

**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 - ON
08/06/2021**

**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 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.

COMMITTEE:	PLANNING COMMITTEE
DATE:	08/06/2021
REPORT OF:	HEAD OF PLANNING

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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	E/40650
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Application Type	Approval of reserved matters
Proposal & Location	DEMOLITION OF SCHOOL AND RESIDENTIAL DEVELOPMENT OF 6 NO DWELLINGS, DETAILED DESIGN OF THE SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING OF THE DEVELOPMENT AT NANTYGROES CP SCHOOL, MILO, LLANDYBIE, AMMANFORD, SA18 3NZ

Applicant(s)	SHIRE HOMES (CARMS) LTD
Agent	NICOLE JONES ARCHITECT
Case Officer	Helen Rice
Ward	Llanfihangel Aberbythych
Date registered	04/06/2020

Reason for Committee

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

Site

The application site consists of the disused school building and surrounding land associated with the former Nantygroes primary school in Milo. The disused school lies at the north-eastern edge of the village and consists of a large school building with a number of ancillary buildings/structures; there are a number of residential dwellings immediately opposite and immediately adjacent to the application site. The site does not at present have a vehicular access directly onto the adjacent highway (C2145); access to the school is via a gated access at the north eastern boundary of the site off an unadopted rear lane.

The boundary to the north of the site is made up of mature hedgerow; the eastern boundary is a mixture of hedgerow and walling and fencing; the southern boundary which abuts the main road consists of a sloping masonry wall with hedging on top, the remaining western boundary consists of stone walling. The site is relatively flat and measures approximately 0.449Ha in area.

Proposal

The development includes the provision of 6 dwellings on the site set in a cul-de-sac arrangement with access achieved directly from the adjacent classified highway. Two, two storey properties are to be sited fronting onto the highway with the remaining four dwellings to the rear and arranged to front onto the internal estate road.

Planning Site History

E/34580

DEMOLITION OF EXISTING SCHOOL TO BE REPLACED WITH A RESIDENTIAL DEVELOPMENT OF 7 NO. 2 STOREY DWELLINGS TOGETHER WITH AN ON SITE BAT ROOST STRUCTURE

Outline Granted 19/04/2017

E/29221

PROPOSED DEMOLITION OF FORMER NANTYGROES CP SCHOOL BUILDING, KITCHEN AND ALL OUTBUILDINGS (EXCEPT BUILDING NO 1)

Demolition notification Granted 15/01/2014

E/28872

RE-SUBMISSION OF OUTLINE PLANNING APPLICATION E/27873 DEMOLITION OF EXISTING SCHOOL TO BE REPLACED WITH A RESIDENTIAL DEVELOPMENT OF 5 NO. 2 STOREY DWELLINGS

Withdrawn 21/05/2014

E/27873

OUTLINE PLANNING APPLICATION TO REPLACE THE DISUSED SCHOOL WITH APPROXIMATELY 5 NO 4 BEDROOM DWELLING HOUSES

Withdrawn 09/04/2013

Planning Policy

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

SP1 Sustainable Places and Spaces

SP14 Protection and Enhancement of the Natural Environment

GP1 Sustainability and High Quality Design

GP2 Development Limits

H2 Housing within Development Limits

TR3 Highways in Developments- Design Considerations

EQ4 Biodiversity

EP2 Pollution

REC2 Open Space Provision and New Developments

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Future Wales: The National Plan 2040, Planning Policy Wales \(PPW\) Edition 11](#), February 2021 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government

Summary of Consultation Responses

Head of Transportation & Highways - No objections subject to the imposition of conditions to secure appropriate visibility splays, footways, access road, parking and turning areas.

Land Drainage – the site is not within a flood risk area and a SAB application will be required.

Llanfihangel Aberbythych Community Council - No observations received to date.

Local Member(s) - Councillor Cefin Campbell, whilst not objecting to the development perse, has raised concerns over the privacy of the adjoining property due to proximity of dwellings to the boundary. In particular he states that 'Am Byth' will be severely compromised if a house was built in close proximity to their boundary. Cllr Campbell has suggested a suitable condition to ensure ample space between the proposed dwellings is achieved and that no side windows would be provided. Further, Cllr Campbell raises queries from local residents regarding whether the visibility splays are sufficient.

