

Re Objection Letters Received, Limegrove House - PL/01389 & PL/01413

From: PHIL THOMAS [REDACTED]
To: [REDACTED]
Cc: ADTSpeake@carmarthenshire.gov.u [REDACTED]
Date: Tuesday, 13 April 2021, 12:38 BST

Dear Mr Roberts,

Limegrove House – Conversion to 3 Dwelling Houses & Construction of 6 New Builds (Planning references PL/01389 & PL/01413)

We note that the three week consultation period for the above scheme has recently ended and a number of objections were submitted from the following neighbouring properties in Nant-Yr-Arian -:

1. No 17, Nant-Yr-Arian – Ms Emma Crowley
2. No 16 Nant-Yr-Arian – Mr & Mrs Webster
3. No 20 Nant-Yr-Arian – Ms. Sandra Day
4. No 21 Nant-Yr-Arian – Ms Linda Evans & Mr Robin Parsons
5. No 15 Nant-Yr Arian - Mrs Edna Morris
6. No 19, Nant-Yr-Arian- Mr & Mrs Aelwyn Evans

Additionally we note that the email from No 15 also welcomes the development as an improvement on its previous use and that the objections from Nos 16, 20 & 21 Nant-Yr-Arian all appear to have been drafted using the same template and with identical language across all three. This has created some bizarre anomalies.

The relevant material objections are summarised as follows:

- Loss of privacy and overbearance from proposed dwelling at plot 2 (and to a lesser extent plot 1)
- Loss of sunlight
- Appropriateness of notice
- Other matters relating to the setting, trees, sewerage, noise, pollution and car parking capacity

We respond as follows -:

1. Proximity of Plot 2 & Loss of Privacy

We attach an aerial photo of the site dated April 2015 (see Exhibit 1) illustrating the relationship of the objecting properties with the site.

The relative distance of these properties from the boundary are summarised as follows -:

a) 16 Nant- Yr- Arian – at its nearest point, the length of the rear elevation of this property to the boundary with Limegrove House extends to ~15m. The rear elevation of plot 2 is some 19 m from the rear elevation of this property at its nearest point. It is also oriented at an oblique angle to the rear boundary of no 16 so precluding direct overlooking. We note that No 16 also has a screening tree and other vegetation.

b) 17 Nant-Yr-Arian – at its nearest point, the length of the rear elevation of this property to the boundary is ~ 12m. There is no overlooking of this house from either the front or rear elevation of plot 2.

c) 18 Nant-Yr Arian – 11.5m rear garden length. No direct overlooking.

d) 19 Nant-Yr- Arian – the rear garden extends ~15m to ~18 m to the Limegrove boundary. Both the front elevation of Plot 2 and the rear elevation of Plot 1 will be a minimum 20m separation distance from the rear elevation of No 19. Both are offset and do not directly overlook their garden. Additionally, the rear elevation of plot 1 will be obscured by the hedging of the adjacent property at No 20 . The positioning of plot 1 is at right angles to the boundary.

e) 20 Nant-Yr-Arian – the rear garden length is ~ 20 m (ranges from ~ 19m to ~22m) from its rear elevation to the Limegrove boundary. The front elevation of Plot 2 is ~ 26m from the rear elevation of No 20 at its nearest point. The rear elevation of Plot 1 has no direct overlooking which in any event is shielded by tall leylandii hedging rising to ~ 15ft in height and ~ 24m separation distance between nearest point of rear elevation of No 20 and Plot 1.

f) 21 Nant-Yr-Arian – the distance from their rear elevation to their boundary ranges between ~23m to ~ 25m. There is no direct overlooking and a distance of ~ 39m to their rear elevation from the rear elevation of plot 2. A leylandii hedge of ~ 15ft in height provides further privacy . There is no overlooking from Plot 1.

We therefore contend that -:

a) There is no overlooking issue with No 17 (as Ms Crowley acknowledges) because of the three apertures in the side elevation of Plot 2 (and Plot 1), two are from a bathroom and a WC which would have obscure glass and the third is a glazed side door at ground floor level where, regardless of the nature of the glass, it would not be possible to look into the garden of No. 17 nor No. 18.

b) No loss of privacy and more than sufficient, healthy separating distances with all other objectors' properties.

2. Loss of Daylight

Amongst the objections, particular concern has been expressed by neighbours concerning the perceived loss of daylight by the siting of Plot 2. We contend that there is no basis for this concern.

This plot (and also Plot 1) sits **North** of the line of houses in Nant-Yr-Arian running from No 17 to No 23.

As seen from the aerial view attached (Exhibit 2), the orientation of their houses means that the daily traverse of the sun is south of their properties and any shadows are cast northwards from their own houses. The positioning of plot 2 will therefore have no impact on the sun that reaches their gardens; there will be no overshadowing or loss of light.

