

Development Management Committee

19 October 2022

Present (In Person)

Dr M Havard (Chair)

Councillor Steve Alderman, Councillor Mrs D Clements, Councillor Dr SL Hancock, Mrs S Hoss, Councillor R Jordan, Mrs J James, Councillor M James, Mr GA Jones, Councillor PJ Morgan, Dr RM Plummer, Councillor Mrs V Thomas, Councillor Mrs M Wiggins, Councillor A Wilcox and Councillor C Williams.

Present (Remotely)

Dr R Heath-Davies and Councillor Mrs S Skyrme-Blackhall.

[Llanion Park, Pembroke Dock and Virtually 10.00am – 11.25am;
11.30am - 12.20pm]

1. **Apologies**

An apology for absence was received from Councillor R Owens.

2. **Disclosures of interest**

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

Application and Reference	Member(s)/Officer(s)	Action taken
<i>Minute 6 below – general declaration as an NRW Board Member and Plantlife Trustee</i>	Dr RM Plummer	Remained in the meeting and played a full part in the discussions and voting on the applications
<i>Minute 6(a) below NP/21/0773/OUT Erection of four dwellings – Former Turkey Farm, Land off Blockett Lane, Little Haven</i>	Councillor P Morgan	Remained in the meeting and played a full part in the discussions and voting thereon
<i>Minute 6(d) below NP/22/0388/FUL Kenmore, Pen y Craig, The Glen, Saundersfoot</i>	Councillor C Williams	Withdrew from the meeting while the application was discussed



3. Minutes

The minutes of the meeting held on the 7 September 2022 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on the 7 September 2022 be confirmed and signed.

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 7th 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*):

Reference number	Proposal	Speaker
NP/21/0773/OUT <i>Minute 6(a) refers</i>	Erection of four dwellings – Former Turkey Farm, Land off Blockett Lane, Little Haven	Clive Preece – Objector Andrew Vaughan-Harries - Agent
NP/22/0357/FUL <i>Minute 6(c) refers</i>	Retrospective summerhouse space at Grey Winds used as part of the enjoyment of house and domestic wildlife garden were following a rewilding lifestyle native trees and reptiles in particular are flourishing. The space allows for work and rest in the garden which is at a higher level to the house – Grey Winds, Newport	Mrs Julie Speechley – 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*):

- (a) REFERENCE: NP/21/0773/OUT
APPLICANT: Mr & Mrs M & E Chapman
PROPOSAL: Erection of four dwellings
LOCATION: Former Turkey Farm, Land off Blockett Lane, Little Haven, Haverfordwest

It was reported that this application was before the Committee as the Community Council had objected to it, contrary to the views of officers. Three letters of concern and objection had also been received and these were summarised in the report.

This was an outline application for the erection of 4 dwellings, with all matters reserved for a future detailed approval. However the application presented two indicative site layout plans showing parking and associated landscaping with vehicular access through adjacent residential development. The initial layout would have prevented access to a plot that had been included within a previous permission, which had since lapsed. Therefore, a further potential alternative layout had been submitted to show how there was potential for access to that plot and there could well be alternative ways to access that plot in any event. Although the right of way through the adjacent development land was currently in dispute, officers considered this was a civil matter capable of resolution and was not a material planning consideration.

Referring to a letter from a Solicitor received the previous day, with regard to the dispute in respect of the access, the Authority's Solicitor confirmed that if no agreement could be reached between the parties, the issue could be determined by the courts, and it was not a matter in which the Authority should get involved.



The site formed part of a larger 'brownfield' site with a complex planning history, which was set out in the report. This was a significant material consideration, such that the principle of development at this location could be supported. A financial contribution towards off site affordable housing would be required, and it was reported at the meeting that a draft Unilateral Undertaking had been submitted, although this was undated. The officer advised that the recommendation needed to be amended to allow the Authority to refuse the application if the Undertaking was not signed and dated within three months. It was also requested that an additional condition be included seeking submission of a Construction Method Statement with any reserved matters application.

Officers considered that the general scale and massing of the proposed buildings complied with local and national policies and that the layout, design and appearance of the development would not harm the special qualities of the National Park, subject to the future approval of reserved matters and material samples.

Concerns had been raised by the Community Council and local residents about the potential impact of the development upon highway safety as Blockett Lane was a narrow lane, with substandard horizontal and vertical alignment, lacking both lighting and footways. However the Highway Authority had concluded that the proposed development and the new vehicular access arrangements were suitable, subject to conditions.

Subject to the applicant entering into a S106 Agreement to provide for an affordable housing contribution within three months of a decision, and the imposition of planning conditions to control the nature and form of the development, including the additional condition referenced at the meeting, the scheme was considered to be acceptable and the recommendation was one of delegated approval.

The first of two speakers was Mr Preece who owned land adjacent to the site. He explained that when he had received planning permission 3 years ago, he had been required to build an engineered wall before development could commence. He had commissioned an engineer and the design had been submitted and accepted – the wall was 1.2/1.3m thick and had cost him over £32k to build. The neighbour would not allow the wall to be built on his land, so it was built on his (Mr Preece's) own land. As a result, the wall now sat in the middle of the right of way and therefore the neighbour had only 1.7m, which was insufficient for vehicle access, it was pedestrian only. Mr Preece did not believe this situation could ever be resolved and he suggested that Members visit the site to see the situation for themselves.



The Solicitor reiterated the point that granting planning permission would not resolve the matter as if a road had to be built and there was a wall in the middle of it, the situation would have to be resolved by legal means before any planning permission could be implemented. This was a civil matter and the Authority was not able to take a side in that dispute.

