

**Cyngor Sir Caerfyrddin
Carmarthenshire County Council**

**PWYLLGOR CYNLLUNIO
PLANNING COMMITTEE**

**Adroddiad Pennaeth Lle a
Chynaliadwyedd
Lle a Seilwaith**

**Report of the Head of Place
and Sustainability
Place and Infrastructure**

20/07/2023

**I'W BENDERFYNU
FOR DECISION**

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:	20/07/2023
REPORT OF:	HEAD OF PLACE AND SUSTAINABILITY

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
PL/04739	Erection of a rural enterprise dwelling and associated works at Treale, Velindre, Llandysul, SA44 5XU
PL/05763	Construction of silage clamp wall, roof and associated works over existing silage clamp at Land part of Maenllwyd, Llansaint, Kidwelly, SA17 5HZ

REF.	APPLICATIONS RECOMMENDED FOR REFUSAL
PL/05635	Erection of a new purpose-built single storey disable compliant bungalow to meet disability needs at 34 Clos Coed Derw, Penygroes, Llanelli, SA14 7RD
PL/05971	Single storey granny annex extension to dwelling house at 14 Parklands Road, Ammanford, SA18 3TF

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	PL/04739
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Application Type	Full planning permission
Proposal	Erection of a rural enterprise dwelling and associated works
Location	Treale, Velindre, Llandysul, SA44 5XU

Applicant(s)	Rhydian and Caryl Williams
Officer	Charlotte Ford
Ward	Cenarth and Llangeler
Date of validation	28/09/2022

Committee Update

This application was first reported to the Planning Committee on 25 May 2023. The original report that was presented to the Planning Committee is reproduced below. Whilst the application was recommended for refusal by Officers, the Committee were minded to grant planning permission against officer recommendation subject to completion of a Section 106 agreement to tie the occupancy of both the proposed dwelling and the existing dwelling on the farm as a rural enterprise dwelling in line with the requirements of Technical Advice Note 6 : Planning for Sustainable Rural Communities 2010.

Officers commented that given the recommendation for refusal, the need for a S106 agreement had not been pursued with the applicant and therefore the Planning Committee was were advised, following its resolution, that such discussions would take place and that officers would report back to the Planning Committee following any progress made and to include a list of recommended conditions to be included on the decision notice.

Following the above, Officers have since discussed the need for a Section 106 agreement with the applicant who has recently confirmed acceptance of this approach and has provided the initial information required for the Council's legal section to now begin the process of preparing the documentation. At the time of writing this was at the very initial stages of the process and therefore should any updates be available, these will be reported to the Planning Committee.

Whilst the officer's recommendation to refuse the application based on the reasons set out in the original report still stands, in the event that the Planning Committee continue to resolve

that planning permission should be granted, it is recommended that such a decision is subject to completion of the above mentioned legal agreement and the below recommended planning conditions.

In the event that the required legal agreement is not signed within 12 months from the date of the Planning Committee resolution, delegated authority is given to the Head of Place & Sustainability to refuse the application.

Conditions & Reasons

Condition 1

The works hereby granted consent 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 shall be carried out in accordance with the following approved plans and documents:

- Location, Existing and Proposed Block Plan [BD 2114/Location01]
- Proposed Elevations and Floor Plans [BD 2114 / P 01]

Received 31/03/2023

- Sewerage information plan

Received 14/02/2023

Reason: For the avoidance of doubt as to the extent of the permission hereby granted and to secure an acceptable development in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

Condition 3

The occupancy of the dwelling shall be restricted to:

a) a person solely or mainly working, or last working on a rural enterprise in the locality, or a widow, widower or surviving civil partner of such a person, and to any resident dependants;

or, if it can be demonstrated that there are no such eligible occupiers,

b) a person or persons who would be eligible for consideration for affordable housing under the local authority's housing policies, or a widow, widower or surviving civil partner of such a person, and to any resident dependants.

Reason: To make provision for a rural enterprise worker or person eligible for affordable housing in accordance with Technical Advice Note 6 and its associated Practice Guidance 2011.

Condition 4

The garage as shown on the submitted plan Proposed Elevations and Floor Plans [BD 2114 / P 01] shall be kept available for the parking of motor vehicles at all times and not for any other purposes.

Reason: In the interests of highway safety and amenity and to accord with Policies GP1 and TR3 of the Carmarthenshire Local Development Plan 2014.

Condition 5

No development approved by this permission shall be commenced until a biodiversity enhancement scheme to include the provision of planting a native species hedge around the site boundary and the retention of the mature tree in the East of the site is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of biodiversity and to accord with Policies EQ4 and SP14 of the Carmarthenshire Local Development Plan.

Condition 6

Notwithstanding the provisions of the Town and Country Planning, Wales (General Permitted Development) (Amendment) (Wales) Order 2013 (or any order revoking and re-enacting that order with or without modification), no development within Schedule 2, Part 1, Classes A, B, C, D and E shall be carried out within the curtilage of the dwelling hereby approved (other than those expressly authorised by this permission) without the prior written consent of the Local Planning Authority.

Reason: To exert control over the future development of the site to ensure that the character and appearance is maintained and to accord with policy GP1 of the Carmarthenshire Local Development Plan 2014.

Notes / Informatives

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.wales).

Note 3

This permission is subject to a Section 106 Legal Agreement to tie the occupancy of both the proposed dwelling and the existing farm dwelling as rural enterprise dwellings.

Previous report submitted to the Planning Committee on the 25 May 2023

Reason for Committee

This application is being reported to the Planning Committee following a call-in request by Cllr Ken Howell on grounds that he wishes for the committee to have the opportunity to discuss the principle of the application and its compliance with national policy.

Site

The application site known as Treale Farm is located in the open countryside with the nearest town being Newcastle Emlyn located to the North West. The site is located within the community ward of Llangeler. The site has no immediate neighbours and is surrounded by the farm yard and facilities and open countryside. Access to site is via an existing farm track which leads both to the B4333 to the South West or a minor county maintained highway to the North East. The Afon Bran runs to the North West and North East of the Farm holding, which is a tributary to the Afon Teifi.

The application site relates to a field area approximately 32m south west of the main farm yard with the application site being at a higher level than the farm yard area. The application site itself is currently down to improved grass and used for grazing and is exposed with open far reaching views towards the north. The site is defined by field boundaries comprising hedgerows and gently slopes to the south.

Proposal

Full planning permission is sought for the construction of a rural enterprise dwelling and associated works in line with TAN6 policy. The proposed dwelling is to be located to the south west of the existing farm house and farm complex on an area of land historically know

as y 'berllan'. The applicant has stated this parcel of land has been used for domestic purposes such as the clothes line, and keeping pet lambs etc.

