

# DEVELOPMENT MANAGEMENT COMMITTEE

9 June 2021

Present: Councillor R Owens (Chair)

Councillor P Baker BEM, Mrs D Clements, Councillor K Doolin, Councillor M Evans, Councillor P Harries, Mrs J James, Councillor M James, Mr GA Jones, Councillor P Kidney, Councillor PJ Morgan, Dr RM Plummer, Councillor A Wilcox and Councillor M Williams

[Dr R Heath-Davies joined the meeting following consideration of the Solicitor's Report (Minute 4 refers)]

[Llanion Park, Pembroke Dock 10.00am – 1.10pm; 1.30pm – 3.10pm]

## 1. Apologies

An apology for absence was received from Dr M Havard, Mrs S Hoss and Councillor S Yelland. Dr R Heath Davies had advised that she was having difficulty connecting.

## 2. Disclosures of interest

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

<b>Application and Reference</b>	<b>Member(s)/Officer(s)</b>	<b>Action taken</b>
<i>Minute 6(a) below</i> NP//21/0172/TPO Fell 1x Monterey cypress (Cupressus macrocarpa) to ground level, leaving stump in situ. (T12 on TPO 33, wrongly identified as a Douglas Fir) – Beach Court, The Strand, Saundersfoot	Councillor P Baker	Disclosed a personal interest and played a full part in the discussion and voting on the application
<i>Minute 6(b) below</i> NP/17/0722/OUT Residential development of up to 14 residential dwellings (including on- site affordable provision) incorporating highways alterations to form new access road &	Councillor M Evans	Withdrew from the meeting while the application was discussed



associated development  
infrastructure - Land  
west of Narberth Road,  
Tenby

### 3. Minutes

The minutes of the meeting held on the 21 April 2021 and 10 May 2021 were presented for confirmation and authentication.

It was **RESOLVED** that the minutes of the meeting held on the 21 April 2021 and 10 May 2021 be confirmed and authenticated.

### NOTED.

### 4. 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 7<sup>th</sup> 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/21/0172/TPO <i>Minute 6(a) refers</i>	Fell 1x Monterey cypress (Cupressus macrocarpa) to ground level, leaving stump in situ. (T12 on TPO 33, wrongly identified as a Douglas Fir) – Beach Court, The Strand, Saundersfoot, Pembrokeshire, SA69 9EU	Adrian Dowling (Arboriculturist) - Objector Duncan Hilling (Saundersfoot in Bloom) - Objector Rowland Williams (Friends of Saundersfoot) - Objector Martyn Williams – Saundersfoot Community Council Nicola Mallen (Save Saundersfoot Lonely Tree Group) - Objector
NP/19/0328/S73 <i>Minute 6(c) refers</i>	Variation of condition no.2 of NP/14/0014 – Residential Development	Jenny Vince – Lamphey Community Council



	Plot adjoining D, Plots adjoining Devon Court, 5, Freshwater East, Pembroke, Pembrokeshire.	Cllr Tessa Hodgson – Local Councillor Rebecca Morris – FEDRHA – objector Victoria Tomlinson – Objector Steve Hole – Agent
NP/20/0574/FUL & NP/21/0080/CAC <i>Minute 6(d) refers</i>	New replacement residential dwelling – Bettws Bach, Parrog, Newport, Pembrokeshire, SA42 0RX	Geraint John – Agent
NP/21/0044/FUL <i>Minute 6(f) Refers</i>	Change of use of land to short stay car park in relation to Ramsey Island boat trips -proposed park & ride – Grove Hotel, High Street, St. Davids, Haverfordwest, Pembrokeshire, SA62 6SB	Susan Preece - Objector
NP/21/0215/FUL <i>Minute 6(l) Refers</i>	Proposed conversion and extension of the existing barn into a three bedroom dwelling. Removal of the existing residential static caravan. Relocation of existing hay barn and replacement with a stable. – Bower Farm, Broad Haven, Haverfordwest, Pembrokeshire, SA62 3TY	Ruth Birt-Llewellyn - Applicant

## 5. Members' Duties in Determining Applications

The Solicitor's report summarised the role of the Committee within the planning system, with particular focus on the purposes and duty of the National Park. It went on to outline the purpose of the planning system and relevant considerations in decision making, the Authority's duty to carry out sustainable development, ecological considerations which included the role of the Environment Wales Act 2016, 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.



## NOTED

### 6. 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*):

[The Chair advised that he intended to vary the order of the agenda to allow the application to fell the Monterey Cypress tree at Saundersfoot to be considered first. This was agreed by the Committee.]

- (a) REFERENCE: NP/21/0172/TPO  
APPLICANT: Mr Hopkinson, The Beach Court (Saundersfoot) Management Co Ltd  
PROPOSAL: Fell 1x Monterey cypress (*Cupressus macrocarpa*) to ground level, leaving stump in situ. (T12 on TPO 33, wrongly identified as a Douglas Fir)  
LOCATION: Beach Court, The Strand, Saundersfoot, Pembrokeshire, SA69 9EU

It was reported that the tree in question was located on an outcrop to the east of Beach Court on the Strand in Saundersfoot. A Tree Preservation Order (TPO) application had been received to fell the tree for the reasons set out in the report – in summary defects compromising the tree's structural integrity, costly intervention work, no management work carried out since previous application was refused, unlikely that management will be carried out due to unknown ownership and responsibility, continued deterioration of the tree and rooting environment, unacceptable risk and foreseeable failure of the tree.

