

**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 20 Medi 2018  
ON 20 September 2018**

**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 yn 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>20 SEPTEMBER 2018</b>
<b>REPORT OF:</b>	<b>HEAD OF PLANNING</b>

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**APPLICATIONS RECOMMENDED FOR APPROVAL**

<b>Application No</b>	<b>W/18258</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	17 DWELLINGS, SITE LAYOUT & ACCESS ROADS AT MAESYDERW, CARDIGAN ROAD, NEWCASTLE EMLYN, CARMARTHENSHIRE, SA38 9RD

<b>Applicant(s)</b>	MR & MRS DAVIES, C/O CARTREFI FFOSARON HOMES, BWLCH Y DOMEN ISAF, PANT Y BWLCH, NEWCASTLE EMLYN, CARMS, SA38 9JF
<b>Agent</b>	HARRIS DESIGN & MANAGEMENT, HENLLAN, EGLWYSWRW, PEMBROKESHIRE, SA41 3UP
<b>Case Officer</b>	Stephen Thomas
<b>Ward</b>	Cenarth
<b>Date of validation</b>	29/01/2008

This planning application was originally presented to the Council's Planning Committee on the 30<sup>th</sup> July 2008, when it was resolved to grant planning permission for the development subject to the imposition of conditions and a Section 106 Agreement in respect of contributions to open space provision and affordable housing. Since that time negotiations have taken place in respect of the contributions and their effect on the viability of the development. At the time a viability assessment was submitted challenging the contributions proposed.

Amended plans have now been submitted amending the layout without changing the overall number of dwellings proposed and there have been changes to the design of the house types. The developer has also submitted an up to date viability assessment for the site that disputes the provision of affordable dwellings due to its effect on the viability of the site. This report is the subject of a consultation with the Council's Head of Corporate Property. To date no confirmation of its assessment has been received.

## **CONSULTATIONS**

**Head of Transport** – Has recommended that any planning permission should include conditions on the specification of the estate road and the retention of each parking space within the site.

**Head of Waste and Environmental Services (Flood Defence and Coastal Protection)** – Initially requested additional information on surface water disposal scheme. When additional information provided had no adverse comments to make.

**Newcastle Emlyn Town Council** – No observations received to date.

**Local Member** – County Councillor Mrs H Evans has not made any prior comment on the application.

**Cambria Archaeology** – The proposed development lies in close proximity to the site of a possible prehistoric chambered tomb or standing stone. Recommends that any planning permission that may be granted, should be the subject of a Grampian condition, requiring the submission to and specific approval by the Local Planning Authority of a written scheme of investigation of the site's archaeology prior to the commencement of any of the development.

**Welsh Water** – No adverse comments to make on the application.

**Environment Agency** – Has no comments to make on the application.

**Neighbours/ Public** – The occupiers of sixteen neighbouring properties had originally been notified of the application and a public notice posted both at the application site and in a local newspaper. Eight letters of representation have been received concerned or objecting to the proposal on the following grounds:

- The address of the proposed development is misleading in that it refers to a single dwelling rather than part of the estate.
- The development will exacerbate the existing problems with the sewerage system from the capacity of the pumping station.
- Concern over the proximity of a tree to the access road which could be undermined by the increase in traffic and may result in possible damage to property.
- The existing access road is unfinished, and could worsen with the increase in traffic.
- There is lack of demand for any further residential developments in the town, which is manifested by properties unable to be sold at present both old and new.
- There is inadequate water supply in the area.
- If this is to be the only access for this and future phases there are concerns over the conflict of vehicles and other users of the highway, particularly from heavy goods vehicles servicing the development.
- There is a need for a recreation/play area on the estate.
- The density of the proposed development is out of character with the surrounding developments, which is a rural area.
- Concern over the capacity of the local schools to take the additional children that will result from the development.
- The proposed development will not create an attractive approach to the town considering its position on its perimeter and would not enhance the future character of the Town.
- Concerned that the management of the surface water run-off will not be considered.

The application was re-publicised due to the amended layout by the placing of a public notice in the local press and on site. No further representations have been received.

## **RELEVANT PLANNING HISTORY**

There is no relevant planning history on the application site, however, the following relevant planning applications have previously been submitted on the adjoining residential site, which has been built out, through which vehicular access is hoped to be gained :

W/03739	Road & Plot Layout (Plots 8, 9,10,12,13) Full Planning Permission	29 <sup>th</sup> September 2000
W/02301	Road and Plot Layout for Residential Full Planning Permission	25 <sup>th</sup> May 1999
D4/21046	Plot and Road Access to Serve Future Development Outline Planning Permission	18 <sup>th</sup> May 1994
D4/23456	Siting of Residential Development Outline Planning Permission	15 <sup>th</sup> October 1993

## **APPRAISAL**

### **THE SITE**

The application site is part of a field to the west of Maesyderw, on the western periphery of Newcastle Emlyn. The site forms an extension to the already developed residential estate collectively known as Maesyderw, through which the proposed development will access. The site is approximately 1km west of the town centre and is to the rear and south of existing dwellings that front onto Cardigan Road (A484). The site is currently under pasture, and gently elevates from north to south.

### **THE PROPOSAL**

The application seeks full planning permission for the construction of 17 dwellings on the application site that is laid out between two cul-de-sacs, that extend in a westerly direction from the existing estate road, with the southern most road taking priority. The dwellings generally are arranged on an east-west axis. The proposed dwellings are mixed in both the number of bedrooms and design. There are two in number two bedroom dwellings, arranged in a pair of semi-detached units, eleven in number three bedroom dwellings all of which are detached, with four house design types. The remainder of the dwellings are detached four bedroom houses that are mixed throughout the development. The whole development has a theme in terms of design, with all dwellings being on two floors, mainly finished in render under a simple saddle roof. Some of the dwellings are proposed to have dormer feature windows in a single elevation whilst others have a protruding gable, and the simpler designs have a porch canopy that identifies the principal entrance door to those dwellings. Parking is shown to be located off-road and to the front of each dwelling, with some of the larger dwellings having an integral garage.

### **PLANNING POLICIES**

In the context of the current development control policy framework, the site lies within the defined settlement limits for Newcastle Emlyn, as designated by the Carmarthenshire Local Development Plan (CLDP) and has been designated as a residential allocation for the town as delineated by Inset Map T2/4 of the CLDP.

