application property is slightly North of due West to the objector’s neighbouring property, with very limited potential to limit light to this window and room, which also benefits from a patio door to the South facing elevation. It must also be appreciated that while the near facing obscure glazed privacy will not be transparent, it will however be translucent. This will continue to allow daylight to pass through, albeit maintain the required level of privacy and dignity.

## **Other Matters**

Certain of the objections raised have emanated from occupiers of the nearby Wellfield apartment block, which is served by a private parking area to the immediate North of the application property. These objections are predicated on concerns that their private parking areas may be requisitioned or used by contractors and delivery vehicles allied to any prospective development. This would be a private civil matter between the two parties concerned and outside of the scope of the LPA.

Likewise, the opined loss of lateral view as a result of the proposed development, and the perceived impact on property value are also not material planning considerations.

## **Planning Obligations**

Not applicable.

# **Well-being of Future Generations (Wales) Act 2015**

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **Conclusion**

After careful consideration of the scheme as submitted it is concluded on balance that the proposal complies with the policies set out in the local development plan and is therefore recommended for approval.

## **Conditions and Reasons**

### **Condition 1**

The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.

*Reason:*

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

### **Condition 2**

The development hereby permitted shall be carried out strictly in accordance with the following plan dated 25 September 2020:-

- 1:1250 scale Location Plan Received 21-08-2020;
- 1:500 scale Proposed Site Plan Received 21-08-2020;
- 1:50 scale Proposed Floor Plans. Drawing No.06;
- 1:100 scale Proposed Elevations & Floor Plans Received 21-08-2020;
- 1:100 scale Proposed Garage Plan, Section & Elevations. Drawing No.09.

*Reason:*

In the interests of visual amenity in accordance with Policy GP1 of the LDP.

### **Condition 3**

External walls of the extension hereby approved, along with fenestration shall match those of the existing house in texture and colour.

*Reason:*

In the interests of visual amenity in accordance with Policy GP1 of the LDP.

## **Condition 4**

The proposed 1.8m high obscure glazing balcony screen shall be erected along the east elevation of the proposed balcony, as per the details on the Proposed Elevations & Floor Plans drawing, prior to the occupation of the proposed extension and maintained thereafter.

### *Reason:*

In the interest of privacy and residential amenity in accordance with Policy GP1 and GP6.

## **Notes/Informatives**

### **Note 1**

Please note that this permission 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 permission 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 commencement if 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 conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

### **Note 2**

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](http://www.carmarthenshire.gov.uk)).

|                       |                 |
|-----------------------|-----------------|
| <b>Application No</b> | <b>PL/00413</b> |
|-----------------------|-----------------|

|                                |  |
|--------------------------------|--|
| <b>Application Type</b>        | Full Detailed  |
| <b>Proposal &amp; Location</b> | Detached Dwellinghouse, Land formerly part of 21 Ar Y Bryn, Pembrey, Llanelli. |

|                        |                   |
|------------------------|-------------------|
| <b>Applicant(s)</b>    | Mr I Griffiths    |
| <b>Agent</b>           | Evans Banks       |
| <b>Case Officer</b>    | Gary Glenister    |
| <b>Ward</b>            | Pembrey           |
| <b>Date registered</b> | 24 September 2020 |

## Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties.

## Site

The application site is an infill plot within the settlement development limits of Pembrey. The site had outline planning permission in 2017, however no reserved matters applications have been received. The site had a full application submitted and refused on design grounds earlier in 2020 and this application is therefore an amended proposal.

The site was formerly part of the private garden to 21 Ar Y Bryn and is set at a lower ground level than the house itself. The site slopes down from the original dwelling in a southerly direction so the current grassed site has a significant gradient. The Western and Southern boundaries are defined by mature ornamental hedgerows, however the Northern and Eastern boundaries are open to a larger grassed area which forms remainder of the southern facing private garden area to the original dwelling.

The site is accessed via a private road which leads to other properties in Ar Y Bryn which joins the County Highway at a point opposite the historic Cwrt Farm.

## Proposal

The application seeks full detailed planning permission for a single dwelling on the site.