The officer considered that although the information provided by the agent did not provide adequate up to date information to justify the removal of the tree, there were concerns for the safety of the surrounding area through injury/damage from existing failed and hung up branches. It was acknowledged that the tree was a prominent feature on Saundersfoot beach and that its removal would have a significant detrimental impact on the character of the area, however it was noted that there had been no application to manage it since the previous application to fell had been refused in 2017 and the key concern was the likelihood of the tree being managed in the future if the application to fell the tree was refused.

Therefore the officer recommendation that the application be approved unless a TPO application to manage the tree was made and the management works were carried out within 6 months of the date of the



Committee. This would give an opportunity for a TPO application to be received by the Authority to retain and manage the tree, as well as allowing works to be arranged and undertaken. If an application for the management of the tree was not received within this timescale, along with the necessary works being carried out, the removal of the tree should be approved.

Members asked the officer about the safety of the tree in the short, medium and long term and he replied that it was hard to say whether and when a tree would fail with any degree of certainty, albeit that management of the tree was clearly required and its longevity would be influenced by the scale of management that was undertaken, as longer term concerns related to the erosion of the outcrop on which it stood which may require a geotechnical survey. He confirmed that the land was currently unregistered, however anyone could apply to undertake work to the tree, but they would have to ascertain ownership and seek consent from anyone identified, as well as obtaining appropriate legal advice in respect of liability. It was recommended that any application was submitted within the next six months as there was an 8 week determination period for TPO applications.

As there were a number of organisations who wished to speak on this application, the Chair had agreed that they could have 10 minutes in total. Four objectors would have 2.5 minutes each. The first speaker was Adrian Dowling from the company Arb-aid who had been engaged by the objectors to provide specialist advice. He referred to the Visual Tree Assessment he had undertaken on behalf of the Friends of Saundersfoot and particularly conclusion 5.4 which stated that the tree's root system was unique in that its tap roots would bore into the rock strata which aided its stability. This meant that the tree was structurally sound, however additional soil and textile matting should be placed around its base to prevent further erosion. He believed that the issue was with the crown of the tree, where branches had been subject to breakages by strong winds. He advised that the breakages and structure of the branches needed to be assessed and work undertaken to remove those that were broken and to thin the canopy to allow the wind to blow through it. Although every tree had a liability of failure, he concluded that with remedial works, he believed the tree could be saved. In response to a question from a Member regarding the integrity of the rock on which the tree stood, Mr Dowling stated that he believed the underlying rock consisted of lava flows associated with the volcano head found between Saundersfoot and Wisemans Bridge, rather than coal measures,

The second speaker was Duncan Hilling from Saundersfoot in Bloom. He explained that he had trained in horticulture and had been Head Gardner at Picton Castle prior to his retirement. He had also previously helped to



inspect trees in the county to assess the need for TPOs. He had inspected the tree and found no life threatening disease, however he agreed that the tree needed cutting back to reduce wind pressure. He noted that from the west the tree was protected by the cliff, and that same cliff forced winds coming from the east to lift, again providing some protection. He said that he had been born in Saundersfoot before the tree was planted and noted how it stood out as a feature along the coastline. He asked the Committee that if there was any way to preserve the tree, it would continue to enhance the village and the beach view.

The next speaker was Nicola Mallen from the Save Saundersfoot's Lonely Tree group. She indicated that she spoke as an advocate on behalf of the tree and read a poem she had composed in which she noted that the Authority had saved the tree from felling in 2017, but that the community was unaware of the need for remedial work. She made the point that the tree added a sense of place and character to the Village and added to the community's wellbeing. The verse went on to say that the current application to fell had united the community, with residents, visitors and ex-patriots from around the world (including a Facebook page within 1300 friends) adding voice and raising funds to save the tree, and that it was proposed that a working party/Committee consisting of representatives from the Friends of Saundersfoot, Save Saundersfoot's Lonely Tree Group, Community Council and Saundersfoot in Bloom would secure funding to undertake the work identified in the Arborist's report. It also noted that there was currently an abundance of wildlife around and within the tree and asked that the tree be saved by being gifted to the community.

Martyn Williams then addressed the Committee on behalf of Saundersfoot Community Council (SCC) (as a statutory consultee he had 5 minutes in which to speak). He explained that they took their role as consultees on planning applications very seriously and although they were not experts they had an understanding of their community and they had voted unanimously to refuse the application. Mr Williams explained that he was also Chair of the New Year's Day Swim Committee which produced a 23 page risk assessment for the annual event to the satisfaction of the County Council. He said that the same effort would be made by SCC in respect of the tree and would work with other stakeholders to find ways to protect and maintain it as it was an iconic feature – the community's equivalent of the Eiffel Tower or Statue of Liberty. Saundersfoot's vibrant community would form a working group to provide assurances to the flat owners that work would be undertaken and seek professional expertise and finance to this end. Mr Williams described the tree as the epitome of landscape and was one of two features (the other being Monkstone Point) which stood out when viewed from the beach or harbour. It had been an inspiration to writers, featuring on the cover of a book, and had also been



a comfort to health workers between shifts during the recent pandemic, contributing to the spiritual and mental wellbeing of many during the past year. If the tree was not dangerous, he urged the Committee to refuse the application.

Thanking Mr Williams for a passionate speech, a number of Members asked why no action had been taken with regard to the tree since the previous application in 2017, and sought assurance that work would now be undertaken. He acknowledged that the 2017 report should have been acted upon, however the landowner was unknown and no investigations had been undertaken. The village took responsibility for its lack of action and wanted to make amends by working together to ensure the tree's survival. In respect of the deadline, he said that the groups would make every effort to address the situation within 6 months, but believed that a 9 month timeframe might be better.