Therefore the CLDP planning policies that are considered relevant in this case are Policies H1, AH1, GP1 and GP2 of the Carmarthenshire Local Development Plan.

Policy H1 indicates that land has been allocated for residential development for the Plan and that residential development of allocated sites should be accompanied by a layout of the proposal in its entirety.

Policy AH1 requires that a contribution for affordable housing will be required on all housing allocations and windfall sites. Where viability at the target levels cannot be achieved, variation may be agreed on a case-by-case basis.

Policy GP1 is a general policy that promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing.

Policy GP2 Development limits are defined for settlements identified within the settlement framework. Proposals within defined Development Limits will be permitted, subject to policies and proposals of the CLDP, national policies and other material planning considerations.

### **THIRD PARTY REPRESENTATIONS**

There are a number of representations received from the occupiers of neighbouring properties, the majority of which refer to the same issues of concern, some of which do not object in principle. These are addressed in the following paragraphs.

The main issue raised is that of the unsuitability of the access road for any further development and the conflict that will be prevalent during the construction stage of heavy vehicles entering the site. The Head of Transport has considered the existing access road and the access point onto the highway and has concluded that subject to the imposition of conditions, it is suitable for the proposed development.

Another issue raised is that the construction of the development will cause noise and general disturbance. In this regard the construction process will cause noise and the mechanism for its control is not through the planning system, but is more effectively controlled under public health legislation. Central and Assembly Government guidance indicates that the planning system should not interfere in matters that are best controlled by other means. For this reason the development is not recommended for refusal on this ground.

The lack of demand for further dwellings in Newcastle Emlyn is being used as a ground for objection to this development. The objectors indicate that no further dwellings be granted until the current properties on the market are sold. However, the site forms part of the overall allocation of residential land within Newcastle Emlyn for the Plan period based upon the town's proportion of the overall allocation for the County. These issues would have been evaluated and debated prior to the CLDP being adopted.

A further issue raised is the insufficient level of facilities within Newcastle Emlyn to cater for the additional residents together with the lack of spare capacity within the local schools. However, these issues would, again, have been considered when these sites were allocated and by the Inspector at the public inquiry into the Plan. Furthermore, if this development is granted planning permission, there are community benefits that need to be considered, particularly contribution towards the provision of affordable dwellings within the scheme.



The specific levels of some of these contributions are still under negotiation, due to the viability challenge.

The final issue raised is that of the proposed density of the site. The representations indicate that the proposed development will be out of scale and character with the existing surrounding development. The Forward Planning Manager has commented on the proposal in terms of density and scale and has indicated that the site forms part of a larger allocated site that is specifically allocated for residential use with an indicative figure of 17 dwellings.

The Forward Planning Manager recognises that the 17 units on this site does not cover the whole of the allocated site and that a greater density will eventually be achieved. The number provided in the LDP is indicative only and the scheme submitted appears to be one that can meet the provisions of the relevant policies in the LDP.

Furthermore, it must be considered that Government guidance indicates that there should be a choice of housing available, recognising the needs of all, and that any new developments should allow for a mix of appropriate dwellings including those for affordable provision. Given that there is a relatively short supply of housing land provision in Newcastle Emlyn it is more appropriate that efficient use is made of that land and that increases in density helps to conserve land resources and the design of the dwellings are considered to be appropriate for the location. It is therefore, on balance, after careful consideration, that the development as proposed is appropriate for its location in terms of density.

## **CONCLUSION**

The application site is located within the defined settlement limits for Newcastle Emlyn, as delineated by Inset T2/4 of the Carmarthenshire Local Development Plan. Therefore the principle of residential development on the application site is accepted providing no other material considerations indicate otherwise. In this case it is considered that it has been demonstrated that there are no other such material considerations, and it is considered that the proposal conforms to the requirements of these policies.

Having carefully considered the above mentioned issues, including the planning policy framework, there are no sustainable reasons to refuse the proposal. Consequently, it is recommended that the application be approved subject to the imposition of the following appropriate conditions, subject to the applicant entering into a Section 106 Agreement in respect of the provision of a proportion of affordable housing and/or subject to receiving confirmation from the Council's Head of Corporate Property of agreement with the conclusions in the submitted viability assessment.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

1. The development hereby permitted 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 following schedule of plans:

- The 1:2500 & 1:250 scale Location and block plans, drawing no. 953/03Rev1, received on 1<sup>st</sup> May 2018;
- The 1:100 scale plans and elevations for House Types P, Q & R, drawing no. 953/04RevA, received on 23<sup>rd</sup> February 2018;
- The 1:100 scale plans and elevations for House Types S,T & V, drawing no. 953/05RevA, received on 23<sup>rd</sup> February 2018;
- The 1:250 scale survey drawing number 1771006, received on 29<sup>th</sup> January 2008;

Unless amended by any following conditions

Reason: To ensure that the proposal conforms to the approved plan

3. The landscaping and planting of the site shall be carried out during the first planting season following the commencement of development and shall be maintained, including replacement as necessary.
4. Any trees planted in accordance with condition no. 3 above subsequently removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with trees of similar size and species to those originally planted.
5. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
6. Foul water and surface water discharges shall be drained separately from the site.
7. No surface water shall be connected, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.
8. No land drainage run-off shall be connected, either directly or indirectly, into the public sewerage system.

## **REASONS**

1. Pursuant to Section 91 of the Town and Country Planning Act 1990. (As Amended)
2. For the avoidance of doubt and to ensure that the development is implemented in accordance with the approved plans.
3. In the interest of visual amenity.
4. In the interest of visual amenity.
5. The site is within an area of significant archaeological importance.
6. To protect the integrity of the public sewerage system.

7. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.
8. To prevent hydraulic overload of the public sewerage system and pollution of the environment.

## **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 proposal complies with Policy H1 of the CLDP in that the site would constitute development within the development limits of Newcastle Emlyn.
- The proposal complies with Policy AH1 of the CLDP in that a Section 106 agreement will secure a proportion of affordable dwellings, subject to the assessment of the viability assessment.
- The proposal complies with Policy GP1 of the CLDP in that the proposed development is considered to be in a sustainable location and the design is considered appropriate for the area.
- The proposal complies with Policy GP2 of the CDLP in that the site is located within the defined settlement limits for Newcastle Emlyn and is also allocated for residential development within the Plan.

## **NOTES**

1. 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.

