

# Development Management Committee

20 July 2022

## Present (In Person)

Councillor Steve Alderman, Councillor Mrs D Clements, Councillor R Jordan, Mrs J James, Councillor M James, Mr GA Jones, Councillor PJ Morgan, Councillor R Owens, Councillor Mrs S Skyrme-Blackhall, Councillor Mrs V Thomas, Councillor Mrs M Wiggins, Councillor A Wilcox and Councillor C Williams.

## Present (Remotely)

Dr M Havard (Chair)

Councillor Dr SL Hancock, Dr R Heath-Davies, Mrs S Hoss, and Dr RM Plummer

[Llanion Park, Pembroke Dock and Virtually 10.00am – 11.35am;  
11.50am - 2.00pm]

### 1. **Apologies**

There were no apologies for absence.

### 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 7 below – general declaration as an NRW Board Member and Plantlife Trustee</i>	Dr R Plummer	Remained in the meeting and played a full part in the discussions and voting on these applications
<i>Minute 7(f)below NP/22/0104/FUL Milton Brewery, Milton</i>	Councillor V Thomas	Withdrew from the meeting while the application was discussed

### 3. **Minutes**

The minutes of the meetings held on the 22 June 2022 and 4 July 2022 were presented for confirmation and authentication.



It was **RESOLVED** that the minutes of the meetings held on the 22 June 2022 and 4 July 2022 confirmed and authenticated.

#### 4. **Site Visit Protocol**

The Chair noted that a number of Members had suggested there would be merit in having a protocol regarding the need for a site visit and she had therefore asked officers to draft such a document which would come before the Authority for approval in due course. Some Members expressed the view that no such protocol was necessary and that this could lead to the Authority becoming more officer, rather than Member, led; this was moved and seconded. Other Members could see merit in the suggestion as they were committing Authority resources in respect of travel costs and officer time, and a protocol could help Members take these into consideration when making a decision to undertake a site inspection.

It was **RESOLVED** that no protocol be drafted and the status quo be maintained.

#### 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 7<sup>th</sup> December 2011, amended 16 June 2021, speakers would have 5 minutes to speak unless they had spoken on the same application previously when they would have 3 minutes in which to present new information (*the interested parties are listed below against their respective application(s), and in the order in which they addressed the Committee*):

<b>Reference number</b>	<b>Proposal</b>	<b>Speaker</b>
<i>NP/21/0577/FUL Minute 7(a) refers</i>	<i>Residential development of 11 dwellings (including 2 affordable) – Land adjacent to Cefn Gallod, Trefin</i>	<i>Cllr Neil Prior – Community Council Mr Paul Niedzwiedzki – objector Cllr Neil Prior – County Councillor</i>
<i>NP/21/0643/FUL Minute 7(c) refers</i>	<i>Raising of ridge by 1.9m, glazed western gable head with recessed balcony at third storey level, dormers and rooflights, associated</i>	<i>Mr Neil Bartholomew - Applicant Mr P Baker</i>



*works – Christkindl, High Street, Saundersfoot*

*NP/22/0104/FUL Minute 7(f) Refers Alterations and extensions to public house including the provision of 3no. proposed bed & breakfast units, internal alterations to Managers' Accommodation at first floor and conversion of existing external store to bike maintenance workshop. – Milton Brewery, Milton Kathryn Perkins – on behalf of Applicant*

## **6. Members' Duties in Determining Applications**

The Solicitor's report summarised the role of the Committee within the planning system, including the Sandford Principle. It went on to outline the purpose of the planning system, the role of the Local Development Plan 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**

## **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*):

- (a) REFERENCE: NP/21/0577/FUL  
APPLICANT: Mr A Compton  
PROPOSAL: Residential development of 11 dwellings (including 2 affordable)  
LOCATION: Land adjacent to Cefn Gallod, Trefin, Haverfordwest, Pembrokeshire, SA62 5AP

Members were reminded that this application had been considered by the Committee at its meeting on 9 March 2022 when it had been resolved to approve the application. However a pre-action protocol letter relating to a potential future Judicial Review Challenge had been received from a Third Party which had delayed issue of the consent.



The pre-action protocol letter set out two grounds of challenge which were paraphrased as follows.

**Ground 1:** The Authority failed to have proper regard for Policy 47 and Appendix 4 of the LDP 2. In particular, LDP 2 required development to be concentrated in a linear form along the southern boundary with green space provided to the north when, in fact, the application provides for 11 dwellings of which 6 are located to the north of the site and 5 to the south.

