

**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 08 HYDREF 2020
ON 08 OCTOBER 2020**

**I'W BENDERFYNU/
FOR DECISION**

***Ardal
Dwyrain/
Area East***



Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yna rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.

COMMITTEE:	PLANNING COMMITTEE
DATE:	08 OCTOBER 2020
REPORT OF:	HEAD OF PLANNING

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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	E/40464
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Application Type	Full Planning Permission
Proposal & Location	NEW DWELLING HOUSE AT PADDOCK PLOT ADJ TO 100 COLONEL ROAD, BETWS, AMMANFORD, SA18 2HP

Applicant(s)	J O MORRIS LIMITED – MR MORRIS
Agent	DAVIES RICHARDS DESIGN LIMITED – MR GARETH RICHARDS
Case Officer	Andrew Francis
Ward	Betws
Date registered	20/04/2020

Reason for Committee

This application is being reported to the Planning Committee as it has received more than two objections from third parties.

Site

The application site comprises an irregularly shaped area of land measuring approximately 650 metres² in the northern section of an existing ongoing housing site development on the northern flanks at the confluence of Colonel Road and Waungron Road, Betws.

The existing housing development received planning permission for six detached dwellings and is a Local Development Plan (LDP) Housing Allocation referenced GA3/h10 for six dwellings. The site is set lower than the road, as it rises into Waungron Road, forming a natural bowl. All of the houses at this site are under construction or have been completed.

The plot that is the subject of this application was identified as a paddock on the previous permissions. On its north eastern edge, it is bounded by a mature tree line and hedge which has been the subject of some dispute, to the east is a property boundary with an established residential dwelling, 8 Waungron Road. The northern plot boundary is marked by a recently erected fence beyond which is the site's sustainable drainage attenuation system feature, with generally flat agricultural fields beyond.

Proposal

This planning application seeks to utilise the above described plot of land to accommodate a further detached residential dwelling. The proposed dwelling is to be of a similar design, size and palette to those already approved and will be a large detached 3-bedroom two storey property.

Internally, the proposed dwelling is to accommodate three bedrooms, all en-suite on the first floor, with an integral garage, living room, hallway, utility room, W.C. and large open plan kitchen, dining room, sunroom area on the ground floor.

Externally, the finish is proposed to have a red face brick finish at ground floor, with timber effect cladding above, a grey slated or tiled roof and white uPVC windows and doors. In addition to the integral garage, the plot provides for three parking spaces, with the garden laid to lawn. No changes to the existing boundaries to the north are proposed, and a new hedge boundary is proposed to the dwelling to the south.

Planning Site History

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

E/39988	Non material amendment to E/24256 (residential development - 6 dwellings) Plot Numbers 3, 4, 5 & 6; Variation to elevations/appearance – external finish materials altered to timber effect cladding & brickwork. Canopy porch to front elevation Non-Material Amendment granted	2 January 2020
E/39697	Non-material amendment to E/24256 (residential development - 6 dwellings) plot number 6; variation to elevations/appearance - external finish materials altered to timber effect cladding & brickwork. Canopy porch to front elevation Non-material amendment refused	7 November 2019
E/34738	Amendment of house design and private site access layout (road access details amended to include for 1.8m pavement to one side of private access) for Plots 3-6 of planning approval E/26934 Full planning permission	13 January 2017
E/26934	Variation of conditions 9, 10, 11, 12 & 13 of application E/24256 to allow phased development and development of Plots 1 & 2 first Variation of planning condition granted	12 September 2012
E/24256	Residential development – 6 dwelling Reserved Matters granted	26 May 2011
E/17619	Residential development (6 dwelling) Outline planning permission	31 January 2008

Planning Policy

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

SP1 Sustainable Places and Spaces

SP2 Climate Change

GP1 Sustainability and High Quality Design

GP3 Planning Obligations

H1 Housing Allocations

AH1 Affordable Housing

TR3 Highways in Developments – Design Considerations

[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 – No objections to the proposal, recommends the imposition of conditions.