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>W/37321</b>
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<b>Application Type</b>	Outline
<b>Proposal &amp; Location</b>	PROPOSED OUTLINE PLANNING FOR FOUR PLOTS AND GENERAL PARKING AREA AT LAND ADJACENT TO WOOD END/DUKES MEADOW, PENDINE, CARMARTHEN, SA33 4UG

<b>Applicant(s)</b>	PENDINE HOLDINGS LTD - MR DEAN THOMAS, MANOR HOUSE, PENDINE RETREAT, PENDINE, CARMARTHEN, SA33 4PE
<b>Agent</b>	HAROLD METCALFE PARTNERSHIP - ALAN JONES, 32 SPILMAN STREET, CARMARTHEN, CARMS, SA31 1LQ
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Laugharne Township
<b>Date of validation</b>	31/05/2018

## CONSULTATION

**Head of Transport** – has no observations.

**Llanddowror and Llanmiloe Community Council** – has serious concerns as follows. a) inadequate sewerage capacity, b) poor drainage, c) the site is used as a turning area for vehicles including refuse lorries, d) previous refusals.

**Local Member** - County Councillor J Tremlett has not commented to date.

**Dwr Cymru/Welsh Water** – has no objection, however highlights the presence of a sewerpipe crossing the site.

**Neighbours/Public** – 4No. neighbour consultation letters have been sent out, with replies from 5No. properties having been received as a result raising the following issues.

- Inadequate Sewerage
- Surface Water problems
- Tidal flooding
- The site is within 20m of the Brook
- Overlooking from side windows
- Character and appearance
- Highway safety

- Increase in traffic
- Site used for turning heavy lorries due to weak bridges.
- Parking

## **RELEVANT PLANNING HISTORY**

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

W/12845 - Residential Outline Refused	09 June 2006
W/05662 - Residential Development Outline Refused	01 April 2004
W/00310 - Siting of Residential Development Full Granted	08 January 1997
D4/20449 - Siting of Residential Development Outline Granted	23 January 1991
D4/18804 - Siting of Residential Development Refusal	09 April 1990

## **APPRAISAL**

### **THE SITE**

The application site is a 0.11ha parcel of land to the West of the Wood End housing estate in Pendine. The site is a triangular shape with a road frontage of approximately 44m and maximum depth of approximately 32m. The site forming a continuation of the urban form by rounding off an area where there is only development on one side of the highway.

The application site is primarily within the settlement development limits of Pendine, however includes a small area outside but immediately adjoining the limits.

The site is relatively flat but drops off to an ordinary watercourse to the rear of the site. The site is classed as primarily within Zone B of the Tan 15 Development Advice Maps, so a Flood Consequence Assessment is not required. The finished floor levels of the proposal are not within the potential flood levels at this location. A small part, approximately 12sqm is classed as zone C2 however this is part of the private gardens. A suitable condition is proposed to ensure that full details of boundary treatment are included in any reserved matters application.

The site is accessed via a private road which was bought of the MoD. There is currently informal parking on the site which is enjoyed by local residents, and it is noted that given weight restrictions on a bridge further along the road, the site is used as an informal turning area for heavier vehicles.

### **THE PROPOSAL**

The application seeks outline planning permission to establish the principle of four two storey dwellings with associated gardens and parking areas.

The proposal is accessed via Wood End which is a development of two storey former Ministry of Defence houses and there is a secondary access past Duke's Meadow which loops back on to Marsh Road.

An indicative plan shows two pairs of small semi detached houses on the site with parking to the front and garden areas to the rear. The proposal is broadly in line with the character of Wood End and Dukes Meadow, however it is noted that this is indicative and all matters are reserved for future approval.

The application further proposes a parking and turning area for local residents to replace the informal parking that currently takes place alongside the private road. Part of the parking area is outside limits, however the benefits of formalising the parking and providing a turning opportunity needs to be weighed against any harm from the encroachment into the countryside.

## **PLANNING POLICY**

In the context of the current development control policy framework the site is primarily within the settlement development limits of Pendine as defined in the Carmarthenshire Local Development Plan (LDP) adopted December 2014.

Policy SP1 Sustainable Places and Spaces states that proposals for development will be supported where they reflect sustainable development and design principles.

Policy SP2 Climate Change states that development proposals which respond to, are resilient to, adapt to and minimise for the causes and impacts of climate change will be supported. This includes minimisation of waste, displays efficient use of resources, minimises the need to travel, minimises flood risk and is energy efficient.

Policy GP1 Sustainability and High Quality Design provides a list of criteria which demonstrates principles of good design to ensure that development is appropriate to the character of the area and would not have a significant impact on third parties.

Policy AH1 Affordable Housing requires developments of less than 5 houses to provide a commuted sum based on the internal floor area of the proposed development.

Policy TR3 Highways in Developments - Design Considerations, sets out the requirements for development to be situated in a suitable location and incorporate appropriate parking, access and sustainable transport features.

Good design is encouraged at all levels and national policy contained in Planning Policy Wales Edition 9 – November 2016 and TAN12 provides design guidance.

## **THIRD PARTY REPRESENTATIONS**

There is third party concern over inadequate sewerage to serve the area with questions raised over a pumping station. This is said to fail on a regular basis, leading to sewage backing up. Dwr Cymru Welsh Water has been consulted and has no objection to the proposal. DCWW do however highlight the presence of a sewer pipe, however the indicative site layout does not affect this sewer alignment.

The proposal does not include a detailed surface water scheme, however it is noted that there is a water course to the south of the site. The site naturally drains into the watercourse, so as long as the surface water is attenuated, there is status quo and the proposal would not cause any additional surface water issues. It is recommended that any approval includes a condition requiring a detailed surface water scheme in any reserved matters submission.

There is concern over tidal flooding at this location. However apart from approximately 12sqm in the south east corner, it is noted that the site is not within a C2 flood zone as defined on the development advice maps. There is however a requirement to factor in climate change so a flood consequence assessment was sought and received. This confirms that the houses are not at risk of flooding. NRW has been asked to confirm this conclusion and the recommendation is subject to the NRW response.

Overlooking from side windows to a garden area is noted, however the proposal is in outline only so the detailed design, so if the principle is established, this is subject to further consideration through the approval of reserved matters.

