

DEVELOPMENT MANAGEMENT COMMITTEE

29 January 2020

Present: Councillor R Owens (Chair)

Councillor P Baker, Mrs D Clements, Councillor K Doolin, Councillor M Evans, Councillor P Harries, Dr M Havard, Dr R Heath-Davies, Mrs S Hoss, Mrs J James, Councillor M James, Mr GA Jones, Councillor PJ Morgan, Dr RM Plummer, Councillor A Wilcox, Councillor M Williams and Councillor S Yelland.

[Llanion Park, Pembroke Dock 10.00am – 12.30pm]

1. Apology

An apology for absence was received from Councillor P Kidney.

2. Chair's Announcements

The Chair welcomed Matthew Griffiths, Development Management Team Leader and Rob James, Planning Officer, to the meeting. Both officers had recently started work with the Authority.

3. Disclosures of interest

The following Member(s)/Officer(s) disclosed an interest in the application(s) and/or matter(s) referred to below:

| Application and Reference | Member(s)/Officer(s) | Action taken |
|---|----------------------|--|
| <i>Minutes 7(a)below</i> NP/19/0443/FUL – Conversion of existing outbuilding/workshop to additional gallery space – Fernleigh, East Street, Newport | Councillor P Harries | Withdrew from the meeting while the application was discussed |

4. Minutes

The minutes of the meeting held on the 4 December 2019 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on the 4 December 2019 be confirmed and signed.

NOTED.



5. Right to speak at Committee

The Chairman informed Members that due notification (prior to the stipulated deadline) had been received from interested parties who wished to exercise their right to speak at the meeting that day. In accordance with the decision of the National Park Authority of 7th December 2011, speakers would have 5 minutes to speak (*the interested parties are listed below against their respective application(s), and in the order in which they addressed the Committee*):

| Reference number | Proposal | Speaker |
|---|--|--|
| NP/19/0448/FUL <i>Minute 7(b) refers</i> | Construction of a two storey side extension and 2 No. single storey rear extensions; demolition of attached single storey additions; alterations to roof to remove existing dormer windows and to create new dormer gables and to reinstate traditional chimney stacks; to apply slate hanging to the seaward gable and to replace rough plaster render with smooth render to existing elevations; to raise the rear retaining and seaward boundary walls and to construct new external steps all with handrail; various re-fenestration works – Rock House, Fedir Brenin, Newport | Mr Chaston - Applicant |
| NP/19/0517/FUL <i>Minute 7(d) refers</i> | Extension & alternations to existing dwelling, including the provision of a garage, replacing a previous building – Manor Farm, Lydstep | Andrew Vaughan-Harries – speaking on behalf of Applicant |
| NP/19/0576/FUL <i>Minute 7(e) refers</i> | Erection of new car park hut – Marloes Beacon PCNPA Car park, Marloes | Mr C Jessop – Marloes Community Council |
| NP/19/0665/FUL <i>Minute 7(f) Refers</i> | Change of use of linked granny annexe to holiday let – Red Houses, The Rhos | Andrew Vaughan-Harries - Agent |



6. Members' Duties in Determining Applications

The Solicitor's report summarised the role of the Committee within the planning system, outlining the purpose of the planning system and relevant considerations in decision making, the Authority's duty to carry out sustainable development, human rights considerations, the Authority's guidance to members on decision-making in committee and also set out some circumstances where costs might be awarded against the Authority on appeal.

One Member noted that the Environment (Wales) Act and Historic Environment (Wales) Act had both been introduced at the same time as the Wellbeing of Future Generations (Wales) Act. However neither of these was mentioned in the report although they were of relevance. The Solicitor replied that by its nature, his report provided a brief outline of relevant legislation and there were other provisions which were not mentioned. However he agreed to review his report prior to the next meeting.

NOTED

7. Report of Planning Applications

The Committee considered the detailed reports of the Development Management Team Leader, together with any updates reported verbally on the day and recorded below. The Committee determined the applications as follows (*the decision reached on each follows the details of the relevant application*):

[Councillor P Harries had disclosed an interest and withdrew from the meeting during consideration of the following application.]

- (a) REFERENCE: NP/19/0443/FUL
APPLICANT: Mr J Carey
PROPOSAL: Conversion of existing outbuilding/workshop to additional gallery space
LOCATION: Fernleigh, East Street, Newport

It was reported that this site lay within the Newport Conservation Area and to the rear of the property known as Fernleigh. The building was a single storey, part brick, part corrugated tin building with a pitched corrugated asbestos roof. The only access to the outbuilding was through the ground floor of Fernleigh, which had most recently been used as an art gallery at ground floor level.