The proposed dwelling will be made up a two storey main element and subservient single storey side elements. The westerly side element will provide a day room, the easterly element will be utilised for farm use only, with the inclusion of a farm office and space for seasonal farm workers accommodation, below this element there is a garage. As illustrated by the submitted floor plans, the proposal is for a 4 bedroom property to provide suitable accommodation to the applicants family whom require 4 bedrooms. With regards to highways arrangements, parking and turning will be provided to the front of the dwelling, and amenity space to the sides and rear.

The application is supported by a Rural Dwelling Appraisal with supplementary information which gives further details of the existing enterprise and the justification for the proposed new dwelling.

Planning Site History

PL/05015 - Construction Of Concrete Slurry Store, Agricultural Shed And Associated Works - Full Granted - 14/02/2023

PL/04992 - Erection Of A Concrete Silage Clamp, Roof And Associated Works - Full Granted - 28/02/2023

PL/03816 - Erection Of Roof Over Existing Silage Clamp - Full Granted - 28/04/2022

PL/03592 - Erection Of General Purpose Agricultural Storage Building - Full Granted - 24/03/2022

W/38791 - Erection Of An Agricultural Portal Building To Cover An Existing Cattle Handling Yard - 30/05/2019

W/38789 - Construction Of An Agricultural Silage Clamp And Associated Engineering Operation - Full Granted - 30/5/2019

W/37630 - Erection Of Agricultural Building Over Existing Cattle Feeding Area (As Approved Under Planning Permission W/35520) - Full Granted 16/10/2018

W/35520 - Erection Of Agricultural Building And Associated Engineering Operation To Include Slurry Storage Facilities - Full Granted - 20/6/2017

W/30704 - Excavation Of Shale To Create Farm Cattle Tracks - Prior Approval Not Required - 08/09/2014

W/30703 - New Agricultural Building - Prior Approval Not Required - 08/09/2014

W/30702 - Proposed Road - Prior Approval Not Required - 08/09/2014

W/30419 - Application To Dismantle And Re-Route A Section Of Overhead Electricity Line, Including Changing Some Poles And Laying Some Underground Cable - Overhead Line Approval - 20/08/2014

TMT/02609 - Multi Purpose Agricultural Building - Full Granted 06/12/2002

W/00029 - Alterations To Dwelling And Installation Of New Septic Tank - Full Granted 21/05/1996

D4/20876 - Electricity Supply - Full Granted - 11/3/1991

D4/20324 - Construction of an Agricultural Dwelling- Full Granted - 26/10/1990

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

TR3 Highways in Developments – Design Considerations.

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.

(TAN) 6 : Planning or Sustainable Rural Communities (July 2010) is particularly relevant for this application.

Summary of Consultation Responses

Head of Transportation & Highways - No objections.

Valuations Manager – Comments received state that there is a functional need for the farming enterprise to have worker on site. However, has raised concerns that the 310sq.m dwelling does not comply with the TAN6 requirements that the property be alternatively available as an affordable dwelling whilst taking into account flexibility to allow for extra office/boot room/utility space associated with a rural enterprise dwelling. It is also stated that the seasonal workers accommodation is not justified in the application and as such is not supported.

Llangeler Community Council – No Comments received.

Local Member(s) - Councillor Ken Howells has requested the application be determined at committee. Councillor Hazel Jones has supports the application.

Sustainable Drainage Body – has confirmed that a Sustainable Drainage Body consent for the development will be required prior to any works commencing.

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

Summary of Public Representations

The application was the subject of notification by way of the posting of a site notice, no representations were received on the application at the time of writing this report.

Appraisal

The proposal involves the creation of a new dwelling in the countryside which is generally not considered acceptable in principle. It is only in exceptional circumstances that planning permission for the creation of a dwelling is considered within the countryside, such exceptions include conversions of traditional rural buildings to dwellings, dwellings in association with local affordable housing needs, dwellings associated with One Planet Developments and Rural Enterprise Dwellings. This application has been submitted on the basis of seeking permission for a Rural Enterprise Dwelling.

The total area farmed by the farming enterprise is approximately 550 acres 180 of which are located at Treale. A planning history search of the application site indicates that a rural enterprise dwelling has previously been granted for the farm known as 'Treale' under application reference D4/20324 in 1990. Although the applicant has stipulated in correspondence that the dwelling is not in the ownership of the applicant and is not currently associated with the farm Treale. Nevertheless, in light of this, the proposed dwelling is considered to be the third dwelling in association with the agricultural holding. As such, the main consideration of this case is whether the proposal complies with Welsh Government's guidance set out in TAN6 in relation to a new rural enterprise dwelling on an existing holding. Section 4.4.1 (TAN6) states that:

'New permanent dwellings should only be allowed to support established rural enterprises providing:

- a) there is a clearly established existing functional need;
the need relates to a full-time worker, and does not relate to a part-time requirement;
- b) the enterprise concerned has been established for at least three years, profitable for at least one of them and both the enterprise and
the business need for the job, is currently financially sound, and has a clear prospect of remaining so;
- c) the functional need could not be fulfilled by another dwelling or by converting an existing suitable building already on the land holding comprising the enterprise, or any other existing accommodation in the locality which is suitable and available for occupation by the worker
- d) concerned;
- e) other normal planning requirements, for example siting and access, are satisfied.'

The following sets out how the development addresses each of the above tests:

Functional Test

A functional test is necessary to establish whether it is essential, for the proper functioning of the enterprise, for one or more workers to be readily available at most times. This application relates to a large dairy enterprise with additional beef and sheep rearing elements. Farming activities include; calf rearing, lambing from January to March, Feeding milk to young calves, general feeding, bedding etc, health monitoring, taking deliveries and security of the site.

Given the size and scale of the business and the lambing, calving and milking operations the functional need for a workers dwelling is accepted.

Time Test

As the functional requirement is established, it is necessary to consider the number of workers needed to meet it, for which the scale and nature of the enterprise will be relevant. The current workers on site are the 3 farm partners and the occasional milk relief staff, however only 2 farm partners reside on the application site with 1 working at present and the level of work carried outside normal working hours proving unsustainable. The application shows a total calculated annual labour requirement for the holding of 9.3 Standard Man Days. The calculation has been assessed and it appears realistic given the activities and scale of the enterprise. This is accepted and confirms that there is the additional full time job needed in relation to this application

However, the proposed plans includes a farm office and one additional room on the ground floor for a seasonal farm worker/student worker. Due to the scale of the enterprise it is envisage in the future that student placements will be offered. It is hoped that a purpose built space would attract such help during busy times. The application does not fully justify this element of the proposal and its requirement and as such it is not supported.