Betws Community Council – Objects to the proposal for the following reasons:-

- The existing site has caused amenity issues with the adjacent residents and the additional dwelling will add to this.
- Mature trees along the boundary are at risk and each tree is a habitat and may potentially host bats and in turn cause them to be displaced.
- The additional dwelling will impact on parking within and outside the site and contribute to infrastructure issues. Traffic flow and bottlenecks leading from Colonel Road to Betws Road and Maesquarre Road are already a huge concern with difficulties being experienced daily.
- The drainage and water run-off from the site due to the extra hardstandings will cause extra issues to the systems that are in place.

Local Member - Councillor B. Jones objects to the proposal stating that the housing estate has had a detrimental effect upon the residential amenity of the residents of the adjacent dwellings due to the proximity of two of the plots. The boundary Oak trees are in danger of being damaged and need to be protected. This part of Betws has been over developed and the infrastructure at the bottom of Colonel Road cannot take any more traffic.

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

Summary of Public Representations

The application was the subject of notification by way of a site notice. Four letters of objection from two households and one letter raising concerns have been received as a result. The points of objection are summarised below.

- The seventh plot will result in over intensification of this site.
- The plans show that the tree line is not a true reflection to the neighbours' property. The proposal is far too close and will lead to issues.
- The design of this house and the site is out of keeping with the area.
- The additional property would create a further danger to vehicles approaching the entrance to the site. The existing houses do not have sufficient off road parking and a further dwelling would exacerbate problems on Colonel Road.
- Whilst the plans and elevations show that the site observes space standards, the reality of the estate is that it is crowded and claustrophobic. The adjacent dwelling of 8 Waungron Road is extremely close to the garages of plots 4 and 5 and the side elevation of Plot 5 towers over the garden casting a shadow and creating an oppressive atmosphere and a poor view.
- Plot 4 doesn't appear to be built in accordance with the approved plans as no new hedge thickening has taken place as it should.
- The disturbance by tree surgeons 2 years ago seems to have resulted in the loss of a bat colony that have lived in the oak trees for over 30 years. Any more disturbance to the tree line would further disrupt wildlife such as owls that are also common.
- There is a desire to avoid long term issues regarding the hedgeline with the new neighbours.
- The last 3 years of living next to a building site has been difficult due to constant noise and air pollution, often before 8:00am and it would seem that the loud machinery is deliberately and excessively revved to annoy the neighbours. The cement dust showering windows and washing on the line along with fires burning in the middle of the day has meant self isolation for a long time. The developer has shown no consideration whatsoever and has continued to build with no social distancing precautions during the pandemic. This has all caused much stress.
- Japanese knotweed is still growing on the bank between the pavement and property 5, in close proximity to 8 Waungron Road. There were assurances that this had been eradicated.
- If the paddock area were to be built on, there would be no recreation area for the children from this site to play on.

The point of concern submitted relates to:-

- Surface water runoff during high rainfall causes the earth banks along the western edge of the site to allow muddy water to run downhill into the gardens down the slope of Colonel Road. It is accepted that the site is under construction and it is hoped that the issue is addressed before completion.

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

Appraisal

This application seeks full planning permission for one detached dwelling on the site.

Principle of Development

Before looking at the points objection in detail, it should be noted that the application site, along with the larger housing development are part of a housing allocation within the LDP referenced GA3/h10. This allocation was also included within the Carmarthenshire Unitary Development Plan also. As such, it has been the long term intention of the Local Planning Authority to develop this land for residential purposes and as part of the formal allocation process, the infrastructure issues of the area will have been carefully considered by the Local Planning Authority, its elected Members and a Welsh Government appointed Planning Inspector who have all found that the principle of the residential development of this site was acceptable and that the local infrastructure is capable of accommodating the housing allocation of 6 dwellings.

Highways and Infrastructure

Taking this allocation into account and many of the objections received, these suggest that the area cannot cope with this housing site and the provision of this extra dwelling will be a further burden that the already over-burdened system cannot deal with. Specifically, the issues related to the highway safety, levels of traffic and dealing with the extra surface water. In considering these concerns, the general infrastructure of the area isn't at a particular strain, as discussed in the previous reports discussion for the application submitted for the development of the 6 houses (E/17619 and E/24256). The additional dwelling proposed in this application has been considered by the Head of Transport who offers no objection to the proposal. With regard to the issue of surface water, the previous permissions allowed for the development of a Sustainable Drainage System for the site which has been engineered to deal with this extra dwelling. The issue of surface water will be considered in the SAB Application, though no objection has been made to this application. The point of concern also relates to surface water runoff. As the concerned neighbour acknowledges, the unfinished site does not have its surface water drainage system fully constructed or connected yet. When completed, the site's runoff will be directed to its own system and should not then run off the site onto the neighbour's land, or the highway.