Character and appearance is similarly indicative, as the application only seeks to establish the principle of the development. The applicant has included indicative elevations and floor plans to show how it may fit in to the street scene. This would be subject to approval of reserved matters if the principle is established.

There is concern over highway safety with an increase in traffic and the fact it is used as a parking area and turning area for heavy lorries due to a weak bridge which means that service lorries can only access and egress in one direction. It is firstly noted that the site is privately owned and any parking and turning is on a permissive basis rather than a formal arrangement. Secondly, the proposal includes a parking area and turning opportunity to replace that which is currently permitted. The Head of Transport therefore has no observations.

## **CONCLUSION**

After careful consideration of the site and surrounding environs, in the context of the proposal, it is considered that the site is primarily within the settlement development limits of Pendine, so the principle of development is acceptable subject to other policy considerations. However, it is noted that part of the parking area encroaches beyond the settlement line. The development should therefore be examined as a whole, and the small encroachment weighed against the benefit of having a formalised parking and turning area for local residents.

The design and appearance of the four dwellings is considered acceptable, however this is indicative only as all matters are reserved for future consideration. The site is of a sufficient size as to accommodate an appropriate garden and parking for each plot so it is not considered to be over development of the site.

Please note that NRW have been consulted to confirm the conclusions of the FCA and their response will be reported in the addendum, so the recommendation is subject to NRW response.



Whilst there are concerns over flooding, highways and sewerage, there are no objections from the relevant consultees. Therefore on balance, the proposal is considered to be acceptable and in accordance with the above policies.

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 Application for approval of reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development must be commenced not later than whichever is the later of the following:-
  - a) the expiration of five years from the date of this permission;
  - b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.
- 2 The permission now granted is an outline permission only, within the meaning of the Town and Country Planning (General Development Procedure) Order 1995.
- 3 The development hereby permitted is defined on the following schedule of plans:
  - 1:1250 scale Location Plan dated 30 May 2018
  - 1:500 scale Indicative Layout. Drawing No. C/4652/2A dated 30 May 2018
- 4 Any reserved matters application shall include a comprehensive drainage scheme for the site. The scheme shall provide for the disposal of foul and surface water, and include an assessment of the potential to dispose of surface and land water by sustainable means (including porosity tests and location of soakaways if suitable). Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no foul water, surface water or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.
- 5 Any reserved matters application shall include detailed cross sections and clearly state finished floor levels compared with potential maximum flood levels including climate change.
- 6 Any reserved matters application shall include a scheme of parking for the development and compensatory parking and turning for local residents as indicated on the 1:500 scale plan dated 30 May 2018.
- 7 Any reserved matters application shall include full details of external roof and wall materials along with means of enclosure

### **REASONS**

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

- 2&7 In the interests of visual amenity.
- 3 To secure appropriate affordable housing in perpetuity.
- 4 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
- 5 To account for the effects of climate change.
- 6 In the interests of highway safety.

## **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 Policy SP1 & GP1 of the LDP in that it is sensitive infilling within settlement limits, which is appropriate in scale and design to the urban form and is not likely to cause unacceptable harm to neighbouring properties.

The proposed development complies with Policies TR2 & TR3 in that the proposal is not likely to be detrimental to highway safety.

The proposed development complies with Policy AH1 in that the applicant has submitted a unilateral undertaking agreeing a contribution of £66.71 per square metre internal floor area towards affordable housing.

## **NOTES**

- 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.

- 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))
- 3 The applicant / developer's attention is drawn to the submitted unilateral undertaking which provides a sum of £66.71 per square metre internal floor space for affordable housing which is considered necessary in this location.

<b>Application No</b>	<b>W/37415</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	PROPOSED DEMOLITION OF EXISTING MUSEUM OF SPEED, RESIDENTIAL DWELLING AND AMENITY BLOCK TO FACILITATE THE CONSTRUCTION OF A NEW SANDS OF SPEED MUSEUM TOGETHER WITH A 42 BED ECO-HOSTEL WITH ANCILLARY CAFE, VEHICULAR PARKING AREA, ASSOCIATED LANDSCAPING AND INFRASTRUCTURE WORKS AT PENDINE MUSEUM OF SPEED, MARSH ROAD, PENDINE, CARMARTHEN, SA33 4NY

<b>Applicant(s)</b>	HYWEL HARRIES, BLOCK 3, PARC MYRDDIN, RICHMOND TERRACE, CARMARTHEN, SA31 1HQ
<b>Agent</b>	ASBRI - MR RICHARD BOWEN, SUITE D 1ST FLOOR, 220 HIGH STREET, SWANSEA, SA1 1NW
<b>Case Officer</b>	Gary Glenister
<b>Ward</b>	Laugharne Township
<b>Date of validation</b>	19/06/2018

## CONSULTATION

**Head of Transport** – has no objection subject to the imposition of appropriate conditions and makes suggestions of how the proposal can be enhanced in terms of active travel.

**Head of Public Protection** – has no objection subject to the imposition of appropriate conditions.

**Ministry of Defence** – has no safeguarding issues.

**CADW** – has no comments on the proposed development.

**Llandowror and Llanmiloe Community Council** – has not commented to date

**Local Member** - County Councillor J Tremlett has not commented to date.

**Dwr Cymru/Welsh Water** – has no objection to the proposed development.

**Natural Resources Wales** – has no objection subject to the imposition of appropriate conditions.

**Neighbours/Public** – The application has been advertised by the posting of 6No. Site Notices with no responses received to date.

## RELEVANT PLANNING HISTORY

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

W/35390 –	Change of Use from Retail Unit to Car Display Unit, including Alterations to Glazing and Alterations to Access Full Planning Permission	11 July 2017
W/34725 -	Approx 6300 X 590MM Composite Board Fascia Sign with Full Colour Print, incl stand-out 760mm diameter circular logo. 2 no. Menu/Specials Signs, 1 no. Acid Etched Logo to Main Entrance Door Glazed. All signs non-illuminated Advertisement Granted	24 November 2016
W/30074 -	Discharge of Condition No 6 on W/28485 (Flood Management Plan) Withdrawn	22 May 2014
W/31646 -	Discharge of conditions 5 & 6 on W/31012 (Construction environmental management plan and site waste management plan) Discharge of planning condition granted	11 March 2015
W/31012 -	Construction of a New Building to House 4 No. Retail units, Public WC facilities and a First floor potential Restaurant or Function room space Full Planning Permission	06 November 2014
W/28485 -	Construction of a New Building to House a Community Function Hall with WC and Kitchen. The Ground Floor will House New Retail Units, Public WCs and a Cafe Full Planning Permission	15 August 2013
W/27522 -	Single Storey Extension to Dwelling Full Planning Permission	31 January 2013
W/12550 -	Temporary 9 Hole Crazy Golf Course Full Planning Permission	24 May 2006
D4/24790 -	Demolition of 1No Residential Unit and Construction of a New Museum Full Planning Permission	04 October 1994
D4/24122 -	"Siting of "Babs" Museum Car Parking and Amenity Area" Full Planning Permission	18 November 1993