**Ground 2:** The Authority failed to secure adequate affordable housing provision.

Counsel's advice had been sought in relation to the same and a response to the pre application protocol letter had been sent. Notwithstanding its conclusions that the Authority considered that there was no merit in the grounds of challenge, the pre action response did acknowledge that the information relevant to the grounds of challenge had been given orally and the Committee did not have the benefit of written material relating to these matters. Accordingly, having regard to the challenge and the fact that there was considerable discussion at the Committee of 9 March 2022 as to the merits of the application, officers felt that it would be prudent for the application to be taken back to the Committee and for the Committee to have the benefit of a revised report which explained the background and information outlined above relating to the two grounds of challenge that had been advanced.

The Solicitor advised for completeness that Section 72 of the Planning (Listed Building and Conservation Area) Act 1990 required the Authority to preserve or enhance the character and appearance of a Conservation Area and the conservation of cultural heritage formed part of the purposes of the National Park.

The first of three speakers was Councillor Neil Prior, who was speaking in the first instance as Chair of Llanrhian Community Council. As he had spoken when the application was first considered by the Committee, he had three minutes in which to make his presentation. He referred to the debate at the previous Committee which had resulted in the application being only narrowly approved. He advised that it was he who had submitted the pre-action protocol letter, and he outlined the main grounds as set out above. The Community Council had objected to the application on the basis that the application was contrary to a number of Local Development Plan (LDP) policies, but his focus that day was on the first of the two grounds, i.e. that the Authority failed to have proper regard for Policy 47 and Appendix 4 of the LDP, and he referred particularly to the requirements set out under HA10. He stated that the response to the pre-



action protocol had given the reason for varying from those requirements as the introduction of the Sustainable Drainage Systems (SUDS) requirements, however as it was proposed to locate 5 of the dwellings to the south, he disputed this reason and considered that the developer should abide by the requirements of HA10. He also raised the issue of access through Cefn Gallod and the disruption to the existing residents of as a result this. He did not believe that the developer should be allowed to have access through Cefn Gallod, squeeze in an extra private dwelling, reduce the affordable housing provision and deviate from the guidelines set out in the LDP. Approving the application on this basis did not follow adopted planning policy.

In response to a question from a Member, Councillor Prior confirmed that having spoken to all the residents of Cefn Gallod, they were concerned about the access through their estate, rather than being against the development of housing/affordable housing per se. The Director of Planning and Park Direction also clarified that that the Highway Authority was happy with the proposal to access the site through Cefn Gallod, even though a temporary access would be used during the construction phase. Permanent use of that access would require removal of the hedgerow which would have a visual and heritage impact.

The second speaker was Mr Paul Niedzwiedzki who explained that he lived close to the site. Picking up on the location of the proposed development to the north side of the site, contrary to the LDP, to allow for SUDS which would prevent rainwater going into the sewage system, he suggested that what was proposed was inadequate, as the area for SUDS was too small, sat on impermeable rock and was at a higher level than the ground floor of seven of the eleven dwellings proposed. He noted that the Trefin sewage works had one of the worst overflow rates in south west Wales with 209 overflow periods in 2021, lasting for a total of 1462 hours, and this had increased year on year since 2019. He stated that Dŵr Cymru/Welsh Water (DCWW) had acknowledged that the number of discharges was too high, occurring in both storm and dry weather conditions, and that these could be as a result of population growth in the catchment or groundwater infiltration. However development of this site would increase the foul flow and make the existing situation worse. He therefore considered that the application was contrary to Policy 32 regarding surface water drainage and Policy 29 sustainable design as he did not believe that the Sewage Treatment Works had the capacity to deal with the increased sewage. In response to a question from a Member, Mr Niedzwiedzki said that there were local concerns that the overflows could lead to pollution of the river, and as a result Pembrokeshire County Council (PCC) Pollution Control department had started to take samples, however it was too early to draw any conclusions from this work.



Members asked the officer what conditions DCWW had requested and were advised that it was the standard condition that no surface water drainage was to connect to the public service network. PCC drainage engineers had advised that SUDS approval would be required, however this was a separate consent. The officer added that if SUDS approval was not granted, based on the current scheme, any changes to the planning permission would come back before the Committee.