The final speaker, again sharing the 10 minutes, was Rowland Williams on behalf of the Friends of Saundersfoot. His speech focused on ownership of the land which the report stated was unregistered, and called for more and wider research. He asked the Authority to do this and to take a leaf out of Pembrokeshire County Council's book by requiring likely landowners to prove they did not own the land. He stated that the tree had significant amenity value and no case had been made for its removal on safety grounds. He concluded that in view of the initiative to mark the Queen's Platinum Jubilee in 2022 with a public tree planting scheme (Queen's Green Canopy), it would be tragic if the tree were destroyed.

Members agreed that there was a lot of merit in what they had heard from the speakers, and although everyone acknowledged that work was needed on the tree, there was some concern that the number of groups involved could delay matters. While they did not want the tree to be felled, they agreed that a deadline for submission of a TPO application was needed and it was proposed and seconded that the time period recommended by the officer be extended from 6 to 12 months. They also asked to be kept informed of progress, and that if no application to manage the tree was submitted, the application to fell the tree come back to the Committee. A request was also made that the Authority work with the stakeholders and use any Compulsory Purchase powers it possessed in respect of the land.

The Director of Planning and Park Direction stated that officers were happy to advise the groups regarding management of the tree and to send regular updates to Members via email. The Solicitor added that he was not aware of any Compulsory Purchase powers open to the Authority, although he could investigate further if need be.



An amendment was then proposed and seconded to the effect that a TPO application should be made within 6 months with work to be undertaken within 12 months and if this was not forthcoming, the application should be brought back before the Committee.

**DECISION: That the application be deferred to enable a TPO application to manage the tree to be made within 6 months of the date of the meeting and the management works to be carried out within 12 months, and to be returned to the Committee if either timescale is not met.**

[Councillor M Evans took no part in the discussions on the following application, having disclosed a prejudicial interest]

- (b) REFERENCE: NP/17/0722/OUT  
APPLICANT: Messrs Hill, Hill, Wood & Caister Castle Trust  
PROPOSAL: Residential development of up to 14 residential dwellings (including on-site affordable provision) incorporating highways alterations to form new access road & associated development infrastructure  
LOCATION: Land west of Narberth Road, Tenby, Pembrokeshire

It was reported that the proposal was for residential development of a greenfield site at the edge of the settlement of Tenby. It was reported to the Committee as it was classed as major development. The application was for outline planning permission and all matters were reserved.

The site was bounded on three sides by ancient semi-natural woodland and to the east of the site was Narberth Road (A478), the main route into the town from the north, although the site was largely screened from this aspect as a result of existing vegetation and the topography of the site in relation to the road.

The access detail was among the matters reserved for future determination, and it was reported that this was likely to involve a new ghost island junction from Narberth Road accommodating a dedicated right turn facility for vehicles entering the development from the north. The proposals would also include the reconfiguration of the existing Lady Park junction layout (on the opposite side of the road to the site). The access would lead into an internal estate road within the site serving the proposed housing.

The site was previously allocated for residential development in the 2013 Local Development Plan. Following the de-allocation of the site, the





applicant's agent had stated that the proposal would be for affordable housing only. In principle, officers considered that the location of the site formed a sustainable location where an exceptional release of land to meet affordable housing need would be acceptable. The current proposed layout showed a density of around 10 dwellings per hectare, and while this was lower than 30 dwellings per hectare minimum density set out in policy 51 of LDP2, it could be supported as much of the site would not be developed due to a wide buffer to the neighbouring woodland area and the need to create an access of acceptable gradient.

The Solicitor noted that the section of the report relating to ecological impact stated that the proposal would have an acceptable ecological impact and would not have a detrimental impact on the Carmarthen Bay and Estuaries Special Area of Conservation (SAC) and the Pembrokeshire Bat Sites and Bosherton Lakes SAC. He sought clarification on whether this had been determined following an Appropriate Assessment or whether such an Assessment had not been deemed necessary. The officer clarified that an Appropriate Assessment had taken place and this had been agreed by Natural Resources Wales.

The recommendation that the application be delegated to officers to approve, subject to a section 106 agreement to secure the provision of affordable housing at the site and other conditions as set out in the report was proposed and seconded. Nevertheless Members sought reassurance regarding protection of the mature trees surrounding the site, the effect of lighting on the woodland and bat populations, as well as the impact of the access on the A487 and entrance to Lady Park and the engineering works that would be necessary to achieve this.

**DECISION: That the application be delegated to officers to approve, subject to a section 106 agreement to secure the provision of affordable housing at the site. Where an agreement was not provided within three months of the resolution of the Committee, delegation was provided to officers to refuse the application.**

**The application was also subject to conditions relating to timing of the development; approval of reserved matters; accordance with plans; accordance with outline scale parameters; submission and approval of of a lighting scheme, Construction Environmental Management Plan, Landscape and Ecological Enhancement and Management Plan; hours of work and ancillary operations; accordance with Ecological Appraisal Report; detailed scheme of access, road layout and off street parking facilities; landscaping; surface water drainage; levels; and written scheme of investigation in respect of archaeology.**



- (c) REFERENCE: NP/19/0328/S73  
APPLICANT: Mr G Perfect  
PROPOSAL: Variation of condition no.2 of NP/14/0014  
LOCATION: Residential Development Plot adjoining D, Plots adjoining Devon Court, 5, Freshwater East, Pembroke, Pembrokeshire

It was reported that this application had been considered at the previous meeting of the Committee when it had been deferred to allow a site inspection to be undertaken (Minute 3 refers).