In light of this, it is considered that the development of the additional dwelling on this site in this location would not place an unacceptable extra burden upon the infrastructure of the area.

Site Layout, Design and Visual Amenity

In terms of the intensification of the spatial layout of the site itself, the character of the site is quite typical of modern sites with large dwellings in that the gardens to serve the dwellings are not particularly large. The application plot and dwelling would perhaps be the largest individual plot on the site, in terms of plot ratio. There is nothing about the specific plot ratio of the application plot or the site which would indicate that the development is now an over intensification and the proposal would be out of character in terms of its size or would appear to be squeezed into the site in an incongruous fashion.

The design of the proposed dwelling and its siting within the plot, based on the amended plans, is considered to be acceptable and again, in keeping with the architectural design and palette of the existing dwellings at the site, ensuring it seamlessly blends in. Based on the spatial layout of the plot in relation to the rest of the application site, the proposal complies with policy GP1.

With regard to the issue of the loss of recreational land for children at this site, the land originally wasn't formally designated as recreational land, instead called a paddock, which could be potentially fenced off from use. It was never formally recognised as a recreational area and its development therefore won't lead to a loss of land utilised as a recreation area, particularly for children. Given the attractive semi-rural location of this part of Betws, there are many opportunities for children to play, both formal and informal.

Ecology and Biodiversity

In addition to the concern above, it is also raised that the proposed development will be too close to the existing established hedgerow and established mature tree line. A plan showing the root protection areas of the mature trees along the boundary has been submitted and an assessment has been requested by the Authority's Arboriculture Officer. However, no further observations have been received to date.

Hand in hand with the issue of the trees are the further ecology issues raised. The applicant's state that no trees are to be removed and as such, there should be no disturbance to any potential wildlife. If minded to approve, a condition can be added to require details of lighting to be submitted for approval to ensure it does not detrimentally any bats that might forage in the area.

Issues Immaterial to This Application

Points of objection relate to the potential inaccuracy of the plans and how this relates to the boundary. With regard to this issue, it is not for the Local Planning Authority to adjudicate on the issue of a boundary dispute which, in this case, has been ongoing for some time. It is clear there has been an adversarial feeling between the close neighbours of the development site and the developers since the development works started, which is unfortunate. However, whilst the LPA can attempt to deal with any planning concerns, it cannot operate outside of its legislative arena, which is the case here.

Further to this point, issues and grievances felt by the close neighbours and raised as objections to this application that relate to their ongoing concerns to other parts of the development site, typically plots 4 and 5, cannot be considered as objections specific to this planning objection as they are not material to this specific proposal. As such, whilst they are issues that may need to be considered as part of a compliance check, they relate to the existing site and the dwellings that have been built on that site and not the application under consideration here. This also applies to the issue of Japanese Knotweed as it relates to the existing development. Finally, whilst the concerns regarding the ongoing disturbance are noted, they are not part of the consideration of the planning application. Issues of ongoing noise and air quality issues should be directed to the Authority's Public Protection Department.

Planning Obligations

The application requires that the development provide a contribution towards the Authority's Affordable Housing Fund, as set out in policy AH1 and in the Supplementary Planning Guidance. In this instance, the requirement is that the development will provide £41.98 per square metre of internal living space.

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 proposed development of the paddock plot within this larger residential development would, in isolation, be in keeping with the design and spatial standards of the existing site, offering an additional plot which would be entirely in keeping with the design ethos of the existing development.

In considering this development plot in the wider area, it is considered that the proposal would not add a detrimental burden to the current infrastructure load in the area, which could acceptably accommodate the proposal, as demonstrated by the lack of objection from the Head of Transport.