Natural Resources Wales – initial raised objections to the scheme on grounds that the bat mitigation measures agreed at the Outline stage were proposed to be changed and this was not acceptable. The application has since reverted back to the original bat mitigation measures, (i.e. the creation of a dedicated bat roost building to the rear of the site). NRW has raised concerns that no mention of use of the existing materials in the existing roost is referred to in the submitted documentation as well as the need for lighting details.

Dwr Cymru/Welsh Water – has no objections to the development subject to a condition to ensure that no surface water/land drainage shall be connected into the public sewerage network. Oh

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

Summary of Public Representations

The application was the subject of notification by way of site notice. 5 no. representations were received objecting to the development on the following grounds:

- The scale of the proposed dwellings had substantially increased since the outline application resulting in a cramped form of development;
- The dwellings would tower over neighbouring bungalows and dormer bungalows;
- Development would result in overlooking and overshadowing
- All dwellings should be bungalows only
- 6no. large family properties will change the village which is predominately occupied by elderly/retired people
- Insufficient garden areas
- No facilities for children to play and there are no facilities within the village
- The development would affect the peaceful nature of the village
- Insufficient parking provision for each house is provided;
- Concerns from professional bodies need to be addressed;
- Insufficient visibility splays
- Development would generate demand for on-street parking
- Demolition of the building will require significant traffic movements 7 days a week and will cause congestion and disturbance
- Road currently is heavily trafficked with vehicles sometimes having to mount verges when agricultural vehicles and school buses pass

- Surface water should not be allowed to enter highway drainage as it would result in flooding of properties and the Council would be liable to claims against it.
- Additional drainage from the site will affect neighbouring properties;
- Flooding from the site onto neighbouring properties already occurs and developer must take steps to ensure that this no longer occurs
- Development would have an impact on wildlife
- Concerns that any digging down into the site would make the school wall unstable and unsafe

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

Appraisal

The application is for consideration of the reserved matters only (access, appearance, scale, layout and landscaping) with the principle of a residential development of two storey dwellings having already been approved at the outline stage. As such, the main considerations of this case relates to the now known details of the proposed dwellings and their impact upon the character and appearance of the area, living conditions of nearby residents along with highway, biodiversity and drainage impacts.

Impact upon character and appearance of the area

The village of Milo has a mixed character of dwellings including a number of bungalows, dormer bungalows and two storey properties of varying age and design. The principle of two storey properties on the site was established at the Outline stage. Whilst it is acknowledged that bungalows occupy the plots either side of the application site, there are other two storey properties within the vicinity and as such, it is not considered that the addition of two storey properties would be so at odds with the wider character of the village to warrant an objection on such grounds. Furthermore, it has been demonstrated that the overall height of the proposed dwellings would be similar to the height of the existing/former school building. In terms of concerns raised about overly cramped development, the proposal now before you has reduced the total number of dwellings to that originally indicated at the Outline planning application stage (down from 7) to enable a more spacious plot layout.

A number of objectors have commented that the style of properties being detached family units would change the character of village, however there are already a number of larger family style properties within the village and in any event the development would serve to create a mixed community which is to be encouraged. In terms of design, it is acknowledged that the properties would have a more modern design approach, however through the use of materials which complement existing materials used on other properties within the buildings it is not considered that the overall appearance would detract from the varied character of the village. The proposal is therefore considered to comply with the principle design criteria of Policy GP1 of the LDP.

Impact on the living conditions of neighbouring properties

The presence of two storey dwellings adjacent to existing bungalows has the potential to impact upon the living conditions of existing residents which has evidently been raised as a concern by those objecting to the development. However, the proposal has sought to address this impact through appropriate siting and design of the dwellings. In particular,

the front two dwellings (Plots 1 & 2) are set at least 9m from the side boundaries of the site. Therefore whilst they would be higher than the neighbouring dwellings, it is considered that the significant distance between the existing bungalows and proposed front two dwellings (14m wall to wall) provides sufficient separation to accept the transition from single storey to two storey properties. Furthermore, no windows serving habitable rooms are proposed on the side elevations of Plots 1 & 2 which face onto the neighbouring properties.