D4/23629 - "Siting of "Babs" Museum Car Parking and Amenity Area" Full Planning Permission	15 July 1993
D4/17893 - Children's Amusements Full Planning Permission	13 June 1989
D4/15688 - Change of Use of Vacant Land to Children's Amusements Full Planning Permission	28 April 1988
D4/1286 - Extension to Caravan Park – Approved With Conditions	02 January 1975
D4/1108 - Proposed Chalet Site	

## **APPRAISAL**

**This application is one where Carmarthenshire County Council has an interest in the site in terms of land ownership and is the applicant.**

## **THE SITE**

The application site is a 1.61ha parcel of land on Pendine seafront. The site is within the settlement development limits of Pendine and currently accommodates a Public Car Park, former Children's Play Area, Public Toilets, a Bungalow, the Parry Thomas commercial development and the Museum of Speed.

The Museum of Speed commemorates the history of land speed records which took place on the beach in the early era of land speed, and in particular the famous incident involving Parry Thomas and his car 'Babs'. The Museum was built in the 1990s and is of a modern design and construction with white render and glazing facing the beach. The museum is designed in a modern art deco style to reflect the era of its content, however is not Listed and not considered to be of architectural or historical importance.

The site provides access to the beachside car park and slipway which has a café on it, along with a promenade to the rest of the sea front. Fronting onto the access road are Public Toilets, however it is noted that there are also secondary toilets to the west which are not currently open to the public.

A bungalow forms the mid section of the site, which was in third party ownership until recently but has been acquired to form a comprehensive redevelopment of the site.

The site also has a recently built commercial unit which comprises shops on the ground floor and a restaurant above. This faces the beach and has the utilitarian servicing to the rear facing the car park. This is included in the site as it forms part of the overall scheme of public realm improvements along the sea front and is integral to the overall design of the site.

The site has a Ministry of Defence premises to the East and caravan parks to the North and West with the beach forming the fourth boundary. Pendine is renowned for its holiday parks and has developed into a regional tourist destination within South Wales.

## THE PROPOSAL

The application seeks full planning permission for the comprehensive redevelopment of the car park and Museum of Speed to form a new visitor attraction comprising the following elements.

- Sands of Speed Museum – this is a modern museum which provides flexible exhibition space along with the necessary plant and equipment. The museum is of a modern design which is designed to provide exhibition room along the walls but a focussed vista up the beach to where the land speed record attempts were held. The function of the building dictates the form, so by necessity, there are clean walls inside and large areas of unfenestrated walls outside. The design however seeks to reflect the angular form of the cliffs when viewed from the beach so is sensitive to its surrounding context. Externally the museum is proposed to be a mix of timber cladding facing inland and lightweight metal cladding facing the coast under a standing seam zinc roof. External signage will break up the façade from the beach to form visual interest. The overall form would create a landmark building for its context and a South Wales regional visitor attraction. The building is of an irregular shape with an overall length of approximately 42m with an overall width of approximately 28m. In terms of height, the main exhibition hall which is visible from the beach is proposed to be 10.7m at its highest reducing to 6m at its lowest, however it is noted that the rest of the building is of a lower roofline ranging between 8m at its highest and 2.7m at its lowest.
- Eco-Hostel – provision is proposed for a 42 bed space eco-hostel which incorporates a mix of 2-4 person ensuite bedrooms, a café, public toilets and community meeting spaces. Externally the hostel is proposed to be timber cladding with standing seam zinc detailing under a standing seam zinc roof. In terms of scale, the hostel building is two stories in height under a mono pitch roof ranging from 9.2m and 6.75m. The building is an irregular broad wedge shape and is proposed to be approximately 15.6m by 40m maximum footprint.
- Public Car Park – this replaces the existing and incorporates 92 car parking spaces plus 8 accessible spaces and 23 motorbike spaces. The landscaped areas include sustainable drainage to serve the site.
- Out door events, sand sports and public spaces – these are linked spaces between the buildings to provide a range of potential events, exhibitions and general access by the public visiting Pendine.
- Children’s Play Area
- A comprehensive landscaping scheme has been prepared for the site.

The application has been accompanied by a suite of supporting documents including Flood Consequences Assessment including Drainage Strategy, Transport Assessment, Framework Travel Plan, Transportation Scoping Report, Detained Unexploded Bomb Threat & Risk Assessment, Contamination Report, Arboricultural Report and Ecological report.

The transport assessment has looked at the road network on the basis of an additional 41,400 day visits, 6,438 additional overnight visits and 9 additional major events per annum. The transport report suggests this would equate to £3.3m additional economic impact per annum (including multiplier effect); and 123 jobs created (direct and indirect).

A Design and Access statement has been submitted which assesses the proposal in respect of the local and national policies and sets out the history of the site and the design evolution of the scheme.

## **PLANNING POLICY**

In the context of the current development control policy framework the site is primarily within the settlement development limits of Pendine as defined in the Carmarthenshire Local Development Plan (LDP) adopted December 2014.

Policy SP1 Sustainable Places and Spaces states that proposals for development will be supported where they reflect sustainable development and design principles.

Policy SP2 Climate Change states that development proposals which respond to, are resilient to, adapt to and minimise for the causes and impacts of climate change will be supported. This includes minimisation of waste, displays efficient use of resources, minimises the need to travel, minimises flood risk and is energy efficient.

Policy GP1 Sustainability and High Quality Design provides a list of criteria which demonstrates principles of good design to ensure that development is appropriate to the character of the area and would not have a significant impact on third parties.

Policy GP2 Development Limits states that proposals within defined Development Limits will be permitted, subject to policies and proposals of this plan, national policies and other material planning considerations.