Financial Test

Tan6 stipulates the rural enterprise and the activity concerned should be financially sound and should have good prospects of remaining economically sustainable for a reasonable period of time, usually at least 5 years. The agricultural enterprise has been in existence for a number of years and the application has been supported by details of the financial accounts for the farm which indicate that the farm has been profitable and it is considered based on the information before the Authority that there is a reasonable prospect that the business will remain viable. The application is therefore considered to comply with this element of the financial test.

However, TAN6 specifies that the enterprise needs to be able to afford to build and maintain the dwelling and that dwellings that are unusually large in relation to the needs of the enterprise should not be permitted. It further explains that it is the requirements of the enterprise rather than of the intended occupier which are relevant to determine the size of the dwelling that is appropriate. The agricultural appraisal stipulates the dwelling is to become the principle farm dwelling and is stated to be reflective of the scale of the farming enterprise and to home the applicants family which includes 3 children.

In this case, the dwelling is a large 4 bedroom detached property with a gross internal floor area of 310sq.m. This would compare with a floorspace of 107sq.m that is deemed to be an equivalent 4 bedroom affordable dwelling in this location. Officers accept the needs for additional study/utility rooms in association with rural enterprise dwellings and therefore allowances can be made for a larger dwelling than for an affordable dwelling but not more than double the floorspace as is proposed in this instance. Therefore, it is considered that the proposed dwelling, by reason of its excessive scale, fails to have regard to its use as an affordable dwelling contrary to policy AH3 of the Carmarthenshire LDP and the advice set out in TAN6.

Other Dwelling Test

As previously stated planning permission was granted in 1990 for the erection of a rural enterprise dwelling for the agricultural holding associated with Treale, however the applicant has stated this is not associated to the holding and is not in the ownership of the enterprise.

There is currently one dwelling on site known as Treale which is a sizeable farmhouse on the property. It is noted that there are existing buildings on site which could be suitable for conversion, however some are still in use and those further from the working buildings are small and not well suited to creating a four bedroom dwelling without significant repair, alteration and extension.

With regard to the size and scale of the dwelling this is considered overly large. To comply with the policy the dwelling must have the potential for alternative use as an affordable dwelling in the event the farm enterprise no longer needs it. The proposed 4 bedroom dwelling is comprised of the garage (38sq.m), the office/ farm worker element (40sq.m), the ground floor (125sq.m), and first floor measuring 107sq.m. Consultee comments received from the valuations officer conclude and supports that farm workers dwellings typically need additional facilities such as a ground floor shower room, boot room and office. Nevertheless, a floor area of circa 145-150sq.m is typical, with the average size for a 6 person 4 bedroom affordable unit being 107sq.m. Furthermore, the extra accommodation for the seasonal farm worker is not justified as part of the proposal.

In light of the above it is considered the proposed dwelling is overly large and is not supported.

Other Planning Requirement Test

Siting

Paragraph 4.12.1 of TAN6 specifies, *“the siting of the proposed dwelling should relate closely to the activities for which there is a need. In most cases this will mean that the new dwelling should be sited in close proximity to existing buildings and in the case of dwellings for agricultural enterprises, should not be isolated from the farmstead or in locations that could encourage farm fragmentation. Local planning authorities should resist planning applications for rural enterprise dwellings that are prominent in the landscape”*.

In addition to the TAN6 locational criteria, it is also necessary to consider the impact of the dwelling on the wider landscape. The immediate surrounding area is characterised by open agricultural fields on the upper slopes of elevated ground, defined by low largely windswept hedgerows. Whilst there are scattered dwellings within the wider area, the majority are historic properties associated with historic farmsteads which are co-located with agricultural buildings. The site is adjacent to the existing farm yard. It is deemed the location of the proposal is adjacent to the existing farm house and will not negatively impact on the local landscape in line with policy GP1 Sustainability and High Quality Design of the LDP, and TAN 6.

Design

With regard to the size and scale of the dwelling this is considered overly large and there is already a sizeable farmhouse on the property. Consultee comments received from the valuations advise a floor area of circa 145-150sq.m is typical, with the average size for a 6 person 4 bedroom affordable unit being 107sq.m. As part of the planning application process these concerns were raised to the applicant and amendments to the scale of the dwelling were requested as the original scale of the proposed dwelling measured in excess of 391sq.m. Following this, amendments to the scale were submitted however these were not sufficient to alleviate the concerns of officers as the reduction was only minimal taking the dwelling to 310sq.m.

In light of the above it is considered the proposed dwelling is overly large and is not supported and is contrary to Policies GP1 and AH3 of the adopted Carmarthenshire Local Development Plan (2014) and Sections 4.4 and 4.10.2 of Technical Advice Note 6: Planning for Sustainable Rural Communities (July 2010).

Access

The application site is served by an existing access track and two access points onto county maintained highways. There is more than sufficient space within the plot which would be provided for car parking. Following consultation with the highways department no objection has been received. As such, the application would not have an unacceptable impact upon highway safety and therefore is compliant with policies TR2 and TR3 of the LDP and TAN18.

Other Material Planning Considerations

Phosphorous Sensitive Area

The application site is within the catchment of the River Teifi Special Area of Conservation (SAC). As part of the application a new package treatment plant and drainage field are to be installed, replacing the existing septic tank, to serve the new dwelling and the existing property on site. Concerns were raised regarding phosphorous from NRW however following further information submitted by the applicant including percolation tests CCC ecologists reviewed the application and 'screened out' the application from undertaking a Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) following NRW's guidelines.

Biodiversity

The Environment (Wales) Act 2016, PPW (Edition 11, February 2021) and Future Wales, The National Plan 2040 (Policy 9) requires the Local Planning Authority to seek to enhance biodiversity through the planning process, Within the Planning Statement submitted it states a native species hedge will be planted around the site boundary and the mature tree in the East of the site will be retained. It is deemed this is adequate ecological enhancement given the nature and scale of the proposal.

Contaminated Land

As the application site is adjacent to an agricultural enterprise contaminated land were consulted as part of the proposal. Following consultation there was no objection raised.

Planning Obligations

The initial affordability and use as a rural enterprise dwelling could be retained for all subsequent occupants through the completion of a Section 106 agreement to effectively control the future sale of the property. This has not been pursued with the applicants given the fundamental objection to the development as outlined above.

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 WCFG 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 WCFG Act.

Conclusion

After careful consideration of the scheme as submitted, it is concluded that the proposed development would be contrary to Policy and does not comply with the requirements of Welsh Government Technical Advice Note 6: Planning for Sustainable Rural Communities and is therefore recommended for refusal. It is considered that a dwelling of the scale proposed is not acceptable and would not be compatible with that of an affordable dwelling that could, in the future, be available to those on low or moderate incomes. The proposal therefore represents a prominent, unjustified development in the open countryside contrary to Policies GP1 and AH3 of the adopted Carmarthenshire Local Development Plan (2014).