Turning to the plots to the rear of the site; Plots 3 & 4 are proposed to front onto the internal cul-de-sac road, with their rear elevations facing the site's side boundaries which adjoin the side boundary of the adjacent properties known as "Am Byth" and "Marley Lodge". Plot 3 adjacent Marley Lodge, would for the most part be situated, at its nearest 8m wall to wall and opposite the side elevation of Marley Lodge. Due to the design for this plot, no windows serving habitable rooms are proposed along the first floor rear elevation. As such it is not considered that this plot would have an unacceptable impact on the neighbouring property in terms of overlooking or overshadowing. Similarly, Plot 4, which is of the same design albeit handed, would be located along side the side garden boundary of "Am Byth". The dwelling would be situated 7m at its nearest to the side boundaries of the respective neighbouring properties and again would not have any windows serving habitable windows on the upper floors and as such, again, it is not considered that this would result in a level of overlooking or overshadowing to the extent to have a detrimental impact upon the living conditions of neighbouring properties. It is however noted, that Plots 3 & 4 have upper floor side windows serving bedrooms which would face Plots 1 & 2 and 5 & 6 which could give rise to concerns over overlooking. It is therefore recommended that a condition is imposed to require these windows to be obscure glazed.

Lastly, Plots 5 & 6 are located to the rear of the application site and again proposed to front onto the cul-de-sac road, with the rear of plot 5 facing the side boundary of Marley Lodge's rear garden area with Plot 6's rear elevation looking out over the adjacent field area. Plot 5 evidently has potential to create overlooking into the rear garden area of Marley Lodge, however, the property has been set back from the boundary by at least 8m. There are however windows serving habitable rooms on this rear elevation and therefore to avoid concerns over loss of privacy these windows are recommended to be obscure glazed.

It is recognised that the addition of 6 dwellings on the site will inevitably have an impact upon the living conditions of neighbouring properties in comparison to the existing situation being a vacant former school site, however, having regard to the specific design and siting of the dwellings as proposed it is considered that the impacts are minimised to an acceptable level and as such the proposal is considered to comply with Policy GP1 of the LDP.

Highway Impacts

The proposal includes the creation of a new access onto the classified road leading into the site which has been designed to an adoptable standard with a 5m wide carriageway and 1.8m footpaths either side of the road and in front of the application site itself. This proposal has been reviewed by the Council's Highway Department who are satisfied with the proposal from an access perspective subject to the imposition of their stated conditions. The concerns raised by objectors regarding achieving adequate visibility splays has been secured and therefore there are no concerns raised in relation to the safety of the proposed access. With regards the internal arrangement, each dwelling is afforded its

own 3 car parking spaces which is the maximum standard required for dwellings of this scale. The parking is provided via integrated garages and parking within the plot for each dwelling. A condition imposed at the Outline stage confirms that all parking provision is not to be obstructed by non-motorised vehicles. Given the provision, there are no concerns in relation to the development generating demand for on-street parking as raised by objectors. Furthermore, due to the design of the internal road, sufficient turning and manoeuvring for vehicles is provided to again avoid manoeuvring on the highway which could give rise to highway safety concerns. The proposal is therefore considered compliant with highway standards and Policies GP1 and TR3 of the LDP.

Biodiversity Impacts

Whilst details of the proposed bat mitigation measures were agreed in general under the previous outline planning permission, the current application includes the proposed detail of those measures which include the provision of a dedicated bat house in the northern corner of the site as previously agreed at the outline stage. Whilst initially due to potential access issues there was some uncertainty over the provision of the bat house, those matters have since been addressed and the details that have been put forward have been accepted by Natural Resources Wales. However, NRW have indicated that further information regarding external lighting and assurance regarding the utilising of materials from the existing bat roost is required. To this end, two conditions are recommended to ensure that these details and assurances are provided prior to the commencement of development. As such the proposal is considered to comply with Policy SP14 of the Carmarthenshire Local Development Plan 2014.