Policy TR2 states that development which generates significant trip generation will be permitted where they are accessible sustainably to non car modes of transport and incorporate travel plans where appropriate.

Policy TR3 Highways in Developments - Design Considerations, sets out the requirements for development to be situated in a suitable location and incorporate appropriate parking, access and sustainable transport features.

Good design is encouraged at all levels and national policy contained in Planning Policy Wales Edition 9 – November 2016 and TAN12 provides design guidance.

## **CONCLUSION**

After careful consideration of the site and surrounding environs, in the context of the proposal, it is considered that the site is within the settlement development limits of Pendine and forms an existing visitor attraction and parking area to serve the tourist destination. The principle of tourism is already established on the site so the consideration is down to the details rather than the principle and subject to other policy considerations.

The museum replaces an existing facility, however the scale and height is significantly greater than the existing building. Modern museums are by necessity functional so the form is dictated by the intended internal space. The fenestration of the main exhibition hall is primarily onto the public square facing West and facing East up the beach towards the site of the land speed records. The design is intended to be iconic and form a land mark on the



coast. Given the location the scale and height is not likely to have an unacceptable adverse impact on third parties.

The eco hostel sits inland from the promenade to form a public space between the buildings and the promenade. The two storey design of the eco hostel is subordinate to the main attractor building and is therefore of a more aesthetically simple character when viewed in the overall context.

A comprehensive landscaping scheme including sustainable drainage and public spaces has been submitted. Overall the landscape design scheme is acceptable, however there are some queries over the precise species mix which are unresolved, so it is recommended that a suitable condition is imposed so that the details can be agreed prior to commencement of development.

The proposal includes an ecological report, however as the site is so close to a Special Area of Conservation, a Test of Likely Significant Effect (TLSE) needs to be produced, so the recommendation is seeking a resolution to approve subject to the TLSE.

The scheme overall would form an attraction which would enhance Pendine as a visitor attraction and pay homage to its land speed history. The supporting information suggests that it would produce an additional £3.3m in the local economy directly and indirectly per year, so would be of significant economic benefit to the County. The scheme would provide environmental enhancement without adversely affecting the amenity of third parties, therefore is considered to be in accordance with the above policies and is recommended for approval subject to the test of likely significant effect (TLSE).

## **RECOMMENDATION – APPROVAL**

### **CONDITIONS**

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development hereby permitted is shall be carried out strictly in accordance with the following schedule of plans dated 12 June 2018.
  - 1:1250 scale Location Plan. Drawing No. PL001
  - 1:500 scale Site Layout. Drawing No. 0100\_01
  - 1:500 scale Landscape Masterplan. Drawing No. 03
  - 1:100 scale Museum Elevations. Drawing No. PL600~Rev1
  - 1:100 scale Museum Ground Floor Plan. Drawing No. PL100~Rev1
  - 1:100 scale Museum First Floor Plan & Roof Plan. Drawing No. PL101~Rev1
  - 1:100 scale Hostel ~ Ground Floor Plan. Drawing No. PL100~Rev 1
  - 1:100 scale Hostel ~ First Floor Plan. Drawing No.PL101~Rev1
  - 1:100 scale Hostel ~ Elevations. Drawing No.PL600~Rev1
  - 1:100 scale Site Sections. Drawing No. PL800~Rev1
  - NTS 3D View. Drawing No. PL900~Rev1
  - NTS 3D View. Drawing No. PL902~Rev1

and the following plans dated 16 July 2018

- 1:250 scale Landscape Layout 1 of 3. Drawing No. 0200.00
- 1:250 scale Landscape Layout 2 of 3. Drawing No. 0200.00
- 1:250 scale Soft Landscape Strategy 1 of 3. Drawing No. 0400 00
- 1:250 scale Soft Landscape Strategy 2 of 3. Drawing No. 0401 00

- 3 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 in perpetuity, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 4 Within 6 months of opening any part of the development, a detailed Travel Plan, setting out ways of reducing car usage and increasing walking and cycling to and from the development, shall be submitted to and agreed in writing by the Local Planning Authority. The detailed Travel Plan shall be implemented in accordance with the approved details at a timescale to be approved in writing by the Local Planning Authority.
- 5 No development hereby approved shall be commenced prior to the submission and written approval of a Construction Environmental Management Plan (CEMP). The development shall be carried out strictly in accordance with the approved CEMP.
- 6 No development hereby approved shall be commenced prior to the submission and written approval of a detailed comprehensive drainage scheme for the site. The development shall be carried out strictly in accordance with the approval scheme.
- 7 No development hereby approved shall be commenced prior to the submission and written approval of a detailed landscape scheme for the site including implementation timetable. The development shall be carried out strictly in accordance with the approved scheme.
- 8 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
- 9 No development hereby approved shall be commenced prior to the submission and written approval of a Noise Impact Assessment (NIA) in order to predict the effect of the development as a whole on the surrounding area. The NIA should consider both the construction and operational phases of the development.
- 10 No development hereby approved shall be commenced until a scheme for the mitigation of dust has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during all stages of construction. Vehicles transporting materials which are likely to cause dust onto and off site shall be suitably covered.
- 11 No development hereby approved shall be commenced until details of plant and equipment associated with the buildings (such as external air conditioning units,

external flues, oil tanks etc.) along with means of visual screening has been submitted to and approved in writing by the Local Planning Authority.

## **REASONS**

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2,7&11 In the interests of visual amenity.
- 3-4 In the interests of highway safety.
- 5 In the interests of pollution prevention.
- 6 In the interests of surface water drainage.
- 8 To prevent pollution.
- 9&10 To protect the amenities of surrounding properties.

## **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 Policy SP1 & GP1 of the LDP in that it is a visitor attraction within the settlement development limits of Pendine which is appropriate in scale and design to form a landmark attraction which is not likely to cause unacceptable harm to neighbouring properties.

The proposed development complies with Policy GP2 of the LDP in that it is within the settlement development limits of Pendine.

The proposed development complies with Policies TR2 & TR3 in that the proposal is not likely to be detrimental to highway safety and is accessible by non car modes of transport.

The proposed development complies with Policy GP2 of the LDP in that it is within the settlement development limits of Pendine.

The proposed development complies with Policy EQ4 and EQ6 in that the mosaic of landscape habitat is likely to enhance biodiversity and the scheme within the context of Pendine is not likely to have a detrimental impact on the Special Landscape Area.

## **NOTES**

- 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.