RECOMMENDATION - Refusal

Reasons

Reason 1

Insufficient justification has been provided to demonstrate that the scale of the proposed dwelling is necessary and would reflect the needs of the enterprise. Furthermore, it is not considered that a dwelling of the scale proposed would be compatible with that of an affordable dwelling that could, in the future, be available to those on low or moderate incomes. The proposal therefore represents a prominent, unjustified development in the open countryside that is considered to be detrimental to the character and appearance of the area. The proposal is contrary to Policy GP1 and AH3 of the adopted Carmarthenshire Local Development Plan (2014) and Sections 4.4 and 4.10.2 of Technical Advice Note 6: Planning for Sustainable Rural Communities (July 2010).

Reason 2

The applicant has failed to enter into a S106 legal agreement to control the occupancy of both the existing and proposed dwelling and to tie the proposed dwelling to the agricultural holding. The proposal would therefore result in an unencumbered and unjustified isolated new dwelling in the open countryside. As such, the proposal is contrary to Policies AH1 of the Carmarthenshire Local Development Plan (adopted December 2014) and Supplementary Planning Guidance documents: Affordable Housing (adopted June 2018) and Planning Obligations (adopted December 2014) paragraphs 4.5.3 and 4.13.3 of Technical Advice Note 6: Planning for Sustainable Rural Communities (July 2010) and paragraphs 3.60, 4.2.36 – 4.2.37 of Planning Policy Wales (11th Edition) February 2021.

Application No	PL/05763
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Application Type	Full planning permission
Proposal	Construction of silage clamp wall, roof and associated works over existing silage clamp
Location	Land part of Maenllwyd, Llansaint, Kidwelly, SA17 5HZ

Applicant(s)	T H Gibbon - Gibbon
Agent	RW Planning - Rhydian Williams
Officer	Owain Enoch
Ward	Kidwelly and St Ishmael
Date of validation	07/04/2023

Reason for Committee

This application is being reported to the Planning Committee following the receipt of three or more objections from third parties.

Site

The application site comprises of land adjacent to the existing farm complex farm at Maenllwyd on an area of land which is currently used as a silage clamp. The proposed building has a total floor area of 273square meters. A bunded boundary/hedge line encloses the north eastern boundary of the site.

Maenllwyd is a grass based farm home to drystock. The buildings include cubicle housing, a slatted underground slurry store, and lined slurry store.

In terms of the surrounding environs, the overall sense of place is that of a rural and elevated open countryside setting overlooking Carmarthen Bay, approximately 200m to the south west of Llansaint. The All Wales Coastal Path route (public rights of way footpath 62/35) is located adjacent to the site. The established Hazeldene Caravan Park is located some 15m to the north of the site. Hazeldene Caravan Park is spatially detached from the site by the All Wales Coastal Path route (public rights of way footpath 62/35) / unclassified vehicular route which leads to Parcmaenllwyd. Another notable feature of the surrounding context is

the varying topography / levels, with the land rising notably to the north from the aforementioned unclassified roadway and the application site itself.

Proposal

Full planning permission is sought for the construction of a new silage clamp and roof to replace the existing silage clamp located on site.

The replacement silage clamp and roof cover is required to ensure the store is built to the latest regulations as outlined in the Water Resources (Control of Agricultural Pollution) (Wales) Regulation 2021. The current silage clamp is no longer fit for purpose and the applicant is looking to reduce the amount of dirty water collected from the silage clamp yard area which the proposed roof will enable.

Planning Site History

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

W/33086 - Farm Wall (Retrospective) (Resubmission Of W/30344 Refused 09.12.14) - Full Granted - 04/02/2016

W/30344 - Farm Yard Wall (Part Retrospective) - Full Refusal - 09/12/2014

W/06357 - Excavate Top Soil And Fill Base With Crushed Concrete From Existing Shed (Planning Gw/03483/3482). With Material (Shale) From Excavation Of The Same Site To Prepare For The New Building. - Prior Approval Not Required - 22/04/2004

Gw/03482 - Replacement Agricultural Building - Full Granted - 15/05/2003

Gw/03483 - Extension To Agricultural Building - Full Granted - 15/05/2003

D4/5709 - Electricity Supply - Historic Decision - 09/02/1979

Planning Policy

In the context of the Authority's current Development Plan, the site is not located within the defined development limits as contained in the adopted Local Development Plan (LDP) which was adopted in December 2014. The site is situated within the Special Landscape Area (Carmarthen Bay and Estuaries). Reference is drawn to the following policies of the Plan:-

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

SP14	Protection and Enhancement of the Natural Environment
SP15	Tourism and the Visitor Economy
GP1	Sustainability and High Quality Design
GP2	Development Limits
EMP3	Employment- Extensions and Intensification
EQ6	Special Landscape Areas

[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

St Ishmaels Community Council - No observations received to date.

Local Member - Councillor Cllr Lewis Davies has not commented to date.

Local Member - Councillor Crish Davies has not commented to date.

Head of Public Protection – No adverse comments to make – advice notes provided.

Natural Resources Wales – No objection to the proposed development – advice note provided.

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.

11 representations were received, all objecting. The matters raised are summarised as follows:

- Size and scale of the proposal is in no means mirroring the current fixture in place, concerns as to why the structure would need to be so large;
- Detrimental to the neighbouring properties, land and holiday homes, visitor experience at Caravan Park, All Wales Coastal Path;
- Noise pollution – including in the construction period;
- Siting of the building - moving the building 20-30m east is in fact possible, can it be built 10m back?
- Impact on view (including well-being), currently a stunning view from an award winning Caravan Park;
- Building contravenes the 45 degree rule;
- Existing farm buildings not being utilised, which may be more suitable for the storage of potentially hazardous materials as well as minimising risk to people and livestock when using the local roads as thoroughfare;
- Emissions, including nitrogen oxide gasses, some of which are highly toxic and are a particular problem with enclosed silage clamps;
- Concerns in regards the existing building and farm surroundings in terms of condition and operational matters and concern that this would be replicated in the new building;
- Concern at factual inaccuracy on the application form states where it is claimed that the site cannot be seen from any public roads, public footpaths, bridleways or other public land, and as stated in the many responses from this application that is in fact untrue;
- Detrimental impact on the visitor economy - Hazeldene Caravan Park brings valuable income to the area and has created much-needed employment and not only supports the tourist industry but brings in much-needed revenue for the surrounding areas, such as Ferryside, Mynydd Y Garreg, Llansaint and Kidwelly as well as Pembrey Country

Park, Parc Y Bocs, Kidwelly local produce market as well as numerous other tourist attractions within a 40-mile radius.