Councillor Prior then returned to speak as a County Councillor and he addressed the failure of the Authority to secure adequate affordable housing through the application. He referred to the challenges in respect of second homes and self catering properties, and Welsh Government's proposals to address the fact that there were 5,500 people on the housing waiting list. He referred to LDP policies and Supplementary Planning Guidance (SPG) which provided for affordable housing to meet local needs and considered that proper regard had not been had to Policy 47. He questioned why the policy provided for the figure of 2.75 affordable dwellings (25%) to be rounded down, rather than up and also pointed out that the LDP stated 3 affordable properties should be provided, whether or not this was a mistake as had been claimed. The reduction in numbers was apparently due to the cost of installing sprinklers, however he noted that this was a requirement for every new build, not just affordable dwellings. He said that he cared about the National Park and believed that the community had every right to expect three affordable properties. He considered that the level of provision in the application was not correct, and the Committee had an opportunity to do the right thing.

One Member considered that the policy with regard to the rounding down of figures in relation to affordable units should be reconsidered, however it was acknowledged that this was the policy that was currently in place. It was also noted that the application was before the Committee that day to allow Members to receive a written report on the affordable housing figure required by the LDP and the Director briefly explained how the error had occurred. The Solicitor added that the Authority had received Counsel's advice that, knowing that the LDP requirement for 3 affordable units on the site was a mistake, the Authority would be acting unlawfully in requiring 3 units, rather than 2.

Nevertheless, the view was expressed that the site would be desirable on the open market and the development would not benefit the local community; Members were disappointed that only 2 x 1 bed maisonettes were being proposed as affordable housing.

Members also asked whether the archaeological field evaluation had been received from Dyfed Archaeological Trust (DAT) and sought assurance that the hedgebank would be protected. The officer advised



that a response had been received from DAT and that if the application was approved, a S106 Agreement would ensure maintenance of the hedgebank.

Turning to the access, some Members remained concerned that if approved, there could be problems resulting from cars being parked on the access road, and the quality of life of those living in Cefn Gallod would be adversely affected. They considered that the alternative temporary access should be used, even if this meant that some of the hedgerow would be lost. A motion to refuse the application was moved and seconded, with the reasons given as the inappropriateness of the access and the adverse effect on the quality of life of the residents of Cefn Gallod. The Director advised that if Members were minded to refuse the application, she would invoke the Authority's Cooling Off Procedure, however when put to the vote, the motion was not carried, on the Chair's casting vote. A substantive motion that the application be delegated for officers to approve subject to the submission of a legal agreement and conditions as set out in the report; this was won, again on the Chair's casting vote.

**DECISION: That the application be delegated to officers to approve subject to the submission of a completed legal agreement securing the provision of the affordable housing in perpetuity and an agreement for responsibility for landscaping and hedgerows in perpetuity and with the addition of conditions in respect of the timing of the development; accordance with approved plans and documents; landscaping scheme; awareness strip at the entrance of the development; access, parking and turning; surface water drainage; construction management plan; external finishes and colours; removal of permitted development rights; ground levels; lighting; ecology; hours of construction; dust; and fires.**

[The meeting was adjourned between 11.35am and 11.50am]

- (b) REFERENCE: NP/21/0614/FUL  
APPLICANT: Mr S Callow  
PROPOSAL: Subdivide the existing plot to provide a new 4 bed, 1 & ½ storey dwelling with associated external works and shared vehicle access.  
LOCATION: Oratava, Manorbier, Tenby, Pembrokeshire, SA70 7TE

Members were reminded that this application had been deferred at the previous Committee to allow a site inspection, which took place on 4 July 2022 (Minute 3 refers). However it had come to light that some interested parties had not received the notification, although it had been e-mailed



from the Authority, that the application would be considered at the meeting that day, and therefore in the interests of fairness, it was proposed to defer consideration of the application until the following meeting.

**DECISION: That the application be deferred until the following meeting.**

- (c) REFERENCE: NP/21/0643/FUL  
APPLICANT: Mr N Bartholomew  
PROPOSAL: Raising of ridge by 1.9m, glazed western gable head with recessed balcony at third storey level, dormers and rooflights, associated work  
LOCATION: Christkindl, High Street, Saundersfoot, Pembrokeshire, SA69 9EJ

It was reported that this commercial/residential property was located in the centre of Saundersfoot and sought an extension of the existing first floor flat into the flat-roof area which would involve raising the ridge height of the property by 1.9m. The proposal also included the creation of a glazed western gable head with recessed balcony at third storey level and the installation of dormers on the front elevation and rooflights on the rear elevation.