The dwelling is proposed to be split level utilising the sloping site with the appearance of being three storeys high from the front (two storey from the rear) with additional accommodation in the loft. The accommodation is proposed as follows: Ground floor – entrance hall and plant room. First floor – four bedrooms (one en-suite) and a family bathroom. Second floor – kitchen/dining room, utility room, living room and covered balcony. Roof Accommodation - master bedroom, walk in wardrobe and en-suite bathroom.

The proposal incorporates an open balcony accessed from the second floor under an asymmetrical roof which overhangs.

In terms of external materials the main body of the house is proposed to be smooth render with a natural stone cladding system for the two storey front section under a slate roof which includes photovoltaic panels. Natural stone detailing is proposed on the window heads and cills. Fenestration is proposed to be anthracite coloured uPVC.

The proposed house is set to the West of the site with a driveway to the East and garden to the North. The proposed house is cut into the slope with a level private garden to the rear before a retaining wall and natural ground levels beyond. The southern boundary hedge is proposed to be retained, however all other boundaries are proposed to be 1.8m high close boarded fencing.

## Planning Site History

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

|          |   |                  |
|----------|---|------------------|
| S/40375  | Proposed detached dwelling<br>Full Refusal  | 05 May 2020      |
| S/38493  | Removal of Condition 10 on S/35195 (Carriageway Surfacing of<br>Nearby Road Junction)<br>Removal of Condition Granted | 04 June 2019     |
| S/35195  | Residential building plot<br>Outline Granted<br>Unilateral Undertaking - Affordable Housing                           | 19 December 2017 |
| D5/17077 | Residential<br>Outline Granted - Committee  | 20 July 1995     |
| D5/17028 | Double Garage<br>Full Granted - Committee   | 05 July 1995     |
| D5/14277 | Private Detached Dwelling<br>Full Granted - Committee   | 31 March 1994    |
| D5/12638 | Construction of dwelling<br>Full refused  | 04 June 1990     |

# Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

SP1 Sustainable Places and Spaces  
SP2 Climate Change  
GP1 Sustainability and High Quality Design  
GP2 Development Limits

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

## Summary of Consultation Responses

**Head of Transportation & Highways** – has no objection subject to the imposition of appropriate conditions.

**Pembrey and Burry Port Community Council** - No observations received to date.

**Local Member(s)** - Councillors HB Shepardson and S Matthews have not commented to date.

All representations can be viewed in full on our [website](#).

## Summary of Public Representations

The application was the subject of notification by way of neighbour letters.

Three representations were received objecting and the matters raised are summarised as follows:

- Design and materials
- Height
- Residential amenity
- Access / ownership of the private road
- Potential damage to residential property
- Utilities
- Surface water
- Loss of view

All representations can be viewed in full on our [website](#).

## Appraisal

### Design & Materials

The proposed dwelling has a mix of render and a stone/slate cladding system which would have a contemporary character. Whilst the prevailing character of the area is red brick, the

design and character of the surrounding dwellings is not uniform, and taking the wider context of Mountain Road, there are individual properties which are a light render which feature from the highway to break up the prevalence of brick. Therefore, a more contemporary palate of materials being primarily render with stone features under a slate roof is not likely to have a detrimental impact.

The height of the proposal is significant as it uses the topography to provide split level accommodation. The ground floor is an entrance hall and plant room and does not extend to the whole footprint. Above is a two storey dwelling with additional bedroom in the loft. Given the sloping nature of the site, whilst the overall maximum height is nearly 12m from the front, the scheme is cut into the slope, so the overall nature of the proposal is not considered excessive.

### **Residential Amenity**

There is concern over residential amenity with the 'upside down' design of the proposal and inclusion of a covered balcony. The proposed dwelling is set back into the plot with an access to the front. This ensures that there is at least a 21m separation distance between the dwelling and the closest part of the dwelling to the south. This separation distance is considered to be acceptable and it is noted that the front elevation of the house to the south currently has unobstructed views from Ar Y Bryn so privacy is not going to be affected as there would be mutual overlooking between the fronts of the dwellings. Any dwelling would have fenestration to the front, so the covered balcony is not likely to have an impact that would be any different to having glazed windows on this elevation. The balcony is however likely to have less use than an incorporated living space and with the addition of obscure ballustrades as conditioned below, is not likely to have an unacceptable loss of residential amenity to the neighbouring properties.