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

Appraisal

Principle of development

As previously noted, the site is located outside of the development limits of the LDP (LDP Policy GP2 refers). It is considered however that the site is suitable in principle for an agricultural related development as it is physically, functionally, spatially and operationally linked to an existing farm complex. The site presents as an area of land which is currently used as a silage clamp.

Landscape Impact

As previously noted, the site is located within a Special Landscape Area (LDP Policy EQ6 refers). It is considered however that the location of the proposed building on the north/ north eastern side of the existing farm complex will result in suitably integrated development when compared to any such proposal at an exposed / elevated position at a prominent south/south western aspect point overlooking Carmarthen Bay.

Impact upon character and appearance of the area

The proposed clamp and building will measure 30.3 meters in length by 9.09 meters in width with walls to a height of 3.3 meters. The proposed building ridge height will be lower than the adjacent existing building. In terms of finishes, it should be noted that the North Eastern elevation will be the most prominent. The drawings propose a grey fiber cement roof to match existing buildings, along with corrugated side sheets matching the adjacent building and grey concrete panels. The South West and South East elevations will be left open with no walls.

The proposed silage clamp is to be located adjacent to the existing farm complex on an area of land which is currently used as a silage clamp. The location has been chosen for ease of access during harvesting and also for ease of feed out to cattle during the winter months. Furthermore, the site offers proximity to the existing cattle buildings and is located away from any water course or hydrological feature.

In noting that there is a hedge line / bunded landform located at the north eastern boundary of the farm yard complex that would screen the proposed building to an extent, it is likely that the proposed building could be viewed by the general public, including from the adjacent All Wales Coastal Path route (public rights of way footpath 62/35) and the established Hazeldene Caravan Park. However, it is considered that such a vista would be in keeping with the overall open countryside setting where the provision of an agricultural building, which forms part of an overall established farmyard complex, is an expected contributor to the overall sense of place.

Hazeldene Caravan Park is spatially detached from the site by the All Wales Coastal Path route (public rights of way footpath 62/35) / unclassified vehicular route which leads to Parcmaenllwyd. The land rises notably northward from the aforementioned unclassified roadway and the application site itself. The Hazeldene Caravan Park site is subject to a

notable increase in site levels in this regard. There is some limited established vegetation along the south western frontage of the Hazeldene Caravan Park which provides a screening function, most notably for those pitches that are at a lower level / fronting the All Wales Coastal Path route (public rights of way footpath 62/35).

It is considered that the proposed building is suitably subordinate (in terms of scale, height and function) when compared with the adjacent existing building and wider farm complex. Furthermore, the finishes will be in keeping with that of existing buildings. It is therefore considered that with reference to with Policy GP1 of the LDP, the development is appropriate in terms of scale and design, and will not cause unacceptable loss of amenity to neighbouring land uses, or cause any adverse ecological or environmental impacts.

Amenity and Public Protection

Third party representations raise concerns in regards emissions, noise (including during construction) and hazardous materials. It should be noted however that consultees (notably Natural Resources Wales and Public Protection) have raised no objection to the proposed development.

It should be noted that the proposed development will not result in an increase in farm stock numbers.

In light of the above, and with reference to LDP Policy EMP3, it is considered that the development is appropriate in terms of scale and form, will be compatible with its location and not cause environmental damage or result in adverse amenity issues. Moreover, the proposal will serve the needs of an existing family farm enterprise by providing improved technical performance and resource efficiency as a result of a reduction in the amount of dirty water collected from the silage clamp yard area.

Biodiversity Impacts

The replacement silage clamp and roof cover is required to ensure the store is built to the latest regulations as outlined in the Water Resources (Control of Agricultural Pollution) (Wales) Regulation 2021.

With reference to the Protection and Enhancement of the Natural Environment (LDP Strategic Policy SP14 refers), it is considered that the proposed development will lead to betterment in terms of a reduction in the amount of dirty water collected from the silage clamp yard area. It is noted that the site has been chosen because it is located away from any water course or hydrological feature.

Impact upon the visitor economy

Concerns are expressed as to a detrimental impact on the visitor economy, with notable reference to those established attractors in South East Carmarthenshire as well as Hazeldene Caravan Park itself. Such concerns have been given due weight, with the LDP recognising the importance of tourism as per paragraph 5.9.125 of the written statement *“Tourism has the potential to assist in broadening the County’s economy and creating and supporting local jobs. The tourism offer within the County is influenced by location with the coastal area being home to key attractions such as Pembrey Country Park and the Millennium Coastal Park offering a different form of attraction from that of more rural*

areas. Tourism related proposals will be expected to be compatible with, and to take account of their location and the surrounding environment.”

As part of reaching a balanced appraisal however, reference is also made to the recognition of the importance of the agricultural economy in the LDP as per paragraph 6.3.3 of the written statement *“Whilst the focus of employment land provision relates to the allocation of sites, it is recognised that the majority of the County is rural, with agriculture traditionally underpinning large parts of Carmarthenshire’s economy. Whilst the economic value of agriculture has changed it remains an essential contributor to the future well being of the area’s economy. It also remains an essential activity in the stewardship of the countryside. The retention and support of a healthy agricultural sector has obvious employment benefits to its surrounding communities, but also provides for the availability of locally produced food.”*

The proposed development is required for the core agricultural business on site and will replace the existing silage clamp.

It should also be noted that site area does not encroach onto the adjacent footpath / public right of way (All Wales Coastal Path route). In this regard, it is not considered that the development would lead to the obstruction or encroachment thereof either during construction, or at any time thereafter.

Other Matters

Third party representations raise concerns in regards loss of (or detrimental impact upon) views. Such comments have been given limited weight due as they are not considered to be material planning considerations.

Concerns raised by third parties in regards the existing building and farm surroundings in terms of condition and operational matters are not considered to be material considerations in the determination of this planning application.

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 based on the plans, consultation responses and third-party comments, it is concluded on balance that the proposal is acceptable in that the building is appropriate in terms of scale and design and will not cause unacceptable loss of amenity to neighbouring land uses, or cause any adverse ecological or environmental impacts. Moreover, the scheme will result in betterment both for an established family farm enterprise as well as the wider environment, most notably by providing improved technical performance and resource efficiency as a result of a reduction in the amount of dirty water

collected from the silage clamp yard area. Furthermore, the site is located away from any water course or hydrological feature.

The application is therefore considered to comply with policies SP14, GP1, EMP3 and EQ6 of the Carmarthenshire Local Development Plan 2014 and as such is recommended for approval subject to the below conditions.

RECOMMENDATION - Approval

Conditions & 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 (as amended).