While it was considered that in principle the alterations accorded well with the design, form and character of the host building, where extensions remained subservient in scale and form to the existing property, concerns had been expressed by the Building Conservation Officer regarding the impact of the design of the proposal on the character and appearance of the area and that it did not preserve or enhance the Saundersfoot Conservation Area. The recommendation was therefore one of refusal. Officers advised that they had discussed reducing the glazing and using more recessive material on the gable end with the agent, however no amendments to the application had been received.

The first of two speakers was Neil Bartholomew, the applicant. He explained that he had purchased the property eighteen months ago and submitted the application almost a year ago, using the plans that had received favourable advice when a pre-application enquiry had been submitted some years previously. The plans had received the support of the Community Council, neighbours and others in the village; only the Building Conservation Officer had objected, contrary to the advice received in respect of the pre-application enquiry. Mr Bartholomew stated that the officer had suggested to his agent that the property could include slate cladding like nearby Bedoes Court, however this building was widely considered to be an eyesore in the village. He had also raised concerns





regarding the dormer windows, despite such windows having been granted permission in the old Coal Office building nearby. Mr Bartholomew considered that the building currently looked unsightly due to the flat roof, and that the proposals would be a great visual improvement to the village, matching the many glazed elevations that could be seen nearby. As the amendments proposed by officers would have incurred additional cost, he had instructed his agent that he wished the application to be determined as per the original pre-application. However he expressed disappointment in the way the case had been handled, that he himself had not been invited to the site meeting and noted that due to the length of time taken to determine it, prices of materials had increased considerably. He asked Members to consider the application before them favourably.

Officers were asked to comment on some of the points made by Mr Bartholomew, and noted that in respect of the pre-application advice, this had been given in 2016, however such advice was only valid for six months. At that time, the Building Conservation Officer had not visited the site, and having considered the building within the context of the Conservation Area, now believed that the proposals would have an adverse impact. However suggestions had been made which would make the proposals acceptable. It was also noted that officers' main point of contact was with the agent, rather than the applicant.

The second speaker was former County Councillor Phil Baker, who supported the application. He noted that the recommendation of refusal was not on the usual grounds as issues of ecological enhancement, amenity and privacy had been addressed; the Highway Authority had no objections and there were no concerns in respect of flooding. The principle of development was acceptable, and the application had received the support of the Community Council. The refusal was because the building was considered to be out of character. Mr Baker noted that the Conservation Area had been created in 2011 and consisted of various styles and designs; he reflected that some roofs had battlements, a wave form or hipped roofs, however the majority had traditional gables. The proposal in question reflected the development at the former chapel and manse on the opposite side of the road and was in accordance with the advice received on the pre-application submitted in 2015/16 which did not foresee any adverse impact on the character of the Conservation Area. Such a change in advice was difficult to accept, particularly when there had been many new developments in the village in recent years, and the look of the Conservation Area had moved on considerably. The Committee was asked to take this into consideration in making their decision.



When asked about the similarities of the proposals with the development opposite that had been referred to, officers advised that that Christkindl was far more prominent in the Conservation Area.

Members were of the opinion that there was very little between the aspirations of the applicant and the views of officers, and they asked whether further discussions could take place to resolve these matters. They were reminded that the applicant had declined to make further amendments and had asked for the application to be determined as submitted. If refused a further submission could be made free of charge within 12 months and they would also have the opportunity to appeal.

Members remained concerned about the level of glazing proposed, particularly as the elevation was south facing. A motion to refuse the application was moved and seconded, with the hope and expectation that further discussions would take place to reach an acceptable proposal in the future.

**DECISION: That the application be refused for the following reason:**

- 1. The proposal is at odds with the established pattern of the settlement, out of character with the existing development and has inappropriate detailing. This results in negative impacts on the character and appearance of the Saundersfoot Conservation Area. It is also harmful to the special qualities of the Pembrokeshire Coast National Park. The proposal would therefore be contrary to Policies 1, 8, 14, 29 and 30 of the Local Development Plan.**

[Dr R Plummer tendered her apologies and left the meeting at this juncture.]

- (d) REFERENCE: NP/21/0673/S73  
APPLICANT: Miss E Hodges  
PROPOSAL: Variation of condition no's 2 & 4 of NP/17/0315/FUL - Amendment to approved plans & footway & traffic calming measures  
LOCATION: Land off Walton Road, Broad Haven, Haverfordwest, Pembrokeshire, SA62 3JX

Members were reminded that this site comprised a section of an existing agricultural field immediately south of Driftwood Close in Broad Haven. The site was allocated in the Local Development Plan and permission for residential development comprising 18 dwellings with associated works had been approved under NP/17/0315/FUL. Development of the site had commenced, and a number of the houses were now occupied.