Members were reminded that the site had a long planning history, and that a material start had been made in respect of NP/14/0014 for a new detached dwelling with basement level and associated external balcony and covered veranda. The application before the Committee sought approval for the variation of condition no 2 of this permission to allow the building design to be amended and to include an increase in height. The amended design included a two storey four bedroom dwelling to be provided in two main blocks running parallel which both had a pitched roof over and in between there was a two storey link aspect with a flat roof.

The officer concluded that the principle of residential development on this site had already been accepted and it was considered that the proposed dwelling had a scale, form, mass and detailing which was acceptable. The dwelling was also considered to sit comfortably within the plot and had an acceptable context with the surrounding area. The access was considered to be acceptable and sought to retain existing trees to the site frontage. The external appearance of the development was considered appropriate to the setting of the site within the Freshwater East Burrows (within which there was a variety of architectural designs and detailing) and was not considered to adversely harm physical and visual amenity or privacy to neighbouring dwellings.

The two-storey proposal was considered to retain the overall character of the area, and also protect the special qualities of this area of the National Park. The development also incorporated a proposed floor level which would ensure the mass of the development utilised the existing site topography in a positive way to screen from the immediate and wider landscape. As such, and subject to a schedule of suitable conditions, the development was considered to be acceptable and complied with the requirements of policies of the adopted Local Development Plan 2.

The officer noted that since writing the report, a further letter had been received from Lamphey Community Council questioning whether the application could be considered under S73 or whether a full application



should have been submitted. The officer advised that it was not considered that the submission amounted to a fundamental change in the original application and the recommendation remained one of delegated approval, subject to conditions, to allow the completion of a Section 106 Agreement in respect of the provision of a financial contribution towards affordable housing.

There were a number of speakers, permitted at the Chair's discretion, the first of whom was Jenny Vince from Lamphey Community Council. She thanked the Chair for allowing her to address the Committee again as she had been advised that a representative of the Community Council was not permitted to observe the site visit. She said that she assumed Members would have read her comments made at the April meeting which formed part of the minutes and she advised that those comments still stood and she therefore wished to focus on one matter only. She thanked the officer for correcting the planning history for the site in respect of the description of NP/14/0014 and noted that the current proposal was also described as a bungalow. However the approved elevational drawings for that application showed a bungalow set into the slope with earth bunds to provide screening, however these had now been removed, and the dwelling read as a 2 storey house. The Community Council was concerned that the application had been submitted under S73, as this related to minor amendments. It believed that a new application should have been submitted due to the material nature of the amendments including an increase in size of 70%, changes to description of development from a bungalow to a house with a ground and first floor and alterations to the design through the removal of the bunds which previously screened the basement. These facts evidenced that the amendments were not minor and should therefore not have been dealt with under S73. The Community Council requested that the application was withdrawn and a new full application submitted, or the application proceeded as currently approved under NP/14/0014.

The second speaker was Tessa Hodgson, the local County Councillor. She thanked the Committee for visiting the site to see how it sat in the landscape. She expressed concern regarding the visit as the minutes confirmed that the agent had answered a question regarding the deeded rights of way, however there had been no opportunity for anyone else to speak. In the interests of fairness and equity she believed the Committee should have heard all views or none. She hoped that at the Site Visit, Members had been able to appreciate the issues regarding loss of privacy and rights of way. The Councillor agreed with the Community Council that the proposal was so different that it should have been submitted as a new application and not a variation; she believed that an ever bigger property was being proposed on the site in what she termed 'planning creep'. Freshwater East was a special place and development should be



proportionate and sensitive. She believed that the application before the Committee would erode that special quality, which, once lost, could not be regained.

The Chair responded that the agent had spoken at the site visit only to answer questions by Members of the Committee, and no debate had taken place.

The final two objectors were sharing the five minutes speaking time between them. Rebecca Morris advised that she stood by the points she had made at the last meeting: that the deeded rights of way affected people and services in the area and that these were material to the application; secondly she agreed with the previous speakers that this should have been a new application rather than a variation under S73; and thirdly that the details of the Tomlin Order should be disclosed and the public should be made aware of any secret agreement relating to the grant of planning permission. Responding to some of the points made at the site visit, she disagreed with the Tree and Landscape Officer's statement that the trees were not included within the TPO. She also disagreed with the officer's statement that properties along the lane could be accessed by another route, as the visibility splay from the top of Bluebell Lane was so poor that many people, including the ambulance and fire service, were not able to use it. She also disagreed with the Architect's statement that the deeded right of way went through the trees, as according to two surveys the track was in the correct place and this was upheld in the court judgement. Finally the proposed building was so close to the deeded right of way that it was a safety hazard. That two vehicles blocked the path while Members were on site only emphasised this problem. Ms Morris stated that planning was designed to regulate landowners in order to reflect the public interest and she did not believe that this application did so, in contradiction of the Sandford Principle. She also did not understand how the Solicitor could state that the Tomlin Order, which he had not seen, was not material and did not need to be taken into account. She advised that as Chair of the Deeded Right Holders Association she had taken these concerns to the Monitoring Officer and was therefore surprised that the application was at the meeting for determination.