Condition 2

The development hereby permitted shall be carried out strictly in accordance with the details shown on the following plans and documents:-

- Elevations and Floor Plan (1:200 scale drawing),

Received on 17/05/2023;

- Location plan (1:1250 scale drawing),
- Block plan of the site (1:500 scale drawing),
- Planning Support Statement prepared by Agri-Angels LTD.

Received on 30/03/2023

Reason:

For the avoidance of doubt as to the extent of the permission hereby granted and to secure an acceptable development in accordance with Policy GP1 of the Carmarthenshire Local Development Plan 2014.

Notes / Informatives

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).

APPLICATIONS RECOMMENDED FOR REFUSAL

Application No	PL/05635
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Application Type	Full planning permission
Proposal	Erection of a new purpose-built single storey disable compliant bungalow to meet disability needs
Location	34 Clos Coed Derw, Penygroes, Llanelli, SA14 7RD

Applicant(s)	Derek & Ann Rourke
Agent	Asbri Planning Ltd - Iwan Rowlands
Officer	Andrew Francis
Ward	Penygroes
Date of validation	17/03/2023

Reason for Committee

This application is being reported to the Planning Committee following a call-in request by Cllr D Thomas. Three letters of objection have also been submitted as a result of this application.

Site

The application site comprises an irregular shaped area of land accessed off a shared drive with No. 32 Clos Coed Derw. Both are situated at the southern end of the Clos Coed Derw housing site, accessed to the east of Waterloo Road, Penygroes.

Clos Coed Derw was originally a 28 dwelling scheme approved under reference E/25854 in 2012 by the applicant of the current application, Mr D Rourke, under the name Delane Developments.

The land that forms the application site is set in the south-east corner of the site, and importantly is sited almost entirely outside but adjacent to the development limits for Penygroes.

In terms of site dimensions, it has a depth of approximately 34.7 metres and a typical width of 23.9 metres, discounting the access. Overall, the site measures 0.09 Ha. The site slopes fairly gently from the north west to the south east.

The site is directly adjacent to the Caeau Blaenau-Mawr Site of Special Scientific Interest (SSSI).

It should also be noted that land to the south of the housing development site was used as a development compound. This is also on land outside the development limits of Penygroes. Whilst some of the paraphernalia has now been cleared up, the damage to the field is still visible.

Proposal

The application presented before the Committee is for the development of a 3 bedroom bungalow adapted for disabled use for the applicant.

The proposed dwelling measures a maximum of 8.9 metres in width and a length of 13 metres with a maximum height of 6.35 metres. The bungalow dwelling is designed around a main steep pitched roof central section with gable ends, with two smaller gable features cut into the main roof to provide the front and rear doors.

Internally, the dwelling provides for two main bedrooms, with a study/third bedroom. The main bedroom has an en-suite wet room, with the main family bathroom being designed as a wetroom also. The front access includes a wheelchair transfer space, leading into the main hallway. Accessed of this is the Lounge and Kitchen and Dining area. The rear access door accesses into a Utility room.

Externally, the proposed dwelling is to have a facebrick finish, with concrete tile roof, grey uPVC windows and doors.

The proposed dwelling has an external footprint of 98.5 sq metres and an internal floor area of 87 sq metres.

Planning Site History

PI/00575 - Revision Of House Type From 3 Bedroom Detached To 4 Bedroom Detached - Full Granted - 2/3/2021

E/31694 – Non Material Amendment - Removal Of Conditions 12, 13 And 14 On E/25854 (Code For Sustainable Homes) - Non-Material Amendment Granted 20/04/2015

E/25854 - Construction Of 28 No. Residential Dwellings - Full Granted 31/07/2012 S106 Signed - Commuted Sum /Affordable Housing

E/21758 - Construction Of New Detached 4 Bedroom House With Detached Double Garage Via New Access Road From Clos Ael Y Bryn (Resubmission Of E/20609 Withdrawn 10.03.2009) - Full Granted 01/04/2010

E/21757 - Outline Application For 10 Houses With Access Provided Via Clos Ael Y Bryn And Its Established Access Onto Waterloo Road (Resubmission Of E/19849 Withdrawn 10.03.2009) - Outline Granted 14/10/2010 S106 Signed

E/20609 - Construction Of New Detached 4 Bedroom House With Detached Double Garage Via New Access Road From Clos Ael Y Bryn - Withdrawn. 10/03/2009

E/20301 - Construction Of Sewer Easement And Associated Engineering Works (Resubmission Of E/19756 Withdrawn 06.10.2008) - Full Granted - Delegated 16/01/2009

E/19849 - Outline Application For 10 Houses With Access Provided Via Clos Ael Y Bryn And Its Established Access Onto Waterloo Road (B4297) - Withdrawn. 10/03/2009

E/19756 - Construction Of Sewer Easement And Associated Engineering Works - Withdrawn. 06/10/2008

E/18575 - Construction Of 23 Dwellings (12 Detached, 4 Semi-Detached And 7 Terraced) With Garages, Roads And Associated Works - Full Refused - Delegated 23/05/2008

E/16740 - One Detached 3 Bedroom Bungalow With Vehicular Access (Resubmission Of E/13720 Withdrawn 21.08.2006) - Full Refused - Delegated 22/08/2007 - Appeal Dismissed 28/04/2008

E/13720 - Erect 1 Detached 3 Bedroom Bungalow For Use By Mr D & Mrs A Rourke And Vehicular Access To The Proposed Property - Withdrawn. 21/08/2006

Planning Policy

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

SP1 - Sustainable Places and Spaces

SP2 - Climate Change

SP3 - Sustainable Distribution- Settlement Framework

SP14 - Protection and Enhancement of the Natural Environment

GP1 - Sustainability and High Quality Design

GP2 - Development Limits

GP3 - Planning Obligations

H2 - Housing within Development Limits

AH2 - Affordable Housing – Exceptions Sites

TR3 - Highways in Developments – Design Considerations

EQ4 - Biodiversity

EQ7 - Development within the Caeau Mynydd Mawr SPG Area

EP3 - Sustainable Drainage

[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 formal observations received to date.

Llandybie Community Council - Note and agree with Cllr D Thomas' request for a Site Visit.

Local Member - Councillor D Thomas has requested that this application be presented before the Planning Committee and a site visit be undertaken for the following reasons:

- To understand the precise relationship of the application site to the surrounding residential estate, despite the fact it is outside development limits
- To discuss the other material considerations relating to the personal circumstances of the applicant.

Natural Resources Wales - No objections to the proposal.

Dwr Cymru/Welsh Water - No objections to the proposal.

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.