Permission was sought to vary two conditions of the approved consent in respect of provision of a footway and traffic calming measures as the applicant had encountered issues with third party land ownership, and was not able to implement the measures originally proposed. The applicant had worked with the Highway Authority in creation of the proposal before the Committee, and it had not objected, however the Authority had received a lot of objections, including photos, from the community and Community Council in respect of highway and pedestrian safety and had been notified of a recent vehicular accident at the bottom of the lane.

The Chair advised that Gillian Davies had been due to address the Committee that day, however she had been unable to attend.

In response to questions from Members, the Committee was advised that under the revised proposal there would be a 35m length of roadway without a pedestrian path, and that the trigger point for implementation of the footway was 15 houses.

Members believed that the developer had let the community down and considered that there were lessons to be learned from this application to ensure that in future the required infrastructure was provided prior to construction of the dwellings or at least before so many had been built. The officer clarified that enforcement action could only be taken if there was evidence from the Highway Authority that there was a risk to highway safety, however they did not consider there to be any such risk in this instance.

Members felt that they had been placed in a difficult position, due to the position of the Highway Authority. A motion to approve the variation, subject to the conditions set out in the report, but with an amendment requiring the work to be commenced within three months of the date of the meeting was moved and seconded, and this was carried.

**DECISION: That the application be approved subject to conditions regarding timing of the development, accordance with approved plans and documents, provision of footway, estate road, parking and turning, Construction Environmental Management Plan, hours of working and light mitigation strategy.**



- (e) REFERENCE: NP/22/0085/FUL  
APPLICANT: Mr & Mrs M Adams  
PROPOSAL: Additional accommodation for main house  
LOCATION: Tyrardd, Moylegrove, Cardigan, Pembrokeshire,  
SA43 3BH

It was reported that Ty 'r Ardd was located in a rural area, outside of the settlement of Moylegrove. The house could only be seen on the way into Moylegrove and could not be seen in close proximity due to the tree coverage around the property. The proposed development included the raising of the roof above the existing garage by 2 metres to provide additional living accommodation comprising two bedrooms and a shower room. The topography of the site meant that the house and the adjoining garage were on different levels, with the garage being located on higher ground than the main dwellinghouse, and it therefore read as two separate buildings although they were connected. The garage was currently used as an art studio and store.

The application was before the Committee as the objection from Nevern Community Council was contrary to the officer recommendation.

It was noted that the property was in a secluded location in an attractive setting, however officers considered that the proposed scheme was acceptable in terms of scale, form, use and design. The development would not cause an unacceptably detrimental impact to the special qualities of the National Park nor upon privacy or amenity of neighbouring properties. Ecology and landscape features would not be adversely affected by the development. As such, the proposal complied with policies of the adopted Local Development Plan 2 and could be supported.

At the meeting, the officer asked that Condition 6 be amended so that materials be agreed prior to development, with the expectation that stonework would be used, so as to be more recessive.

The recommendation to approve the scheme was moved and seconded, however some Members remained concerned about the design of the development, and also about its potential use as a separate dwelling unit, although it was acknowledged that this latter point was covered by a condition. It was also stated that the property was more visible than it seemed, however these were limited glimpses. Due to the concerns of the Community Council, an amendment was moved that the Committee visit the site, however this was not seconded.

**DECISION: That the application be approved subject to conditions relating to the timing of development, accordance with approved plans and documents, occupation ancillary to the main dwelling,**



## **biodiversity enhancement, surface treatment and external materials.**

[Having disclosed a prejudicial interest, Councillor Thomas withdrew from the meeting while the following application was considered. Dr R Heath-Davies tendered her apologies and left the meeting during consideration of the application.]

- (f) REFERENCE: NP/22/0104/FUL  
APPLICANT: Mr A Trollope Bellew  
PROPOSAL: Alterations and extensions to public house including the provision of 3no. proposed bed & breakfast units, internal alterations to Managers' Accommodation at first floor and conversion of existing external store to bike maintenance workshop.  
LOCATION: Milton Brewery, Milton, Tenby, Pembrokeshire, SA70 8PH

It was reported that the property lay within the Rural Centre boundary of Milton as defined by Local Development Plan 2 (LDP2) and also within a C2 flood zone as shown on the Natural Resources Wales (NRW) Development Advice maps.