- 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))

**APPLICATIONS RECOMMENDED FOR REFUSAL**

<b>Application No</b>	<b>W/37135</b>
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<b>Application Type</b>	Full Planning
<b>Proposal &amp; Location</b>	CONSTRUCTION OF SPECIAL NEEDS DWELLING AT LAND AT CILHIR ISAF, MEIDRIM, CARMARTHEN, SA33 5PX

<b>Applicant(s)</b>	MRS ELINOR JAMESON, CILHIR ISAF, MEIDRIM, CARMARTHEN, SA33 5PX
<b>Agent</b>	HAROLD METCALFE PARTNERSHIP - MR CERI EVANS, 32 SPILMAN STREET, CARMARTHEN, SA31 1LQ
<b>Case Officer</b>	Stephen Thomas
<b>Ward</b>	Trelech
<b>Date of validation</b>	24/04/2018

## CONSULTATIONS

**Trelech Community Council** – No observations received to date.

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

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

## RELEVANT PLANNING HISTORY

There is no relevant planning history on the application site.

## APPRAISAL

### THE SITE

The application site is located in the open countryside to the south west of existing farm buildings adjacent to the farm complex known as Cilhir Uchaf, located between Talog to the north and Meidrim to the south-west. The site is in the north-eastern corner of the field adjacent to the farm complex on fairly level land and is accessed via a short farm track on the eastern flank of the C2037 Meidrim to Talog road. The site is surrounded by farm land

that is farmed by the occupiers of Cilhir Uchaf. The access point on to the highway benefits from a wide verge to the north and south of the existing access that provides ample visibility conditions in both directions.

## **THE PROPOSAL**

The application seeks full planning permission for the construction of a single storey special needs dwelling on the application site. The proposed single storey dwelling has been particularly designed for the purposes to accommodate the applicant's husband's special health needs. These needs include being able to access the whole of the house by wheelchair and specific rooms within the house via specialist hoists. These needs have been highlighted in supporting personal statements submitted by the applicant explaining the long term health difficulties that have arisen as a result of a long term acute illness. The application is also supported by statements by specialist health practitioners as well as the local General Practitioner.

It is proposed to finish the dwelling in either a painted smooth render or roughcast render to the walls under a dark grey flat profile concrete roofing tile, with upvc windows and doors and brickwork plinth with a stone feature wall to a car port that is added to the proposed rear elevation of the dwelling.

## **PLANNING POLICY**

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

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

**Policy SP1 – Sustainable Places and Spaces** stipulates that proposals for development will be supported where they reflect sustainable development and design principles by concentrating developments within defined settlements, making efficient use of previously developed land, ensuring developments positively integrate with the community and reflect local character and distinctiveness whilst creating safe, attractive and accessible environments that promote active transport infrastructure.

**Policy SP3 – Sustainable Distribution Settlement Framework** seeks to concentrate development in sustainable locations within existing defined settlements such as identified growth areas, service centres, local service centres and other defined sustainable communities.

**Policy GP1 – Sustainability and High Quality Design** is a general policy that promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing.

**Policy AH3 Affordable Housing – Minor Settlement in the Open Countryside** enables the erection of new dwellings within groups of dwellings without Development Limits provided that it is to meet a genuine identified local need which is defined as:

*...residents (and their dependents) of the community and town council area or adjoining community and town council area. Present residents whose circumstances may relate to current substandard or unsatisfactory accommodation or where they are forming a new family or leaving the parental home for the first time will be considered as will those who make a significant contribution to the social, cultural and economic vitality of the community and town council area.*

*In addition the definition will apply to those persons with a long standing link with the community and town council area including a period of established residence within the last twenty years. Those persons who have proven functional need to live close to their place of work or to a resident through an essential need arising from age or infirmity may also be deemed eligible for consideration.*

Where applicants meet the above definition the proposals must be sensitively located and of a scale and size appropriate to the character of the area and compatible with an affordable dwelling with the initial affordability being retained for all subsequent occupants generally secured by way of a Legal Agreement.

Other Welsh Government Guidance of relevance include:

Planning Policy Wales (9th Edition) November 2016 (PPW)

Technical Advice Note 6 (TAN 6) – Planning for Sustainable Rural Communities (2010)

Technical Advice Note 12 (TAN 12: Design (2014)

## **APPRAISAL**

The key considerations of relevance to this case are whether the proposal complies with the requirements of Policy AH3 Local Needs Dwellings of the Local Development Plan (LDP) and its impact upon the character and appearance of the area.

In terms of local needs, whilst there is a general presumption against the erection new dwellings outside of defined settlements within the countryside, the LDP, having regard to guidance set out in PPW which recognises that many parts of the countryside have isolated groups of dwellings and that sensitive infilling of small gaps and/or minor extensions to such groups could be considered acceptable provided that they provide for affordable housing to meet genuine identified local need.

Policy AH3 provides the criterion against which such applications must be considered and specifies:

*Proposals in the open countryside for affordable housing for a single dwelling will be permitted within settlements, hamlets and groups of dwellings without Development Limits where it is to meet a genuine identified local need (as defined within the Glossary of Terms) and provided that:*



- a) *It represents sensitive infill development of a small gap within an otherwise continuous built up frontage, or , a minor extension which does not result in ribbon development or perpetuate existing ribbon development;*
- b) *It is of a scale and size appropriate to, and in keeping with (and not detrimental to) the character (including landscape and townscape) of the area;*
- c) *The benefits of the initial affordability will be retained for all subsequent occupants;*
- d) *It is of a size, scale and design compatible with an affordable dwelling and is available to those on low or moderate incomes.*

In terms of the need to demonstrate genuine local need, it is considered that the applicant has provided sufficient information to demonstrate that there is a need for this design of dwelling due to the acute health needs of the applicant's husband and that whilst there is an existing farm dwelling, it is not currently suitable for those special needs. The applicant's husband has always lived on this farm and has been an active member of the wider community for the whole of his life.