The other objector sharing the five minutes was Victoria Tomlinson. She was also concerned that the Tomlin order had not been disclosed. With regard to trees on the site, she reminded Members that the Tree and Landscape Officer had pointed out those trees with Ash Dieback and noted that they would therefore not provide screening. In terms of lighting, the plan required by condition related to external lighting only, and would not restrict lighting from the large first floor windows which overlooked properties to the south and west. In respect of the roadway



and road safety, which the Solicitor had previously advised could be taken into consideration, the use of the alternative access was troublesome as the visibility splay was poor as the exit was controlled by a third party through a ransom strip, and therefore most people took the route through the plot. With regards to obstruction Ms Tomlinson believed that condition 6 could not be complied with as two of the three parking spaces were not within the applicant's ownership. The site also lacked a turning area. Finally she was concerned that no condition had been included to protect third party rights.

In response to Ms Tomlinson's references to secret deals, the Chief Executive pointed out that the meeting was being held in public, that speakers had been invited and that Members were free to raise any issues. He considered that the Authority had operated in an appropriate manner, and any accusations should be directed to the Authority's complaints procedure. He stated that he had confidence in Members and officers to deal with applications appropriately.

The final speaker was Steve Hole, the agent. He wished to respond to two matters raised by objectors. He strongly disagreed with Ms Morris in respect of the location of the deeded rights of way and advised that what he had said was a fair representation of the High Court position. Any challenges should be made to the High Court, not the Committee. He also disputed the statements in respect of parking and turning and said that these were incorrect. He believed much of what had been said was opinion and that no evidence had been put forward in support of the claims. Mr Hole stated that the experts were the Authority's officers and he commended the professional report that was before the Committee.

The Solicitor then responded to a number of points made by the objectors. He acknowledged that Tomlin Orders were difficult for local authorities as they were confidential by court order and therefore did not sit easily beside open governance. However there was no secrecy in this case and, having now seen the Order, he confirmed that there was no secret agreement in relation to the grant of planning permission. In respect of the application having been submitted as a S73 Variation rather than a new application, he advised that the Authority had received legal advice on this matter and officers remained happy that the application had been submitted correctly. He confirmed his previous advice that safety was a material consideration, as was amenity, however the existence or impedance of any right of way was not material and was a civil matter. He concluded by saying that he was happy that the application had been dealt with properly.

The Monitoring Officer added that the Authority had been in correspondence with Ms Morris regarding the Tomlin Order some 18



months previously when she had been advised that it was confidential due to the court order, and that she could seek the consent of all parties for it to be made public.

Members expressed their confidence in officers and accepted the advice of the legal officer. They sought reassurance in respect of the height of the proposed property in the landscape and its visibility, particularly if the ash trees were lost, lighting, parking and turning. The officer replied that there was considered to be no adverse impact on privacy or amenity as the nearest property was some distance away and at a higher elevation. Conditions had been included to control landscaping and lighting and the Highway Authority was satisfied with the proposals for parking and turning.

**DECISION: That the application be delegated to the Chief Executive/Director of Planning /Team Leader to grant planning permission subject to completion of the Section 106 Unilateral Undertaking or Agreement in respect of the provision of a financial contribution towards affordable housing. The Section 106 legal document would be required within three months of the date of the meeting, and if not received within this time, officers were authorised to refuse the application on the basis of a lack of information under delegation procedures.**

**Planning permission was also subject to conditions relating to timing of the application, accordance with approved plans and documents, biodiversity enhancement scheme, external lighting, landscaping, parking and surface water drainage.**

- (d) REFERENCE: NP/20/0574/FUL  
APPLICANT: Mr D Hughes  
PROPOSAL: New replacement residential dwelling  
LOCATION: Bettws Bach, Parrog, Newport, Pembrokeshire, SA42 0RX

It was reported that this application proposed to replace the current dormer style bungalow with a three bedroom two storey linear dwelling. An application for Conservation Area Consent to demolish the existing dwelling was to be considered later in the meeting (Minute 6(e) refers). It was reported to the Committee as the officer recommendation was different to the view of Newport Town Council.

As the site lay within the Newport Conservation Area, the views of the Authority's Building Conservation Officer had been sought. While he had initially recommended refusal, following receipt of additional visualisations



and a site visit these comments were revised, and he now considered the impact on the Conservation Area to be low due to reduced levels and the setting back of the property; trees and hedges would provide further screening. Newport Town Council had been reconsulted on the visualisations, however their recommendation of refusal was unchanged.

The officer noted that the landscape setting in which the dwelling was proposed was important, as it would naturally be concealed from a number of viewpoints due to it being located in a 'dip' in the landscape. It was considered that while the design and scale of the proposed replacement dwelling were not necessarily in character with the surrounding area, due to the topography and lowered ground floor, the impact was expected to be negligible and should not give rise to harm of the special qualities of the National Park. A condition requiring levels to be agreed would be included.

Subject to a condition requiring proposed timber screening to first floor windows to be retained in perpetuity, there was considered to be no detriment to residential amenity.

In respect of ecology, it had been noted that the original ecological report submitted had been in draft. It was reported at the meeting that comments had since been received from both Natural Resources Wales (NRW) and the Ecologist requesting an updated ecological report and an additional condition had been requested in respect of provision of a Construction Environmental Management Plan to mitigate the impact on the nearby Special Area of Conservation; an amendment was also requested to the existing lighting condition to include lightspill from within the property. A test of likely significance was also required due to the proximity of the property to the stream which could provide a pathway for pollution to the beach; this had now been submitted and sent to NRW for approval.

The officer had concluded that the proposed scheme could be supported, however the recommendation of approval was amended to one of delegation, due to the outstanding ecological matters.