The application was before the Committee due to an objection from Newport Town Council.



The proposal had at first sought permission to convert the building to additional living space to benefit the flat above the gallery, but due to concerns over privacy and amenity to adjoining neighbouring properties, such a use was not considered appropriate. The proposal had since been amended to withdraw the residential element through discussion with the agent.

The officer noted an error in the Consultee Responses set out in the report in that Authority's Buildings Conservation Officer was recorded as both recommending refusal of and supporting the application. She explained that the Officer had initially recommended refusal on design grounds, however the proposed design had since been amended and he now supported the application.

The outbuilding was considered to be worthy of preservation as it was both part of the character of the Conservation Area and an interesting feature of the historic development of Newport, having been used as a cobblers workshop in conjunction with the ground floor of the dwelling. Officers considered that the proposed development allowed for a potentially viable future economic use which would secure the long-term preservation and restoration of the building within Newport's Conservation Area. It was therefore recommended for approval subject to conditions.

One Member noted the concern of the Town Council that the building could be used as a holiday let in future and she sought reassurance the conditions proposed were sufficient to prevent this. The officer replied that the building was worthy of conservation and accommodation ancillary to the flat was not supported, therefore a condition for use as a gallery only, and not any other A1 use would also allow the Authority to retain control of use of the building. A holiday let would not fall within this use class.

DECISION: That the application be approved subject to conditions relating to timing of development, accordance with plans and documents, hours of use, details of boundary treatment, biodiversity enhancement scheme, external lighting plan, timber doors and windows, photographic survey of the building and use as a gallery only.



- (b) REFERENCE: NP/19/0448/FUL
APPLICANT: Mr & Mrs R Chaston
PROPOSAL: Construction of a two storey side extension and 2 No. single storey rear extensions; demolition of attached single storey additions; alterations to roof to remove existing dormer windows and to create new dormer gables and to reinstate traditional chimney stacks; to apply slate hanging to the seaward gable and to replace rough cast render with smooth render to existing elevations; to raise the rear retaining and seaward boundary walls and to construct new external steps all with handrail; various re-fenestration works.
LOCATION: Rock House, Fedir Brenin, Newport

It was reported that the above mentioned property was identified in the Newport Conservation Area as a building of local significance, and the application was before the Committee due to the recommendation by Newport Town Council differing from that of officers. Five letters of objection had been received and eight letters of support, two additional letters since the report had been written.

It was noted that an associated application seeking Conservation Area consent for demolition of an existing outbuilding (NP/19/0449/CAC) was also before the Committee for consideration [minute 7(c) refers].

It was reported at the meeting that two responses from Natural Resources Wales were listed in the Consultee Responses set out in the report because, having received additional information, their concerns had been addressed and both the Ecologist and NRW now supported the application subject to conditions.

Officers considered that the application was appropriate in terms of size, scale and detail and did not have an adverse impact on the special qualities of the National Park or amenity. It was therefore recommended for approval subject to conditions.

Mr Chaston, the applicant, then addressed the Committee. He explained that his father and mother had made Rock House their home for 30 years and although he had lived overseas as a requirement of his work, Mr Chaston said that he had known and loved Newport all his life and was proud to be Welsh. After his parents had died, the house was not in a good state and he had taken it on with the intention of making it his home. In its original state the house had had six bedrooms and one bathroom, however in order to meet modern expectations, one of these bedrooms had been lost in order to create en-suite bathrooms. The proposed extension would contain a bedroom and bathroom, allowing retention of



the six bedrooms, as well as the main kitchen. It would be subservient to the main dwelling and would not extend further than the existing outbuilding which it was proposed to demolish; the garden would remain intact. Acknowledging the significance of the property, Mr Chaston believed he was acting in the best interests of the Parrog and of Rock House. He noted that removal of the flat roofed dormers, while unlikely to be justified commercially, was more aesthetically pleasing, and this was true of the slate hanging which would allow the house to dry out. He concluded by saying that he had previously undertaken successful renovation of another property in the area, and he believed he could do the same for Rock House.

Noting the separate upstairs kitchen area and separate entrance, one of the Members asked Mr Chaston whether it was his long term intention to let out that part of the property, however he stated that he had no intention of doing so.

While considering that the alterations to the main house were good, one of the Members was concerned about the large extension to the south east, believing that it would significantly alter views in the Conservation Area, Rock House having been highlighted as of particular significance in the Supplementary Planning Guidance. He proposed a site inspection to allow the Committee to see how the proposals would sit in this iconic landscape, as he didn't believe this could be properly reflected in a photographic presentation. This motion was seconded, however the vote was lost.