3. Notices

All objections express dissatisfaction with the apparent manner in which notice has been given. Whilst we have no direct control over this (outside affixing the notices in accordance with the Council's instructions due to Covid restrictions), our assumption is that the notices issued by the Council comply with all legislative requirements (as they did for the previous application). Notwithstanding all legal requirements have been met, we consider it is disingenuous for a number of the objectors to claim they were unaware of development plans for this site, for the following reasons -:

Mrs Morris of No 15 was aware that we intended to develop the site, had previously applied for planning on the site and that it had been refused. Mr Parsons of No 21 sought access to the site to trim his boundary hedge in both late 2020 and early 2021. Our plans for the site were informally discussed and he was informed that our previous application to develop the site had been refused and we would be submitting fresh plans. Similarly, Mr Evans of No 19 sought access in early March 2021 to remove his hedge and build a boundary fence. Again the issue of our plans for the site were raised and he too was informed that the previous application had been refused and that a fresh application to develop the site and convert the listed building had recently been submitted.

In the case of Ms Crowley, the owner of No 17, records indicate that this house was sold on 6th January 2020. It seems inconceivable that neither she nor her solicitor, in completing the sale, made any relevant searches on the planning history for her neighbouring property which would of course have revealed an ongoing application and the previous pre-applications for the site and consequently informed her decision to purchase. Additionally, we also refer to a letter dated 18/03/21 that Ms. Crowley has circulated among her neighbours (See Exhibit 3 attached), offering to assist in any objection.

This letter states , ***'Just to make you aware an application has gone in again for houses to be built at the site behind us...'*** which appears to also indicate a knowledge of the **prior** application that she claims not to have. Not that any of the claims that they were unaware of the plans to develop the site are relevant to our application, as all legal notice requirements have been met.

We also note that coincidentally, in the case of No's 16, 20 & 21, the objectors were ***'...only made aware of this by chance (yesterday 17/03/21) as my husband saw it on google news!!'*** . With reference to No. 20 , we observe that her husband passed away a number of years ago.

4. Other Matters

a) Ms Crowley, No 17, states that -:

"During demolition of the site all trees have now been moved from behind my house so my house has now lost its privacy. This was also something I was not consulted about. "

As stated previously, records indicate that Ms Crowley purchased this house in January 2020. No trees were cut during the removal of the derelict portakabin complex in 2018. There was an overgrown, poorly maintained evergreen understory, rising to 12m, directly to the rear of No 17 which was removed in April 2014, almost a full **six years prior to Ms Crowley purchasing this property** – please see attached aerial photo from 2015 (see Exhibit 2) clearly showing **no presence** of trees directly to the rear of No17 (a tree to the left on the boundary of No.16 was removed in later in 2015 for health and safety reasons). In fact, the previous owner thanked us for their removal. We make no further comment on the need to consult her regarding the trees.

b) Mr Evans of No 20 calls into question the capacity of the car park to hold 50 cars. During the course of lease negotiations with the previous tenant my father, the late Mr Iwan Thomas, counted 54 cars parked on the site on the 10th November 1992. During its even busier history as the Architect's Dept for the whole of Dyfed from 1973 to the late 90's, there were at one time a further 32 available parking spaces to the rear of the property plus an overflow car park in what is now part of the adjacent Bro'r Holl Saint. More recent google map images during its period of occupation also show over 30 cars parked on site with available spaces. Throughout its period of use as offices this was a very busy site with a constant flow of traffic to and from the property by both employees and visitors. Therefore this objection doesn't hold up to the reality of the proposed development's recent past. On the contrary, a reversion to the original intended residential use under this scheme will unquestionably result in a great reduction on previous traffic flows.

c) Mr Evans also states that '***... since the council offices have left the housing site of Bro'r Holl Saint has been built increasing traffic flow and increasing the demand of the sewerage system.***'

This statement is factually incorrect. Bro'r Holl Saint was constructed **during** the Council's occupancy of Limegrove House not **after** as claimed; records indicate that these houses were first purchased in 2006. The demands placed on the sewerage system **will be lower** than during its use as offices and the additional greening of the site will further reduce any runoff from a site that is primarily tarmac.

d) Additionally Mr Evans comments that '***... this development will have a direct impact not just on the grade 2 listed building but also on the nature and conservation in the area as there is a tree preservation order***'.

The arguments regarding the impact of the scheme on the trees, the Listed Building and its setting has already been addressed in great detail by both our arboricultural expert and heritage expert in the planning documents submitted. We are not aware of the presentation of further evidence to counter these.

e) Concerns have been expressed regarding the noise and pollution arising from the development. It is acknowledged that there will be a degree of noise associated with the scheme. This is unfortunate, but inevitable with any development regardless of size but will of course be temporary. All statutory requirements regarding noise and pollution during the period of construction will be strictly adhered to.

In summary, considerable time and money has been expended in attempting to develop this site and bring the listed building back into a productive use with a viable future. There have been ongoing discussions, meetings and negotiations with the Planning dept since May 2016 and the scheme has been revised and also substantially reduced from an initial 8/9 detached houses on the lower tier to the current scheme of five detached dwellings. The siting and house type at Plot 2 has remained unchanged from the Pre Application Enquiry made in 2017 (PA/15378) (for a site layout for 5 new build detached houses on the lower tier grounds), through the subsequent further Pre Application Enquiry (PA/16677) submitted on 7th May 2019 and the previous full planning application registered on 29th October 2019 (W/39721 & W/39722). The evidence is clear that we have done our utmost to address all valid concerns.