There was one speaker, the agent, Geraint John. He advised that his comments were relevant to both this, and the following application which sought Conservation Area Consent for the replacement dwelling. He commended the thoroughness of the officer in producing such a detailed report and observed that no public responses had been received to either application. In respect of the Conservation Area application to demolish the existing building, he noted that the existing building was not considered to have any architectural or historic merit and made little positive contribution. The application for the replacement dwelling was



considered acceptable in terms of both planning policy and other material considerations and the siting and design would not impact on the special qualities of the National Park and would preserve the character of the Conservation Area. Neither were there technical, highways, ecological, amenity or privacy objections. The application had therefore been considered suitable and acceptable in terms of scale, form, material and design and he urged the Committee to approve it in line with the recommendation.

Considering that the height of the proposed property was similar to those adjacent, although its design was different, Members supported the application on balance and the amended recommendation of delegated approval subject to conditions, including those added at the meeting was moved and seconded. The amended condition would address concerns in respect of light pollution.

However a number of Members were unhappy with the design of the proposal and its block-like structure which they believed would impact visually on the National Park when viewed from the seaward point of view. If the application was approved, the importance of agreeing precise levels for the replacement dwelling was highlighted.

**DECISION: That the application be delegated to officers to grant consent subject to an acceptable response from Natural Resources Wales in respect of the test of likely significance and receipt of an amended ecological report, and subject to conditions in respect of timing of the development, accordance with plans, lighting, provision and retention of external timber louvres, parking and turning, landscaping, ecological mitigation, topographic surveys to establish levels and a Construction Environmental Management Plan.**

**The standard caveat that the amended ecological report must be submitted within 3 months of the date of Committee, or it be delegated for Refusal was also agreed.**

- (e) REFERENCE: NP/21/0080/CAC  
APPLICANT: Mr D Hughes  
PROPOSAL: New replacement residential dwelling  
LOCATION: Bettws Bach, Parrog, Newport, Pembrokeshire, SA42 0RX

It was reported that the application sought the demolition of a building within the Conservation Area, to allow the construction of a replacement





dwelling that had been considered under application NP/20/0574 (Minute 6(d) refers). The existing later C20th dwelling was not of high architectural, aesthetic or historic merit, and it was considered that the proposed demolition would preserve the character and appearance of the Conservation Area.

The recommendation was therefore that conservation area consent be granted subject to the approval of NP/20/0574 and subject to conditions, however due to outstanding ecological matters in respect of that application, the recommendation was changed to that of delegation.

**DECISION: That the application be delegated to officers to grant conservation area consent subject to an acceptable response from Natural Resources Wales in respect of the test of likely significance and receipt of an amended ecological report, and subject to conditions in respect of timing of the application, accordance with plans and documents, demolition, landscaping scheme, levels and licence pursuant to the Conservation of Habitats and Species Regulations (2017).**

**The standard caveat that the amended ecological report must be submitted within 3 months of the date of Committee, or it be delegated for Refusal was also agreed.**

*[The meeting was adjourned between 1.10pm and 1.30pm]*

*[Councillors D Clements, M Evans and M Williams apologised that they were unable to return to the meeting after the lunch break]*

*[Councillor P Baker tendered his apologies and left the meeting during consideration of the following application,]*

- (f) REFERENCE: NP/21/0044/FUL  
APPLICANT: Mr Mark Staniforth  
PROPOSAL: Change of use of land to short stay car park in relation to Ramsey Island boat trips -proposed park & ride  
LOCATION: Grove Hotel, High Street, St. Davids, Haverfordwest, Pembrokeshire, SA62 6SB

It was reported that the application site, which lay to the rear of the Grove Hotel in St Davids, proposed the land to be used as a car parking area for short stay use associated with the Ramsey Island Boat Trips, as part of a park and ride scheme between St Davids and St Justinians. The site had been used as a car park since 2018, and the application had been submitted in response to an Enforcement complaint over the change of



use of the land. The submitted layout showed space for ten vehicles to be parked at the site, including one disabled space.

There had been a number of objections from nearby properties, in addition to an objection from the City Council. These were summarised in the report, however many of them related to noise and disturbance by vehicles. An additional objection had been received since preparation of the report and its contents was outlined at the meeting. Officers considered that although there may be a minimal impact on residential amenity, as this site was in the town centre, noise and disturbance by vehicles was not of such a level of detriment to residential properties that refusal of the application could be justified. Also its existing use as an access and delivery yard was a material consideration. The Highway Authority had advised that there were no objections on highway grounds to the plans submitted. The recommendation was therefore one of approval subject to conditions.

Members asked a number of questions about use of the access and agreed that there seemed to be a need for traffic on site to be managed. It was also suggested that condition 4 needed to be tightened in respect of use of the site to prevent, for example, boat parking.

There was one speaker, Susan Preece, who was objecting. She disputed the statement by the Highway Authority that the facility had operated last year without issue, noting that the access was used to capacity and was substandard. Residents suffered adversely due to the impact of the bus, cars and camper vans at hourly intervals. Houses were regularly subject to fumes from vehicles waiting to exit the car park as a result of congestion on the high street and as there was no footpath, residents were not even able to leave their properties on foot as the access was blocked. She noted that an application in 2005 had deemed the entrance to be unsafe even though improvements had been included at that time. Mrs Preece quoted from Technical Advice Note (TAN) 18 which advised that where an access was substandard, access improvements should be made, however none were included with this application. There was also an issue of pedestrian safety as they were obscured by the tall gate pillars; in a survey the previous week 334 pedestrians an hour were counted crossing the entrance and there were many more on the other side of the high street. Moreover this risk would not be mitigated by the proposed 20 MPH speed limit. Quoting from the Department for Transport's Manual for Streets, pedestrians were given a higher priority than motorists, however this application reversed that priority increasing motor traffic to the detriment of pedestrian safety. The Manual also provided guidance on the need for vehicles to give way to pedestrians at junctions. She noted that this application would lead to an increase in vehicles movements where the visibility was limited, pedestrian volumes



were high and the pavement narrow. She concluded that pending consideration of the application, the applicant had operated the park and ride with visitors parking at the nearby public car park which had no adverse impacts on residents or pedestrian safety. She did not consider that there was anything to commend the application and urged the Committee to reject it.