Other Members, however, felt that the proposals would replicate other properties on the frontage which formed substantial blocks. However concerns were expressed that the property could become a hotel or rented out, regarding lighting and also the impact on the bird life in the estuary. Officers replied that conditions were proposed which would require a lighting plan (upon which Natural Resources Wales (NRW) and the Authority's Ecologist would be consulted) and restrict use of the development to purposes ancillary to the residential use of Rock House. With regard to ecology, a Habitat Regulations Assessment had been undertaken and as a result of consultation on it, NRW had requested conditions, as set out in the report.

Finally questions were asked about the boundary walls and the officer clarified that rear retaining and seaward (NW) boundary walls would be raised, however no changes were proposed to the front walls of the property. One Member asked whether a condition could be included to agree the details of the north-west (seaward) boundary walls in advance and officers agreed that this could be done.



A motion of refusal had been proposed and was then seconded, however this was lost. A substantive motion for approval of the application was then moved and seconded and this was won.

DECISION: That the application be approved subject to conditions relating to timing, accordance with plans and documents, landscaping scheme, occupation to be ancillary to the residential use of Rock House, details of boundary wall and details of chimneys and glazing of windows to the north-west gable elevation.

- (c) REFERENCE: NP/19/0449/CAC
APPLICANT: Mr & Mrs R Chaston
PROPOSAL: Demolition of existing outbuilding
LOCATION: Rock House, Fedir Brenin, Newport

It was reported that Rock House was a bay-windowed Victorian house set on a stone-built terrace above the shoreline at Newport Parrog and located within the Conservation Area. The outbuilding proposed for demolition was situated to the south-east of the house within the garden area. The building, probably a cowshed, had been much altered over the years, with a portion having previously been demolished to create a garden area.

It was noted that an associated application seeking planning permission for alterations and extensions to Rock House (NP/19/0448/FUL) had been approved, subject to conditions, by the Committee [minute 7(b) refers].

Officers considered that the proposed demolition would not harm either the character or appearance of the conservation area, and it would allow the development of the site for an extension granted permission earlier in the meeting (minute 7(b) refers).

In response to a question from one Member, it was noted that, as with the previous application, following submission of additional information, both the Authority's ecologist and Natural Resources Wales (NRW) had recommended approval of the application subject to conditions. This would include enhancement of biodiversity through adherence to submitted plans and documents as well as the proposed landscaping condition. The Director of Planning and Park Direction added that NRW and the Ecologist would have the opportunity to comment on the landscaping plan when submitted. Officers were asked to inform Members once all conditions on the application had been discharged, indicating that all consultees were happy with the documents to be submitted.



DECISION: That Conservation Area consent be granted, subject to the approval of the planning application NP/19/0448/FUL, and subject to conditions relating to timing, accordance with plans and documents, timing of demolition relative to granting of NP/19/0448/FUL and landscaping scheme.

- (d) REFERENCE: NP/19/0517/FUL
APPLICANT: Mr J Meyrick
PROPOSAL: Extension & alternations to existing dwelling, including the provision of a garage, replacing a previous building
LOCATION: Manor Farm, Lydstep, Tenby

It was reported that this application was before the Committee as Manorbier Community Council had recommended refusal, citing highway concerns, which was contrary to the recommendation of the officer. It was noted that the Highway Authority had supported the proposals.

Officers considered that the proposed development was acceptable and would not have an adverse impact on the host dwelling or the special qualities of the National Park in terms of its scale, siting and design. It was also considered to be acceptable in terms of neighbouring amenity and other issues and as such the proposal was recommended for approval subject to conditions.

At the meeting, the officer advised that further comments had been received from the agent pointing out the Highway Authority's support for the proposals and noting that previous applications for conversion of outbuildings at the property had received no objections.

Mr A Vaughan-Harries, speaking on behalf of the applicant, then addressed the Committee. He noted that in the 1970s the property had been a working farm and therefore at that time there was significantly greater use of the access; however 15 years ago the entrance had been widened and the walls realigned to improve safety. The entrance served the house and one holiday unit, and permission had been granted for further holiday units. He pointed out that the entrance was within the 30mph speed limit and due to a bend in the road, speed levels were low; also the Highway Authority had recommended conditional consent. He expressed disappointment that the Community Council had not substantiated their comments or provided a record of any accidents on that piece of road.

Noting the proposed condition regarding biodiversity enhancements for the site, one Member hoped that these would go further than bat and bird boxes and that opportunities for such enhancements could be maximised



in all applications. The Officer replied that proposed planting and landscaping would also improve biodiversity.