Drainage

A number of objectors have raised concerns regarding existing flooding occurring from the site and the impact this development would have upon potential exacerbation of that flooding. The application has included drainage details that set out options for dealing with the surface water. A separate application to deal with the drainage elements is to be considered. Nevertheless, the drainage department has reviewed this application and has not raised any objections to date.

Planning Obligations

A S106 agreement relating to the biodiversity impacts was agreed to at the Outline stage.

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 has been appropriately designed to ensure that it would not detract from the character and appearance of the area nor have a detrimental impact upon the living conditions of neighbouring residents. Suitable access, parking and turning areas are provided to not give rise to any highway safety concerns and appropriate mitigation measures have been incorporated to avoid significant impacts on bats. Matters relating to drainage are acknowledged and will be the subject of further subsequent consideration by the Sustainable Drainage Approval body. The proposal is therefore considered to comply with policies SP1, SP14, GP1, H2, TR3, EQ4 and EP2 of the Carmarthenshire Local Development Plan 2014 and is therefore recommended for approval subject to the following conditions:

Conditions and Reasons

Condition 1

The development shall be commenced before whichever is the later of:-

- a) the expiration of five years from the date of the outline planning permission to which this development relates; or
- b) the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason:

Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).

Condition 2

The development shall be carried out strictly in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:

- 1:500 scale Block Plan [19-486-A1] received 19 November 2020
- 1:500 scale Site Access Plan [2019 – 505a SK01] received 18 April 2020
- 1:100 scale Floor Plans (Plots 1 & 2) [19-486-1] received 18 April 2020
- 1:100 scale Elevations (Plots 1 & 2) [19-486-2] received 18 April 2020
- 1:100 scale Floor Plans (Plots 3 & 4) [19-486-3] received 18 April 2020
- 1:100 scale Elevations (Plots 3 & 4) [19-486-4] received 18 April 2020
- 1:100 scale Floor Plans (Plots 5 & 6) [19-486-5] received 18 April 2020
- 1:100 scale Elevations (Plots 5 & 6) [19-486-6] received 18 April 2020
- 1:1250 and 1:200 scale Proposed Site Sections [B-1] received 26 May 2020
- 1:100 and 1:50 scale Proposed Bat Roost Plans [1493-07] received 19 November 2020
- Ecological (Bat) Survey Report July/August 2019 received 19 November 2020

Reason:

To ensure that the development is implemented in accordance with the approved details.

Condition 3

Prior to the commencement of development a detailed lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Details of the siting and type of external lighting to be used, including any measure to control light spill
- Drawings setting out light spillage (in lux) in key sensitive areas (E.g. around the bat house, in vegetated corridors leading from it to the site boundary, and on suitable habitats just beyond the site boundary)
- Details of lighting to be used both during construction and operation

The development shall thereafter be carried out strictly in accordance with the approved scheme.

Reason:

In the interests of biodiversity in accordance with Policy SP14 of the Carmarthenshire Local Development Plan 2014.

Condition 4

Notwithstanding the details provided within the submitted ecological surveys, the compensatory roost shall utilise and re-use materials from the existing roosts, and details of this provision shall be included in an addendum to the ecological report that shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of any development.

Reason:

In the interests of biodiversity in accordance with Policy SP14 of the Carmarthenshire Local Development Plan 2014.

Condition 5

The following first floor windows shall be obscure glazed and maintained as such thereafter:

- Plots 1 and 2 –side elevation window serving ensuite
- Plots 3 and 4 –side elevation windows serving Ensuite and Bedroom 1, and rear elevation windows serving Ensuite and Bathroom
- Plot 5 –rear elevation window serving bedrooms 2 and 3

Reason:

To protect the living conditions of existing neighbouring residents and future residents of the development in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

Notes / Informatives

Note 1

Warning: An European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

Note 2

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

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

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

Note 3

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