Three representations were received, all all objecting. The matters raised are summarised as follows:

- There is already an issue with parking on the site road. The additional large construction vehicles would exacerbate the problem and due to the parking issue, blockages have occurred. They would also cause a danger to the children and residents, obstructing the turning area at the bottom of the site.
- The value of the site is the green areas surrounding the estate which accommodates many wild animals. Further work would adversely affect their natural habitat which is essential to the local eco-system.
- The as yet unadopted road is yet to be completed and has suffered great wear and tear by large vehicles using it on a daily basis whilst completing the original site, causing poor amenity for the existing residents. Any additional building would lengthen the time they can expect the road to be finished and the original site cleared.
- The site is outside development limits. If granted, this could set a precedent for the developer to continue to add to the established development, further impacting the existing residents, who expected the site to be contained within the limits.
- An impact assessment should be considered within the remit of the Localism Act 2011.
- The proposal will impact upon air quality due to the increase in dust and debris.
- It will impact upon privacy of the surrounding properties.
- The necessity of the property for the needs of the applicant are questionable.

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

Appraisal

The application seeks consent for a new detached, bungalow dwelling for his personal disabled needs on land adjacent to the development limits of Penygroes, which is also on land adjacent to the housing site the applicant has developed. This application will be examined under a range of headings to assess the proposal, as submitted.

Principle of Development

Before the detailed issues of this application are considered, the basic principle of the development and the policy situation needs to be examined and understood.

As mentioned, the proposal is for a dwelling on land outside, but adjacent to the development limits for the disabled needs of the applicant. As Members will be aware, there is an opportunity and scope within the Carmarthenshire Local Development Plan policies to allow such dwellings for such needs, based on policy AH2, provided the needs of the applicant can be justified. Indeed, several applications of this nature have been presented before the Committee recently.

However, no justification with regard to policy AH2 has been made with this application. This is due to the fact the Applicant does not meet the requirement for a Local Need, as set out in the Glossary of the Carmarthenshire Local Development Plan (CLDP), which states:

Local Need - 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.

Two of the points of objection raised by the public relates to this issue and are summarised as follows:

- The site is outside development limits. If granted, this could set a precedent for the developer to continue to add to the established development, further impacting the existing residents, who expected the site to be contained within the limits.
- The necessity of the property for the needs of the applicant are questionable.

As the Applicant does not meet the test of a Local Need, the proposal cannot be considered as a dwelling under Policy AH2. Therefore, the proposal must be considered as a dwelling proposed, unencumbered, outside of the development limits of Penygroes. This is contrary to Policy GP2, H2 and TAN6 issued by the Welsh Government, unless any material considerations would justify otherwise.

Whilst the disability requirements of the Applicant have been raised and indeed, the Local Planning Authority do not wish to be insensitive to the medical requirements of the Applicant, this is not a simple case of an elderly person living long term in a two storey dwelling and requiring the accommodations provided by a single storey dwelling. This is not to say that the LPA is questioning the disability requirements of the Applicant. It is fully accepted that the Applicant is suffering from a disability that is progressive and affects his mobility. However, this does not mean that any disabled person should get a new dwelling suited to their needs, on land outside development limits. If this was the case, the entire landscape of Wales could be dotted with houses built for disabled people.

Further to the above, it needs to be noted that the Applicant is the developer behind the whole of the Clos Coed Derw site of 28 dwellings, which initially gained planning permission in 2012. Based on this point, the applicant could have retained one plot within the site and within the development limits for the provision of a disabled bungalow for the use of the applicant based on the health knowledge of the applicant. The applicant has been in

declining health for some years, a fact which has been disclosed to the Planning Department in meetings several years ago.

In addition to the above, the applicant sought to develop a large two storey 4 bedroom dwelling on the adjacent plot 32 (utilising the same access as the current application plot) in late 2020, changing this from a smaller three bedroom dwelling. Based on the knowledge the applicant would have had of his health, the applicant could have utilised this plot, within limits, to develop the bungalow he needed.

Policy AH2 has been provided to allow for new dwellings adjacent to development limits, where there is a genuine Local Need, as defined in the CLDP. As no justification has been provided, the proposal falls to be considered under policies GP2 and H2. The Authority's Forward Planning Section has advised that as no justification has been provided for locating the proposed dwelling outside of the development limits, the principle of this application is contrary to the adopted LDP. Based on the fact that the applicant does not meet the definition for a Local Needs person and is seeking an unencumbered dwelling in the open countryside, the proposal is considered to be contrary to policies GP2 and H2, despite the needs of the applicant.

Highways

The other main point of objection received relates to matters relating to highway safety. These are summarised as follows:

- There is already an issue with parking on the site road. The additional large construction vehicles would exacerbate the problem and due to the parking issue, blockages have occurred. They would also cause a danger to the children and residents, obstructing the turning area at the bottom of the site.
- The as yet unadopted road is yet to be completed and has suffered great wear and tear by large vehicles using it on a daily basis whilst completing the original site, causing poor amenity for the existing residents. Any additional building would lengthen the time they can expect the road to be finished and the original site cleared.

The Authority's Head of Transport has been consulted and has not formally responded to date. However, informally, he has raised queries relating to the width of the shared access for which he has sought clarification. This clarification has been provided by the Agent and has been passed onto the Head of Transport for comment. It is hoped that these comments will be included in the addendum.

With regard to the comments received, the Head of Transport has not raised any concerns relating to the overall Clos Coed Derw site road or its function. It has been designed and built to adoptable standards and each dwelling has parking to CSS Parking Standards. As such, parking issues would appear to be as a result of the choices of the occupiers of the dwellings on site not effectively utilising the parking spaces of the dwellings. There are requirements for all road users to not obstruct turning areas on the site.

Furthermore, should the site be approved, all development comes with a period of disturbance that cannot be avoided and is something that is accepted as part of the process. This applies to all developments.

With regards to the adoption status of the road, this is a civil matter between the developer and the home owners. The site has been constructed to adoptable standards, but it is not a legal requirement that the roads are adopted. As such, this is not a material consideration in the determination of this application.

Ecology

The application site is located on land outside the development limits of Penygroes and on land directly adjacent to the Caeau Blaenau Mawr SSSI.

One point of objection has been received as a result of the consultation process, summarised below:

- The value of the site is the green areas surrounding the estate which accommodates many wild animals. Further work would adversely affect their natural habitat which is essential to the local eco-system.

The Authority's Ecology Section has advised that the site is also within 2 km of the Caeau Mynydd Mawr Special Area of Conservation (SAC) and the Supplementary Planning Guidance Area, related to the SAC and policy EQ7 applies, should planning permission be granted. This means that any new dwelling should make a contribution of £1043 towards the maintenance of the Caeau Mynydd Mawr SAC and specifically the maintenance of the Marsh Fritillary butterfly metapopulation.

It is also required that all trees and hedgerows are retained and protected, as per the arboricultural survey. However, they do not object to the proposal specifically.

Natural Resources Wales also offer no objections to the proposal, based on the information provided.

