

Dirprwyedig / Delegated

Rhif y Cais / Application Reference	A190653
Derbyniwyd / Received	15-08-2019
Y Bwriad / Proposal	Erection of one affordable dwelling.
Lleoliad Safle / Site Location	Land Adjacent Maes Cynllo, Llangoedmor, Cardigan
Math o Gais / Application Type	Outline Planning Permission - All/Some Matters Reserved
Ymgeisydd / Applicant	Mr and Mrs James, Prescelly View, Llechryd, Cardigan, SA43 2NL
Asiant / Agent	Llyr Evans (Llyr Evans Planning Ltd), Llantood Farm, Cardigan, SA43 3NU

THE APPLICATION SITE

The application site is located within an open countryside location approximately 1.2KM from the small settlement of Llangoedmor and 2.5KM from Cardigan town. The site is positioned within an agricultural field currently down to pasture which slopes down toward the adjacent minor council maintained highway. To the Northern boundary of the site adjacent to the highway is a row of mature trees along the boundary. The application site lies adjacent to a cluster of three dwellings, one of which is in the ownership of a family member.

RELEVANT PLANNING HISTORY

No relevant planning history exists on site.

DETAILS OF DEVELOPMENT

The application seeks outline planning permission for the erection on 1 affordable home.

The following scale parameters are proposed;

- Height – 6-7 meters
- Length – 10-14 meters
- Width – 8-10 meters

The indicative layout submitted shows that considerable change in levels will be require in a portion of the site to provide a flat plateau to erect the dwelling. Access to the site is to be provided to the western side via an existing access to buildings at Maescynllo.

An affordable housing statement has been submitted as part of the application. The statement outlines the applicants currently reside in a three bed property in Llechryd. The statement gives limited information of some of the properties for sale in the open countryside in the area. The statement outlines that the land will be gifted to them subject to gaining planning permission.

RELEVANT PLANNING POLICIES AND GUIDANCE

NATIONAL PLANNING POLICIES

PLANNING POLICY WALES

- Planning Policy Wales (Edition 10) December 2018

TECHNICAL ADVICE NOTES (WALES) (TAN'S):

The following technical advice notes are relevant to the consideration of the application:

- Technical Advice Note 2: Planning and Affordable Housing (2006)
- Technical Advice Note 5: Nature Conservation and Planning (2009)
- Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)
- Technical Advice Note 12: Design (2016)
- Technical Advice Note 18: Transport (2007)

THE DEVELOPMENT PLAN - CEREDIGION LOCAL DEVELOPMENT PLAN (LDP) 2007 – 2022

The following LDP policies are relevant to the consideration of the application:

- S01 – Sustainable Growth
- S04 – Development in “Linked Settlements and Other Locations”
- S05 – Affordable Housing
- LU02 – Requirements Regarding All Residential Developments
- LU05 - Securing the Delivery of Housing Development
- DM01 – Managing the Impacts of Development on Communities and the Welsh Language
- DM06 – High Quality Design and Placemaking
- DM13 – Sustainable Drainage Systems
- DM14 – Nature Conservation and Ecological Connectivity
- DM15 – Local Biodiversity Conservation
- DM17 – General Landscape

SUPPLEMENTARY PLANNING GUIDANCE (SPG's):

The following SPG's are relevant to the consideration of the application:

- CCC Community and the Welsh Language (2015)
- CCC Affordable Homes (2014)
- CCC Built Environment and Design (2015)

OTHER MATERIAL CONSIDERATIONS

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

Having due regard to advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The above duty has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person.

Well-being of Future Generations (Wales) Act 2015

The Well-Being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

CONSULTATION RESPONSES

STATUTORY CONSULTEES

Highways – No objection subject to conditions

Drainage - No objection

Ecology – Object to the loss of the trees

Community Council – No response to date

NON-STATUTORY CONSULTEES

- None received to date.

CONCLUSION:

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that:

“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise”.

The main material planning considerations relating to the proposed development are:

- Whether the principle of the development is acceptable;
- Whether the proposed development will have any adverse impact upon the character and appearance of the area;

These are discussed in detail below:

Principle of development

The site is located in the open countryside, outside of any defined settlement.

Planning Policy Wales states clearly that new houses should be located in sustainable locations which are easily accessible to public services and facilities. PPW, para 3.56 states that affordable housing may be acceptable if in clusters or part of a group but not in isolated spots.

The site under consideration is not a sustainable location and cannot be supported. The site comprises of an isolated position in the open countryside and its development would be contrary to well-established planning policy.

I acknowledge the argument put forward in the planning statement outlining there are limited opportunity to acquire a suitable affordable home in the locality. However, the statement submitted has failed to consider the availability of suitable properties for sale in Cardigan which is only 2.5KM away. Furthermore the settlements of Cardigan, Llechryd, and Penparc are all in reasonably close proximity and would be a more suitable location to position an additional affordable home. A considerable number of existing outstanding consents for residential units already exists in all of these settlements. The principle of an affordable home in these sustainable settlements could be supported and I do not see any reasonable material planning considerations which override the policy position to locate such development at the proposed location.

Impact on the landscape and character of the area

The proposed access improvements required to provide a safe access to site in line with policy will require the removal of the mature trees adjacent the county road. Furthermore the positioning of more residential properties at this location will further erode the rural nature of these country lanes in the area. It is evident that the area has suffered over the last few decades from sporadic residential development in unsustainable locations which slowly degrades the rural character of the area and allowing further development is deemed to go against policy DM17 General Landscape of the LDP.

Conclusion

To conclude, on balance the proposed open countryside location of this affordable home is deemed unacceptable and goes

against policy S04 of the LDP and PPW. The evidence submitted as part of the application has not clearly demonstrated why more sustainable housing options within settlement cannot be pursued.

NAME OF LOCAL MEMBER: Cllr Clive Davies

REASONS GIVEN BY THE LOCAL MEMBER FOR giving delegated powers:

Agree with the recommendation of the officer. Email attached to file.

RECOMMENDATION: REFUSE PLANNING PERMISSION FOR THE REASON SET OUT BELOW:

1. The proposal is contrary to both national and local planning policies and guidance, which seek to protect the open countryside from unsustainable and unjustified new residential development.