Turning to the site's location, it is not within a settlement, hamlet or group of dwellings and is rather a site on a farm in an isolated countryside location. Whilst there are scattered farmsteads and occasional dwellings in the wider area, there are significant distances between these properties to the extent that when travelling this highway between Meidrim and Talog there is no appreciation that it constitutes a group of dwellings, but rather a scattering of individual established properties. In this case the proposed site is away from the highway and on the farm complex and is not adjacent to another existing property but rather located approximately 800 metres distant from the nearest next property and thus comprises a sporadic individual property within the countryside. Given the sporadic nature of the area, it is not possible for the site to comprise the sensitive infill of a small gap within an otherwise continuous built up frontage, or, a minor extension which does not result in ribbon development or perpetuate existing ribbon development as required by criterion (a) of the policy. As such, it is not considered that the proposal complies with the fundamental requirement of Policy AH3 or the guidance set out in PPW.

In terms of criterion (b), the overall design of the proposed dwelling reflects that of single storey dwellings within the wider area, the proposed layout and scale being commensurate with other properties, but has been specifically designed with the needs of the intended occupier in mind. It is therefore considered that the proposal will comply with criterion (b) of Policy AH3

The initial affordability of the property could be retained for all subsequent occupants through the completion of a Section 106 agreement to effectively control the future sale of the property. Since the design and scale of the dwelling is specific to the needs of the intended occupier information on affordability has not been submitted by the applicant and it is not considered that this is the intention of the applicant. It is therefore considered that it is inappropriate that this would be applied. Therefore, it is considered that the proposal does not comply with criterion (c) of Policy AH3, since there is already a dwelling on the farm complex at Cilhir Isaf.

Turning to the final requirement of policy AH3, it is considered that the property is not of a size and scale that is compatible with an affordable dwelling. The total footprint of the proposal equates to over 220 sqm which together with the specific design needs, for a three bedroom dwelling, is not considered commensurate with an affordable dwelling. It is therefore considered that the dwelling would not be available to those on low or moderate incomes.

Therefore, whilst the development may meet with some of the criteria of Policy AH3, it fails to meet the locational and affordability criteria and would amount to a sporadic unjustified form of development in the open countryside contrary to Policy AH3 (a), (c) and (d) and the advice set out in PPW.

### **THIRD PARTY REPRESENTATIONS**

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

### **CONCLUSION**

Therefore, having carefully considered the application as submitted, whilst it is considered that the applicant meets with the definition of local need, the location of the proposed dwelling, by reason of its remote location, fundamentally conflicts with Policy AH3 of the LDP and advice set out in PPW. Furthermore, it is considered that the proposal conflicts with the affordability requirement of Policy AH3 of the LDP. The proposal therefore conflicts to advice set out in PPW.

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

## **RECOMMENDATION – REFUSAL**

### **REASONS**

- 1 The proposal is contrary to Policy AH3 of the Adopted Carmarthenshire Local Development Plan (2014) which states:-

**Proposals in the open countryside for affordable housing for a single dwelling will be permitted within settlements, hamlets and groups of dwellings without Development Limits where it is to meet a genuine identified local need (as defined within the Glossary of Terms) and provided that:**

- a. **It represents sensitive infill development of a small gap within an otherwise continuous built up frontage; or, a minor extension which does not result in ribbon development or perpetuate existing ribbon development;**
- b. **It is of a scale and size appropriate to, and in keeping with (and not detrimental to) the character (including landscape and townscape) of the area;**
- c. **The benefits of the initial affordability will be retained for all subsequent occupants;**
- d. **It is of a size, scale and design compatible with an affordable dwelling and is available to those on low or moderate incomes.**

In that the development site is not located within a settlement, hamlet or group of dwellings without Development Limits and would not represent sensitive infill

development of a small gap within an otherwise continuous built up frontage nor would it constitute a minor extension. The proposal would represent a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area. Furthermore, the size and scale of the development is not considered to be affordable and it is difficult to identify how the affordability can be retained for subsequent occupants.

- 2 The proposal is contrary to policy GP1 of the Adopted Carmarthenshire Local Development Plan (2014) which states:-

**Development proposals will be permitted where they accord with the following:**

- a. It conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment, and detailing;
- b. It incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines or ridges;
- c. Utilises materials appropriate to the area within which it is located;
- d. It would not have a significant impact on the amenity of adjacent land uses, properties, residents or the community;
- e. Includes an integrated mixture of uses appropriate to the scale of the development;
- f. It retains, and where appropriate incorporates important local features (including buildings, amenity areas, spaces, trees, woodlands and hedgerows) and ensures the use of good quality hard and soft landscaping and embraces opportunities to enhance biodiversity and ecological connectivity;
- g. It achieves and creates attractive, safe places and public spaces, which ensures security through the 'designing-out-crime' principles of Secured by Design (including providing natural surveillance, visibility, well lit environments and areas of public movement);
- h. An appropriate access exists or can be provided which does not give rise to any parking or highway safety concerns on the site or within the locality;
- i. It protects and enhances the landscape, townscape, historic and cultural heritage of the County and there are no adverse effects on the setting or integrity of the historic environment;
- j. It ensures or provides for, the satisfactory generation, treatment and disposal of both surface and foul water;
- k. It has regard to the generation, treatment and disposal of waste.
- l. It has regard for the safe, effective and efficient use of the transportation network;
- m. It provides an integrated network which promotes the interests of pedestrians, cyclists and public transport which ensures ease of access for all;
- n. It includes, where applicable, provision for the appropriate management and eradication of invasive species.

**Proposals will also be considered in light of the policies and provisions of this Plan and National Policy (PPW: Edition 7 and TAN12: Design (2014)).**

In that the development site would represent a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.

- 3 The proposal is contrary to paragraphs 9.3.2 and 9.3.6 of Planning Policy Wales (9<sup>th</sup> edition, November 2016) which state:-

**9.3.2 Sensitive infilling of small gaps within small groups of houses, or minor extensions to groups, in particular for affordable housing to meet local need, may be acceptable, though much will depend upon the character of the surroundings and the number of such groups in the area. Significant incremental expansion of housing in rural settlements and small towns should be avoided where this is likely to result in unacceptable expansion of travel demand to urban centres and where travel needs are unlikely to be well served by public transport. Residential development in the vicinity of existing industrial uses should be restricted if the presence of houses is likely to lead residents to try to curtail the industrial use.**

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

In that the development site is not located within a settlement, hamlet or group of dwellings and is therefore in the open countryside where new house building should be strictly controlled. The development would not represent sensitive infill development of a small gap within an otherwise continuous built up frontage nor would it constitute a minor extension. The proposal would represent a sporadic unjustified form of development in the open countryside to the detriment of the character and appearance of the area.