DECISION: That the application be approved subject to conditions relating to timing of the application, accordance with plans and documents, parking facilities, the garage to be occupied only for purposes ancillary to Manor Farmhouse and external lighting and biodiversity enhancement.

- (e) REFERENCE: NP/19/0576/FUL
APPLICANT: Mr J Pearson
PROPOSAL: Erection of new car park hut
LOCATION: Marloes Beacon PCNPA Car Park, U6001 Marloes Court Road, Marloes, Haverfordwest

It was reported that the application was before the Committee as the officer recommendation was contrary to that of Marloes and St Brides Community Council.

Planning permission was sought for the erection of a monopitch car park hut of black corrugated sheets which would replace the existing hut and be re-located closer to the entrance of the car park.

Officers considered that the proposed hut was acceptable as submitted. The structure was intended to be low-key and, while recognising that consideration of colour and design was subjective, officers considered that the dark colour and use of corrugated sheeting reinforced the purely functional nature of the structure, which was not designed to be a prominent feature in its own right. A recommendation of approval, subject to conditions was therefore given.

Mr Chris Jessop, representing Marloes and St Brides Community Council then addressed the Committee. He first pointed out that the name of the site was Marloes Sands Car Park, not Marloes Beacon. He explained that the Community Council had a good relationship with the National Trust, however they objected to what was being proposed, believing that the single pitch hut gave the an appearance that was industrial in nature, as all the buildings in the vicinity had ridged roofs. He understood that it was intended to install photovoltaic panels on the roof at a later date and questioned why this was not being undertaken at the time of installation and also why these would be located on a north facing roof pitch. The Community Council also objected to the black finish, considering that a dull green or weathered blue would fit better with the natural environment as black tended to acquire a dusty grey film; timber cladding would also be preferable. The Community Council also disagreed that the condition regarding retail sales of ancillary items associated with the National Trust



operation of the site was strong enough and wanted it to be limited to National Trust branded goods only. It feared that if items such as drinks, sweets, beachballs, sandcastle moulds, etc were sold this would impact sales at the village shop and it wanted to protect that important community facility.

Several Members expressed concern regarding the size of the building and some agreed that a colour other than black would be more appropriate. It was noted that the aesthetic quality of the building was not good. They also wished to protect the village shop and suggested that the condition suggested by the community Council limiting sales to National Trust branded products be added. Officers replied that the National Trust produced a wide variety of branded products from books to tea towels which it was felt would be inappropriate to sell at this location. The Solicitor added that such a condition would also have the effect of personalising any permission.

Members suggested that the application should be deferred and the opportunity taken to go back to the National Trust to discuss the objections of the Community Council and to see if they were amenable to changing the materials.

Noting that Mr Jessop had pointed out that the location of the site was incorrect, officers stated that it was necessary to withdraw the item from the Committee agenda as this needed to be explored further.

DECISION: The application was withdrawn from consideration by the Committee until issues regarding the description of the site location could be resolved.

- (f) REFERENCE: NP/19/0665
APPLICANT: Mr & Mrs J & C Evans
PROPOSAL: Change of use of linked granny annexe to holiday let
LOCATION: Red Houses, The Rhos, Haverfordwest

It was reported that an extension to the property known as Red Houses for use as a granny annexe had been permitted under NP/13/0309/FUL in October 2013. Conditions had been attached to the permission to ensure that it remained ancillary to the residential use of the main dwelling and that it should not be used for any commercial use. Routine monitoring of holiday letting properties had showed that the annexe had been advertised for letting since 2018. It was noted that this application was a re-submission of proposals which were refused planning permission in July 2019.



The site lay outside any of the Centres designated in the Local Development Plan and was therefore in the countryside. While the Plan allowed for appropriate buildings in the countryside to be converted to a range of uses, accessibility to centres was an important consideration; requirements were set out in the Authority's Supplementary Planning Guidance (SPG) on Accessibility. In this instance the site was located over a kilometre from any Centre and there was no public transport in the area.

Officers considered that the policy objection to this proposal was fundamental to its determination as it would create development in a location dependent on car travel and which did not fulfil the criteria for being accessible nor an exception to the need to be accessible as set out in the Authority's SPG. There was concern that approval of the application would set a dangerous precedent which would be detrimental to the sustainability of the National Park. The application was therefore recommended for refusal.

Officers added that the application highlighted the issue of the long term use of granny annexes once their intended use ceased. The intention was that they would be absorbed within the main dwelling or the whole property could be returned to the open housing market for purchase by someone with a need for a granny annexe.