A Flood Consequence Assessment had been submitted as part of this application and acknowledged that the site was identified to be at moderate to high risk of tidal flooding and a low to moderate risk from fluvial flooding. It outlined some mitigating factors including incorporating flood resilience design measures as part of the ground floor level of the development and ensuring that the site manager was fully informed of the flood risk and was prepared should a flood occur through registration for NRW Flood Warnings and preparing a Business Flood Plan.

NRW had reviewed the Flood Consequences Assessment and were satisfied that the risks and consequences of flooding at this property were manageable to an acceptable level. However, in accordance with TAN 15, highly vulnerable uses, including holiday accommodation, should not be considered in a C2 flood zone. Whilst there was already existing residential use on the first floor by way of Managers accommodation, this proposal sought to significantly increase the on-site accommodation by providing 3 no bed and breakfast units. In addition, the flood zone extended to surround the property which would have an impact on potential means of escape or access for emergency services in the event of a flood. As such, the proposal was contrary to TAN 15 and Policy 34.

Turning to the proposed design of the rear extension, officers considered that by way of its modern design incorporating large expanses of glass, the proposals would have an adverse impact upon the setting of the listed



Milton Bridge and therefore on the special qualities of the National Park, and did not reflect the character of the existing Public House. However at the meeting, the officer advised that since writing the report, amended plans had been received which provided for stone faced elevations to the ground floor and reduced glazing at first floor, and the design could now be supported. The recommendation of refusal remained unchanged, however there was now only one reason – highly vulnerable uses within a C2 flood zone – rather than two.

There was one speaker on the application, Kathryn Perkins, Agent for the Carew Castle Estate which was the applicant. She explained that the estate had developed a similar scheme at the nearby Carew Inn and therefore had a successful record in this field. She acknowledged that one of the grounds for refusal had been removed due to submission of an alternative design, however the other, that of flooding, remained. She noted that the proposal met Policy 43 of LDP2 regarding Employment sites, pointing out that the public house was an important part of the community. She also considered that the development met the criteria in respect of supporting employment objectives and its location on previously developed land set out in TAN 15. The flood risk assessment had pointed out that the redevelopment would not increase the risk of flooding, with the footprint of the building being reduced by 10m<sup>2</sup> and no water being redirected to any other location. All the new bed and breakfast accommodation was at first floor level, which was above all predicted flood levels, both now and in the future and there was already managers' accommodation at first floor level. Ms Perkins pointed out that Natural Resources Wales had confirmed their satisfaction that the risks and consequences of flooding at the development were manageable to an acceptable level, and that a flood warning and management plan could be implemented together with arrangements on the ground floor to be resilient such as flood gates; it was also noted that the nature of the flooding in this instance was tidal and therefore predictable. In conclusion, she believed that this application had merit as it gave new life to a building which needed it, as well as providing resilience to the business through additional income sources and therefore grew employment. The cost of the renovation works would be met by private investment, and the development was in accordance with several important planning policies, and supported sustainable transport through development of a bike workshop close to a cycle path. She believed that the flood risk could be managed by a flood management plan. It was noted that the Community Council supported the application and she welcomed a site meeting if any Member had concerns.

Members noted that NRW had no objection to the development and the Director clarified that they did not comment on policy, the policy position having been established by Welsh Government. This was very clear that



highly vulnerable uses should not be located in the flood zone due to the danger to life and to the emergency services. It was also noted that references to past or future flooding of the building were no longer considered to be relevant. The Director confirmed that if Members were minded to approve the application, she would invoke the Authority's Cooling Off protocol as it would be contrary to a strong policy position. She also noted that when TAN 15 was renewed in 2023, decisions such as this one would be taken away from planning authorities and would be made by Welsh Government.

Taking on board the policy position, Members considered that in instances where an applicant was prepared to take significant financial risks to improve a building, they should be supported in that. They also found it inconsistent that regeneration of an area using public money was permitted within a flood zone, while redevelopment of a pub was not, even though it was really important to a rural community. A motion to approve the application for economic reasons was proposed and seconded, and a second reason of benefit to the community was added.

**DECISION: That the Committee was minded to approve the application.**

The Director informed the Committee that under the Cooling Off Procedure, the application would be reconsidered at the next meeting, when the report would include a list of conditions should Members decide to approve it.

## **8. Appeals**

The Director reported on 4 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. It was noted that no decisions had been received since the last meeting.

**NOTED.**

## **9. Good Wishes**

As it was the Director, Nicola Gandy's last meeting, the Chair, on behalf of the Committee, thanked her for her professionalism and skilful negotiation of Development Management matters for the Authority, and wished her well for the future.