The Director of Planning and Park Direction advised that the Authority had been working for several years with the City Council and stakeholders in St Davids to find a solution to the problem of parking at St Justinians, and a park and ride solution had been promoted. One of the operators had therefore put forward the alternative that was before the Committee for consideration. In response to concerns, an additional condition in respect of traffic management on the site could be considered, to include details of pick-up points and timing of vehicles arriving and leaving to address congestion issues.

While supporting the principle of a park and ride scheme, a number of Members expressed concern at the application, due to the location of the parking, however subject to inclusion of a traffic management condition and an amendment to condition 4 to require the parking area to be for boat trip uses only, approval was moved and seconded. It was requested that the traffic management plan should also include signage for vehicles to give way to pedestrians at the entrance.

**DECISION: That the application be approved subject to conditions relating to the timing of the development, accordance with plans, marking out of the spaces, traffic management plan and use as parking for boat trips only.**

- (g) REFERENCE: NP/21/0060/FUL  
APPLICANT: Mr & Mrs Saber  
PROPOSAL: Replacement dwelling  
LOCATION: Morwennau, Poppit, Cardigan, Pembrokeshire, SA43 3LP

Members were reminded that this application had been considered at the previous meeting of the Committee when it had been deferred to allow for a site inspection (Minute 3 refers). The site consisted of a single storey dwelling of a prefab asbestos construction and featured two bedrooms and two reception rooms. The current proposal featured four bedrooms at ground floor level and an upstairs kitchen and dining/living area. It was proposed to lower the levels of the existing dwelling to allow for an additional floor.



Objections had been received regarding overlooking from the proposed dormer style window to the south east elevation, however officers considered that the increase in overlooking was not sufficient to refuse the application due to the distance of 46m between the properties. The application was considered to comply with all relevant Local Development Plan 2 policies, and was therefore recommended for approval subject to conditions.

**DECISION: That the application be approved subject to conditions relating to timing of the application, accordance with plans and documents, removal of permitted development rights, sample of materials, ground floor levels and light mitigation strategy.**

- (h) REFERENCE: NP/21/0102/FUL  
APPLICANT: Ms Teresa Bowen  
PROPOSAL: Demolition of existing residential dwelling house and garage. Construction of new residential dwelling house and garage  
LOCATION: Ringstone, Haroldstone Hill, Broad Haven, Haverfordwest, Pembrokeshire, SA62 3JP

It was reported that the existing dwelling was a 4 bed dormer bungalow built in 1974 that had been substantially extended and modified since its original construction. It was immediately adjacent to a set of four linked dwellings to the west.

The replacement dwelling was proposed as a six bedroom house and it deliberately echoed the style of the original 1970s bungalow but with large sections of flat roof and only a small pitched roof area. In this respect, the design did not comply with Policy 29 of LDP2 which required local distinctiveness and place to be taken into account. Given the immediate setting of traditionally scaled pitched roof dwellings surrounding the property, the proposal was considered to be out of character with its surroundings. It was also likely to have a dominating impact on the adjacent complex of linked buildings as well as on Upper Lodge, a nearby characterful and important historic building which positively contributed to the landscape of the National Park.

In addition third party representations had been received which raised concerns over privacy and amenity and officers considered that on the basis of considerable uncertainty over the potential for overlooking and detriment to privacy, the application could not be supported.

There were two speakers on this application, however before inviting them to speak, the Chair advised that he understood that a proposal



would be made for the application to be deferred in order for a site visit to take place. Under the current rules, a speaker could speak on only one occasion, so the objector, Mr Gardner, was asked whether he wished to address the Committee before a vote was taken on a site visit, or whether he wished to defer his right to speak until the application came back to the next meeting of the Committee should that vote be successful.

Mr Gardner advised that he agreed that a site inspection would be helpful and agreed he would await the outcome of the vote so that he could speak prior to a decision being taken on the application.

**DECISION: That the application be deferred and a site visit undertaken.**

- (i) REFERENCE: NP/21/0110/FUL  
APPLICANT: Mr Andrew Hebard  
PROPOSAL: Replacement Dwelling  
LOCATION: Pen-castell, Moylegrove, Pembrokeshire, SA43 3BU

It was reported that the existing 3 bedroom dwelling lay above Ceibwr beach on the cliffs to the north west of Moylegrove. The coastal path ran alongside the property and the site was in an exceedingly prominent location in the National Park. Historically, the property was believed to have been a coastguard property, however it had been over extended and modernised in recent years.

The application had been significantly revised since its first submission, and now proposed a replacement dwelling with three bedrooms at ground floor level and a further two bedrooms at first floor level. The roof would be arranged in three different forms, the highest two storey section with zinc cladding, a lower slate roof and then a flat grassed roof with a buttressed chimney.