The primary objections almost universally centre around the proposed detached house at Plot 2, its separation distance from neighbouring properties, alleged associated overlooking and loss of light and privacy. These are addressed in detail (and fully countered) above. However it is useful to also summarise below the reasons why these objection are without merit or substance and should not form the basis for again refusing planning permission -:

- There is sufficient spatial distance between the closest properties at No's 17 and 18 Nant-Yr-Arian with a minimum 13.5m distance. Neither occupiers of these two properties will be oppressed or dominated by the setting of the proposed dwelling at Plot 2.
- Neither will there be an overlooking issue as of the three apertures in the side elevation, 2 are from bathrooms which would have obscure glass and the third is a glazed side door at ground floor level where, regardless of the nature of the glass, it would not be possible to look into the gardens of No 17 or 18 . All elevations will be a painted render providing a subtle, clean and unobtrusive finish with a minimal appearance when viewed from Nant-Yr-Arian properties, the hipped roofs aiding to minimise the overall impression.
- There will be no overshadowing or loss of light issues due to their relative orientation to the sun with Plots 1 and 2 lying North of the neighbouring properties in Nant-Yr-Arian.
- Similarly, the front and rear elevation of plots 1 and 2 are at an offset angle ,oriented roughly at right angles to the southern boundary. As a result they are not directly facing No's 16, 19, 20 & 21 Nant-Yr Arian – all of which have a minimum of ~19 m spatial distance and considerably further in some cases, between either of the two proposed dwellings. We note that there is an existing boundary hedge to ~15ft height along the boundary with No 20 and 21 further ensuring privacy to these two houses. Until mid March 2021, this also extended along No 19's boundary.

Further, we note that the Council has not adopted any Supplementary Planning Guidance (SPG) as to the acceptable distance between habitable rooms and two storey facades. Nevertheless, we observe that no further concerns were raised by the planning officer about this plot under the previous application, (which is unchanged in respect of Plots 1 and 2) and it did not form any part of the reasons for refusal of our prior application.

It is unfortunate that the scheme has attracted these objections as in all aspects it should really be welcomed by all neighbours with adjoining properties. It offers a unique

opportunity to bring a Grade II listed building back into productive use and simultaneously enhance its setting and appearance with a modest number of dwellings and extensive landscaping within the grounds of a site that previously housed a dilapidated portkabin complex (an eyesore in the context of the main house) and a large public facing area that is simply laid to tarmac. In all respects the proposals conform with and enhance the character and appearance of the site, with the scale and design of plots 1 and 2 being appropriate for the setting.

The length of the rear boundary of plots 1 and 2 with their ***eight*** neighbouring properties in Nant Yr Arian extends to approximately ***80m*** and yet in order to enhance the setting of the listed building and provide minimal disturbance to neighbours we have purposely reduced the density and number of units when this area could comfortably accommodate 5 detached houses of varying sizes.

It has been suggested by certain objectors that Plot 2 be replaced by a bungalow, however this is not a viable option. Bungalows are an inefficient use of land with a much greater footprint. The equivalent of the bungalows proposed at Plots 3 to 4 would not sit easily within the physical constraints of the available land, with limited depth due to the minimum requirements for an access road of adoptable standard and would result in a much reduced amenity area for any occupiers, affecting both the marketability and profitability of the scheme.

However of greater concern would be the effect on the setting of the Grade II listed building – houses sit far more appropriately with, and complement the setting of the listed building than bungalows, offering a consistent street scene that is viewable from the roadside. Even limiting the change to a bungalow from a house at Plot 2 would sit very uncomfortably within that setting, the appearance disrupting the aesthetic of the development and reducing the opportunity to greenify and soften the landscape.

We therefore respectfully contend that the objections to the development are baseless and without merit and to the extent they may be considered to result in any harmful impact to residents of neighbouring properties (a point we refute), then the ultimate judgement should involve having regard to all the material planning considerations, both good and bad and reaching a balanced view, consistent with your legal requirements in arriving at a decision. In this case there are more than sufficient countervailing considerations in favour of the proposal that make any perceived breach of policy (which we strongly deny, for all the above reasons) acceptable. In particular the s66 duty under the Listed Buildings Act 1990 requires any planning authority to ***have special regard to the desirability of preserving a listed building and its setting***. Either the refusal of planning or a requirement for a bungalow would both ***adversely affect the viability of the scheme and diminish the setting of the listed building***.

Yours sincerely,

Philip Thomas


HB Thomas & Son (Carmarthen) Ltd



Exhibit 1_Boundary Distances_Aerial Photo Limegrove.JPG
71.2kB



Exhibit 2_Aerial Photo Limegrove_04_2015.JPG

 196.6kB
Exhibit 3_Limegrove House_Letter No 17 Emma Crowley_18_03_21.jpg
619.5kB