### **Access**

The proposal is accessed via a private road which joins Mountain Road opposite the historic Cwrt Farm. The private road serves a number of properties known as Ar Y Bryn. The Head of Transport has assessed the scheme and has no objection subject to the imposition of appropriate conditions to ensure necessary access improvements are secured, including the widening of the private road as it passes the plot.

In relation to the ownership of the private road, this is a private matter which the applicant will have secured through the purchase of the plot and does not therefore affect the planning permission.

### **Potential damage to neighbouring property**

The proposal is not directly adjacent to the boundary and trees referred to as there is a road between. Any potential damage to private property is a private civil matter and not material to the determination of this application.

### **Utilities**

The presence of utilities serving the houses which are at a higher level is noted, and the applicant will have to ensure that any sub terranean pipework is either protected or diverted. This is a private matter between land owners.

It is noted that Sustainable Drainage Board approval is needed for surface water under other legislation.

### **Loss of View**

Loss of view is not a material planning consideration.

## **Planning Obligations**

The standard affordable housing contribution based on the internal floor area is applicable in this case.

## **Well-being of Future Generations (Wales) Act 2015**

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **Conclusion**

After careful consideration of the scheme as submitted it is concluded on balance that whilst the design is more contemporary than neighbouring properties, it is spit level to use the topography and is not likely to have an unacceptable adverse impact on the character and amenity of the area. There is concern over residential amenity, however the principle of a dwelling on the site was established in 2017 with a reasonable separation distance with neighbouring properties. Any dwelling would have fenestration facing in the general direction of the properties opposite, so the presence of the covered balcony is not likely to have an unacceptable adverse impact on third parties.

The proposal is considered to be in accordance with the above policies so is recommended for approval subject to the submission of a unilateral undertaking in respect of the affordable housing contribution.

## **Conditions and Reasons**

### **Condition 1**

The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.

#### *Reason:*

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

## **Condition 2**

The development hereby permitted shall be carried out strictly in accordance with the following plan dated 23 September 2020

1:50 & 1:1250 scale Location Plan, Section & Roof Plan. Drawing No. A106

1:200 scale Existing & Proposed Site Layout Plans & Cross Sections. Drawing No. A107

1:100 scale Proposed Elevations. Drawing No. A104

1:50 scale Proposed Floor Plans. Drawing No. A105

*Reason:*

In the interests of visual amenity in accordance with Policy GP1 of the LDP.

## **Condition 3**

The new vehicular access shall be laid out and constructed strictly in accordance with Carmarthenshire County Councils (Highways and Transport services) Typical Layout No. 1 (specification for which is attached to this planning permission), prior to the commencement of any other work or development. Thereafter it shall be retained, unobstructed, in this form in perpetuity.

*Reason:*

In the interests of highway safety in accordance with Policy TR3.

## **Condition 4**

Prior to any use of the access by vehicular traffic, a visibility splay of 2.0 metres x 25 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access in relation to the nearer edge of carriageway. In particular there shall at no time be any obstruction above 0.6 metres within this splay area.

*Reason:*

In the interests of highway safety in accordance with Policy TR3.

## **Condition 5**

The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.

*Reason:*

In the interests of highway safety in accordance with Policy TR3.

## **Condition 6**

The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.

*Reason:*

In the interests of highway safety in accordance with Policy TR3.

### **Condition 7**

Prior to the commencement of any part of the development herewith approved, the private road fronting the site shall be widened to provide a carriageway width of at least 4.1 metres. This work shall be completed to the written approval of the Local Planning Authority and to the specification of the Local Highway Authority.

*Reason:*

In the interests of highway safety in accordance with Policy TR3.

### **Condition 8**

The ballustrades serving the covered balcony shall be either a solid material or obscurely glazed and remain as such in perpetuity.

*Reason:*

To protect the amenity of neighbouring properties in accordance with Policy GP1 of the LDP.

## **Notes/Informatives**

### **Note 1**

Please note that this permission 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 permission 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 commencement if 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 conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

### **Note 2**

The applicant / developer's attention is drawn to the requirement for an affordable housing contribution of £58.78 per square metre internal floor area as set out in the signed unilateral undertaking.

### **Note 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](http://www.carmarthenshire.gov.uk))