Mr Andrew Vaughan-Harries, the agent, then addressed the Committee. He explained that the applicants were grateful that the Authority had granted permission for the granny annex in 2013 and had enjoyed the benefit of it for 5 years, however in the last year or two they had looked to see if income could be generated from this bespoke unit by using it as a holiday let; they had no intention of selling it as a separate unit. He believed that the property was located in a special area of the National Park, and the annex met the needs of disabled people, with such accommodation being quite hard to find. He asked Members to weigh up the policy against benefits to the economy and to tourism in the area. There were cycle routes and rights of way nearby, as well as a hail and ride bus, and his clients were happy to offer bikes and to put in an electric hook-up. Mr Vaughan-Harries then stated that his clients had a fall-back position of using the annex as a Bed and Breakfast as use of one or two rooms for this purpose did not require planning permission, however he believed that the demand was for disabled friendly letting accommodation. He added that the policy had been the subject of debate at the Committee a number of times, with concerns expressed that it was too rigid given the decline in bus routes in Pembrokeshire. He asked Members to take a common sense approach and to support the application.



Officers clarified that the annexe itself couldn't be used as bed and breakfast accommodation, however other rooms in the house could be used in this way.

Several Members agreed that there was a tremendous shortage of accommodation suitable for disabled people across the whole country, including Pembrokeshire. It was also noted that a person with disabilities was unlikely to be able to use public transport. While the ideal was to have accessible and frequently available public transport, that was not the case and this facility would allow someone with mobility issues to enjoy a part of the National Park that they would not otherwise be able to.

The value of a tourist letting operation to the local economy was also highlighted, and it was noted that Picton Castle and Slebech were used for weddings and additional accommodation in the vicinity was useful. There were a number of multi-user paths nearby and bikes and maps could be offered to encourage people to walk and cycle locally rather than using their cars. It was also noted that there were tourist pressures in the coastal areas and visitors should be encouraged to explore other parts of the National Park, supporting those local communities and the facilities within them. It was then proposed and seconded that the application be approved.

Another Member, however, pointed out that six months previously an identical application had been refused by officers under delegated authority in accordance with policy. Approval of the application before the Committee would undermine both the process and officers. While refusal was uncomfortable, it supported the principle that applications should be determined in a clear and consistent way.

The Solicitor then reminded the Committee of the procedures which applied when Members took planning decisions counter to officer recommendations. The Director of Planning and Park Direction confirmed that if Members were minded to approve the application, she would invoke the cooling off period as such a decision would be a significant departure from local and national policy.

The Solicitor then asked Members for the planning grounds for taking such a decision and these were given as support for tourism, the local economy and social well-being through the provision of cohesive communities, as well as supporting equality law.

DECISION: That Members were minded to approve the application.



As the application was subject to the cooling off provisions, it would be re-considered at the next meeting of the Committee, where appropriate conditions could be considered.

8. Appeals

The Development Management Team Leader reported on one appeal (against an enforcement notice issued by the Authority). This related to a material change of use of land to a booking office and overnight camping at Abereidly Beach, Abereidly. The enforcement notice had been upheld by the Planning Inspectorate.

NOTED.

[Councillor K Doolin was not present when the following matter was considered]

9. Other Planning Issues – TPO 146 – Land adjacent to Bevelin House, Sandyhill, Saundersfoot

It was reported that the Authority had received correspondence in May 2019 expressing concerns over possible removal of the trees in question, and following a site visit by the Tree and Landscape Officer, a Tree Preservation Order was proposed and was the subject of public consultation. As a result of that process objections were received from three interested parties and the issues raised, together with the officer's comments, were set out in the report.

The conclusion was that although the visual aesthetics of a tree were subjective, the objective guidelines for implementing a Tree Preservation Order were all sufficiently met by the trees in question, taking account the criteria for visibility, individual impact and wider impact as set out in the report, and it was recommended that TPO 146 be confirmed.

Officers clarified that a Tree Preservation Order did not mean that trees could not be maintained or felled, but meant that consent had to be sought from the Authority to carry out any works to the trees. Although the Authority had not been able to establish ownership of the trees, there was provision in the Local Government Act for the Local Authority to undertake work should this be needed.

It was **RESOLVED** that Tree Preservation Order TPO 146 located on land adjacent to Bevelin House, Sandyhill, Saundersfoot be confirmed.

10. Miscellaneous Matters

In response to a request by a Member, the Director of Planning and Park Direction advised that in future it was hoped to provide a link to the report written by officers when applications had been determined by them under



delegated powers, which would provide Members with the reasons for the approval/refusal.

It had also been requested that the Welsh Government benchmarking statistics could be circulated to Members by email when these were published.

NOTED.