Officers considered that the scale and design proposed did not accord with Authority's policies and the proposed replacement dwelling failed to enhance the natural landscape and was likely to cause significant visual intrusion. The recommendation was one of refusal.

It was reported at the meeting that there was a risk of land instability at this location and a professional assessment was awaited.

A proposal was made and seconded that the application be deferred in order for a site inspection to take place so that Members could see how sensitive the site was.



**DECISION: That the application be deferred and a site visit undertaken.**

- (j) REFERENCE: NP/21/0130/FUL  
APPLICANT: Mr Andrew and Mrs Caroline Cooklsey  
PROPOSAL: Demolition of existing property & garage & replacement with new dwelling & garage including drainage & landscaping works. Permission for existing outbuilding  
LOCATION: Rhigian, Dinas Cross, Newport, Pembrokeshire, SA42 0SS

Members were reminded that a previous application for alterations and extensions to the existing property on this site (NP/20/0325/FUL) had been approved by the Committee in October 2020. However the applicants had since concluded that the element of the property to be retained could not be adequately damp-proofed, and the current application sought to demolish and reconstruct the existing stone walls that were to be have been retained. All other details remained the same.

Newport Town Council had recommended refusal of the application, and it was for this reason that the application was before the Committee. However the officer recommendation was that, notwithstanding the concerns of the Town Council, the proposed dwelling complied with all relevant local and national policies and was recommended for approval subject to conditions.

In response to a question, the officer confirmed that the previous approval constituted a strong fall-back position, particularly as some of the conditions had already been discharged. While not objecting to the rebuilding of the walls, the Member highlighted the increased importance of condition 7 in establishing levels at the property.

**DECISION: That the application be approved subject to conditions relating to the timing of the development, accordance with plans and documents, landscaping, finishes, removal of permitted development rights, lighting, ground levels and arboricultural method statement.**



- (k) REFERENCE: NP/21/0177/FUL  
APPLICANT: Mr R Atkins  
PROPOSAL: Addition of a single storey side extension over existing driveway and provision of additional parking space to front of property  
LOCATION: 7, Green Meadow Close, Marloes, Haverfordwest, Pembrokeshire, SA62 3AF

This application was withdrawn from the agenda of the meeting.

**NOTED.**

[Mrs J James tendered her apologies and left the meeting during consideration of the following application]

- (l) REFERENCE: NP/21/0215/FUL  
APPLICANT: Ms Ruth Birt-Llewelin  
PROPOSAL: Proposed conversion and extension of the existing barn into a three bedroom dwelling. Removal of the existing residential static caravan. Relocation of existing hay barn and replacement with a stable  
LOCATION: Bower Farm, Broad Haven, Haverfordwest, Pembrokeshire, SA62 3TY

It was reported that the application sought to convert and extend the existing stone barn with a first floor pitched roof extension. An earlier application in 2020 had been withdrawn as it could not be supported on design grounds, and while the current application had revised the roof shape the scale of the conversion had not been reduced.

The site was outside of any centre defined in Local Development Plan 2 and while conversion of the building was permitted under Policies 7 and 48 subject to payment of a commuted sum (a unilateral agreement had been received in this regard), replacement of the barn structure with a new build dwelling would not be supported.

Officers considered that the design of the current scheme was not sensitive or sympathetic to the traditional building being converted and did not conserve or enhance the special qualities of the National Park. It could not therefore be supported and the recommendation was one of refusal.

The applicant had indicated her intention to speak on this application. She was advised that a motion to defer the application in order to carry out a site inspection would be proposed and she was given the option of



speaking at the next meeting of the Committee instead, however she chose to speak at the meeting that day.

Ms Ruth Birt-Llewellyn explained that she had lived at the farm for 30 years and worked on the farm and its campsite as well as externally. She stated that she wished to convert the barn not create a holiday let, but so that she could continue to live there and start a family. She did not believe that the dwelling would be intrusive in the vicinity or from further afield. The ground level was varied, there being a 5ft bank behind the barn which limited light to the lower levels. What was described as the rear wing was just the front entrance which was needed to avoid cutting into the bank, and this would only be seen from the sky. There was also a 4ft difference between the north and south of the site and this lent itself to a two storey section. Its height would be small compared to the farmhouse, and wouldn't be higher than the existing caravan which would be removed, enhancing the surroundings. The setting of the group would be unchanged. She advised that her family had lived in the Havens Community for 140 years and with the Community suffering as a result of 70% of properties being holiday homes, she believed that tourists were pushing the locals out. Most of the properties in the nearby Sandbanks and Atlantic View developments were not lived in year round. Ms Birt-Llewellyn explained that having lived in a caravan on the site for 16 years, the idea of having to leave her home in Pembrokeshire to start a family would have a detrimental impact on her mental wellbeing, especially as she believed those coming from away could, with money, build whatever they liked, and she listed a number of local examples. As a result of officers' comments on the previous application she had made changes to it and what was now before the Committee was a 3 bedroomed property with a disabled access. She noted that there were no local objections to the application and she welcomed a site visit if it would help to prove that she wished to repair and enhance the historic fabric of the farm.

A proposal to defer the application to allow a site inspection to take place was moved and seconded.

**DECISION: That the application be deferred to allow a site inspection to take place.**

## **7. Appeals**

The Development Management Team Leader reported on 3 appeals (against planning decisions made by the Authority) that were currently lodged with the Welsh Government, and detailed which stage of the appeal process had been reached to date in every case.

**NOTED.**





The Minutes of this meeting were confirmed at the meeting of the Development Management Committee held on 21 July 2021 without amendment