The proposal, in itself, would not detrimentally affect the residential amenity of any of the neighbouring dwellings, by virtue of the separation distances and angles involved, particularly the established dwellings on Waungron Road. The proposal indicates that there shall be no requirement to amend the existing established hedgerow and tree line. This can be conditioned, to safeguard this requirement. Many of the ongoing issues between the nearby neighbours of this site and the developers are a separate issue to this specific application and these issues cannot be reconsidered as part of this application.

As such, based on the above discussion, this application is recommended for approval.

Recommendation - 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 schedule of plans:-

- Proposed Location, Site and Block Plans Scale 1:1250, 1:500 and 1:250 @ A2 [1597-02 Rev C] received on the 27 August 2020;
- Proposed Plans and Elevations Scale 1:50, 1:100 @ A1 [1597-01 Rev A].

Reason: In the interests of visual amenity and for the avoidance of doubt or confusion as to the extent of the permission hereby granted.

Condition 3

The dwelling shall not be occupied until full details of both hard and soft landscape work, inclusive of all boundary treatment have been submitted to and approved in writing by the local planning authority and these works shall then be carried out as approved. These works shall include boundary and forecourt treatment indicating species size and number of trees and/or shrubs to be planted and shall be implemented in the first planting season following commencement of the development.

Reason: In the interest of visual and residential amenity.

Condition 4

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.

Condition 5

All surface water from the development herewith approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway.

Reason: In the interests of highway safety.

Condition 6

No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.

Reason: In the interests of highway safety.

Condition 7

The driveway shall be hard surfaced in a bonded material for a minimum distance of 5.0 metres behind the back edge of footway, prior to any part of the development approved herewith being brought into use and thereafter maintained in perpetuity.

Reason: In the interests of highway safety.

Condition 8

Prior to the installation of any lighting, a detailed lighting plan, focusing particularly on minimising lighting impacts to features of importance to nocturnal wildlife and maintaining flight lines and dark corridors, shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved lighting plan.

Reason: In the interests of ecology/biodiversity.

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 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 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).

Application No	E/40554
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Application Type	Householder Planning Permission
Proposal & Location	ALTERATIONS AND SINGLE STOREY EXTENSION AT CWMIFOR FARM, CWMIFOR, LLANDEILO, SA19 7AW

Applicant(s)	G AND L DAVIES
Agent	DARREN MILLS ARCHITECT – DARREN MILLS
Case Officer	Kevin D Phillips
Ward	Manordeilo and Salem
Date registered	11/05/2020

Reason for Committee

This application is being reported to the Planning Committee as the applicant is the son of the Local Member.

Site

The application site is a farmhouse, part of a working farm, which is sited to the North West of the village of Cwm Ifor, approximately 70 metres along a farm track from the main road which runs through the village. The dwelling is not visible from the highway, although a public footpath does pass through the farm yard.

Proposal

The proposal is the removal of an existing single storey extension and its replacement with an 8.3 metres x 6.3 metres single storey extension with rendered walls and slate roof, for a kitchen, lobby, cloak room and porch to the east elevation of the farmhouse.

Planning Site History

There is no relevant planning history on the application site.

Planning Policy

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

Manordeilo and Salem Community Council - No objections.

Local Member(s) – Councillor J Davies has declared an interest in the application.

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

Summary of Public Representations

The application was the subject of notification by way of a site notice and no objections have been received.

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

Appraisal

The proposal is a single storey extension to replace the existing extension on the east elevation of the dwelling and although larger than the existing extension, it is considered that the extension adheres to the requirements of the Carmarthenshire LDP policies and there are no other material issues that prevent support being given for the proposal.

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 is supported.

Recommendation – 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 approved development relates to the following plans and documents and works should be carried out in accordance with them unless amended by any conditions below:-

- Location plan 1:1250 scale received 3 May 2020;
- Block Plan 1:200 scale (3) received 3 May 2020;
- Amended Proposed Floor Plans and Elevations (2A) received 21 September 2020.

Reason: In the interest of visual amenity.

Reasons for Granting Planning Permission

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

- The proposed development adheres to the requirements of policy GP6 of the Carmarthenshire Local Development Plan which ensures that proposed development is of a satisfactory standard of design, in terms of siting, size and the use of materials which complement the character and appearance of the existing building or structure and its surroundings and ensures that proposed extension is appropriate to the use of the existing building.

Note 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.

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).