As such, based on the site and information provided, the specific objection relating to the ecological value of the site cannot be sustained as it can be mitigated through applicable conditions and legal agreements.

Surface Water Drainage

The Authority's Surface Water Advisory Body (SAB) Team has provided a letter to the developer, dated 3 July 2023, advising that a SAB Application will be required for this application. However, the Agent has provided information contradicting this advice. This states that there is existing capacity on the Clos Coed Derw system as approved under E/25854 on the 31st July 2012, which was prior to the introduction of SUDs in 2019. Due to this, surface water for the current application can be dealt with by using an unused connection that is already in place with the spare capacity. The Agent's state that they have received a copy of an email from the SAB Team on the 14th June 2023 confirming that based on all the information and documents provided by the Agent, that SAB approval will not be required.

Clarification from the SAB Team has been sought on this matter and will be provided in the addendum.

Other

With regard to other matters relating to this application, the following summarised points have been raised as points of objection as a result of the neighbour consultation process:

- An impact assessment should be considered within the remit of the Localism Act 2011.

With regard to this point, Part 5 Chapter 7, Clause 119 confers legislative competence on the National Assembly for Wales (now the Welsh Government) and . The allows the Assembly to pass Assembly Measures in relation to various aspects of development management in Wales, including applications for planning permission, the exercise of local planning authorities' functions and the enforcement of restrictions under town and country planning legislation. However, it doesn't allow for the commission of an Impact Assessment for a single dwelling application under the remit of the Localism Act 2011. As such, this cannot be achieved.

- The proposal will impact upon air quality due to the increase in dust and debris.

As mentioned above with regard to disturbance, any new development will cause a period of disturbance to neighbouring properties, which may include an increase in dust and debris. Should permission be granted, a condition can be added seeking a Construction Environmental Management Plan which would seek to mitigate against the disturbance and the creation of dust and debris. As such, whilst the concern is understood, it is not sufficient to warrant refusing the application.

- It will impact upon privacy of the surrounding properties.

The proposed bungalow dwelling set in the south eastern corner of the site has it's principle elevation facing the west, towards No. 32 Clos Coed Derw. However, based on the fact the proposed dwelling is single storey, the privacy of neighbouring [properties can be adequately safeguarded by suitable boundary treatments. It must also be noted that the application site is a modern, fairly dense residential site and the siting of a new dwelling on the application site would generally follow the existing pattern of development, if the issue of the development limits was not considered. As such, this point of of objection cannot be sustained.

Planning Obligations

The Agent has provided a Certificate of Title and Title Plan and the Applicant is prepared to enter into a legal agreement to provide affordable housing contributions and Caeau Mynydd Mawr contributions, as if the proposed dwelling was situated within development limits. As discussed above, this is contrary to policy GP2 and H2 of the CLDP.

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 contrary to policies GP2 and H2 of the Carmarthenshire Local Development Plan (2014) as the proposed dwelling is to be sited outside development limits, with no defined Local Needs justification submitted. As such, this application is recommended for REFUSAL.

RECOMMENDATION - Refusal

Reasons

Reason 1

The application, if approved would be contrary to Policies GP2 and H2 of the Carmarthenshire Local Development Plan (2014) in that the proposed development lies outside of the development limits defined by the Carmarthenshire Local Development Plan (LDP), where new residential development in the open countryside shall be strictly controlled to prevent inappropriate development in unsustainable locations. As a scheme for market housing, it would not meet any identified local need for affordable housing, nor has any evidence been provided that it would warrant an exception to the strict control on development in the Countryside. It is therefore considered to be contrary to Policies GP2 and H2 of the Carmarthenshire Local Development Plan (adopted December 2014) and Planning Policy Wales (Edition 11, February 2021).

Application No	PL/05971
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Application Type	Householder planning permission
Proposal	Single storey granny annex extension to dwelling house
Location	14 Parklands Road, Ammanford, SA18 3TF

Applicant(s)	Mr & Mrs Elias
Agent	Davies Richards Design Ltd - Gareth Richards
Officer	Adam Davies
Ward	Saron
Date of validation	19/05/2023

Reason for Committee

This application is being reported to the Planning Committee following a call-in request by Cllr Karen Davies.

Site

The application site is positioned on the outer limits of Ammanford. in a largely residential area. The rear and flanks of the property are pasture field, while the front faces the neighbouring property. The property is a semi-detached, two storey building with lean-to extension to the rear. It contains a long, thin garden to the rear with side access.

Proposal

The application seeks to provide a single storey rear extension/granny annex to the dwelling house. The extension will extend just over 9 metres from the original dwelling with a height of 2.5 metres. The height of the extension looks to match the eaves of the existing lean-to extension. The extension looks to provide two bedrooms (one double bedroom with ensuite and one twin) and a living area. The external finishes will match that of the original dwelling.

Planning Site History

E/33692 - Full Planning - 2016-05-25 - Householder Granted - Single Storey Extension to rear of property.

PL/05521 – Householder Planning Permission – 2023-07-11 – Householder Refused - Single storey granny annex extension to dwelling house.

Planning Policy

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

Policy GP1 Sustainability and High-Quality Design
Policy GP6 Extensions

[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

Llandybie Community Council – no objection

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

Summary of Public Representations

The application was the subject of notification by way of neighbour consultation letter.

No responses were received.

Appraisal

The proposal is for a large, flat roof rear extension, which would be at odds with the character of the area. The surrounding area, although un-uniform, comprises of small lean-to extensions or conservatories. The size, scale and appearance of the proposed extension would not complement the existing dwelling and will appear overly large and incongruous with the existing house, this would not conform with Carmarthenshire local development plan policy GP1 and GP6.

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

On balance, and after careful examination of the site and its surrounding environment, the scale and design of the proposed single storey extension is not considered to be acceptable and in keeping with the character and appearance of the existing property and surrounding area. The extension is not compatible to the size, design and character of the host property and would present as an incongruous addition to the dwelling.

The proposal is therefore not considered to be in accord with Policies GP1 and GP6 of the adopted Local Development Plan and is put forward for refusal.

RECOMMENDATION - Refusal

Reasons

Reason 1

It is considered that the proposal is contrary to Policy GP1 of the Carmarthenshire Local Development Plan 2014 in that, due to its scale and design, does not conform or enhance the character and appearance of the building or area.

Reason 2

It is considered that the proposal is contrary to Policy GP6 of the Carmarthenshire Local Development Plan 2014 in that, due to its scale and design, is not compatible to the size and character of the existing dwelling.

Reason 3

Insufficient information has been submitted with the application to demonstrate what impacts the proposed development would have on protected species, in line with Policy SP14 of the Carmarthenshire Local Development Plan adopted December 2014.