The second speaker was Mr Andrew Vaughan-Harries, the applicant's agent. He noted that before clearance of redundant sheds on the site, it had been an eyesore, and recalled that in the 1990s a paper had been written by the Authority aiming to remove what was a blot on the landscape and enhance the National Park, alongside a small development. This had come to fruition and the eyesore had been removed to the benefit of the National Park and Little Haven in particular, and some houses had been built, with permission granted for others – 6 to the north and 4 to the south. The application before the Committee was on part of the site which had benefitted from planning permission in the past and was therefore a planning asset for his client. He believed that the development would be attractive, and it would make a contribution towards affordable housing. With regard to the Community Council's concerns in respect of access, Mr Vaughan-Harries noted that 30 or 40 years ago the road would have been used by lorries and tractors accessing the site and the situation was much worse, there was therefore a planning gain and a traffic safety benefit. Referring to the civil dispute mentioned previously, he noted that it was not the place of the Committee to discuss the right of access, that would have to be considered by the courts, and he hoped the situation would be resolved for the benefit of the development. He concluded by saying that he hoped the Committee would endorse the officer recommendation, and that following completion of the S106 Agreement, useful housing could be generated for the benefit of the economy.

One Member was concerned about the level of biodiversity gain suggested and asked that it be made clear that the lighting condition was to be retained in perpetuity. Another Member was concerned about the overall intensity of the development over the entire site which could result in a large estate and the effect of this on traffic generation. The officer agreed to strengthen the lighting condition and explained that officers had considered the cumulative effect of development at this location, and due to its location did not consider it would have a significant visual impact. The Highway Authority were happy with the proposed development of 4 dwellings, but had advised that further consideration would have to be given to accessing the further plot to the north. They had also confirmed that no contribution would be required for the provision of passing bays. A final question related to the contribution to affordable housing. The officer advised that the policy did not require one of the houses to be affordable, but for a financial contribution to be paid. At this time the level



of contribution could not be determined as the floor space of the properties had not been approved.

DECISION: that the application be delegated for approval, subject to submission of a S106 agreement in respect of affordable housing contribution and conditions in respect of submission of a reserved matters application; timing of that application; accordance with plans and documents; submission of details of existing and proposed levels, biodiversity enhancement, external lighting scheme to be maintained in perpetuity and boundary treatments; surface water drainage, off-street parking, construction method statement; protection of trees and hedges; landscaping scheme; removal of permitted development rights; drainage scheme and land contamination.

If the S106 Agreement was not completed within 3 months, officers were granted delegated powers to refuse the application.

- (b) REFERENCE: NP/22/0148/FUL
APPLICANT: Mr & Mrs Allen
PROPOSAL: Demolition of existing bungalow and construct new dwelling
LOCATION: Braeside, Freshwater East

It was reported that this application would now be considered at the December meeting of the Committee.

Noted.

- (c) REFERENCE: NP/22/0357/FUL
APPLICANT: Ms J Speechley
PROPOSAL: Retrospective summerhouse space at Grey Winds used as part of the enjoyment of the house and domestic wildlife garden where following a rewilding lifestyle native trees and reptiles in particular are flourishing. The space allows for work and rest in the garden which is at a higher level to the house.
LOCATION: Grey Winds, Newport

The application was before the Committee as the comments of Newport Town Council raised material planning considerations contrary to the view of officers.

It was reported that retrospective planning permission was sought for the erection of a detached summerhouse, situated a significant distance from the existing dwelling. The land formed part of the Newport & Carningli



Registered Historic Landscape and also part of the north-eastern slope of Mynydd Carningli. Officers considered the summerhouse to be situated outside the curtilage of the dwelling and therefore did not benefit from permitted development rights. It also did not meet the policy framework to protect the countryside from unnecessary development and the principle of erecting a residential outbuilding outside the curtilage was considered unacceptable. The surrounding area was clearly rural in character and the provision of the building had a detrimental impact on the character of the surrounding countryside and the visual amenities of the National Park. The recommendation was therefore one of refusal.

There was one speaker, Julie Speechley, the applicant. She advised that she had not intended to develop the land without planning permission, but having discussed the matter at a planning surgery prior to lockdown, she believed that planning permission was not required, although she noted that in retrospect she should have got this in writing. She explained that the garden to Grey Winds was in three sections, and that it had always been used for domestic purposes and she considered it all to be part of the curtilage, despite its size and use – it had never been severed from the house and there had always been a clear path to the well (which was still in use) adjacent to the summerhouse. Newport Town Council had concerns regarding the potential to use the summerhouse for residential purposes, however she confirmed that there was no intention to do this. It was to be used as a space to rest and to peacefully enjoy the garden throughout the year. It was noted that it had come with glazing and a stove as standard, and while the stove had initially been rejected as it was less intrusive without it, damp within the summerhouse had made it necessary. There had been no adverse comments from other statutory consultees and only one public objection, which suggested that there would be minimal impact on Carningli Common and local amenity.

In terms of ecology, Ms Speechley did not consider that the summerhouse was causing any adverse impact. She explained that she was in the process of undertaking biodiversity enhancement through the provision of bat and door mice boxes as part of the (separate) application to replace the garage roof. The garden itself was a sanctuary for wildlife, in an area where almost every patch of ground was paved and polluted to the detriment of humans and non-humans alike. Pathways had been created by hand through the meadow to create basking areas for reptiles and there had been an increase in butterflies and fungi. She explained that she cared for biodiversity and worked alongside wildlife, without machines, having a naturalistic approach to gardening and enhancement of biodiversity. The result was an area that looked like a continuation of the common, but was part of her garden, not open countryside. She added that it was not unusual for properties to have a small scale building where residents had higher land, and the summerhouse was low key and



unobtrusive and more in keeping with nearby hut circles than unsustainable white plastic. She understood the bad feeling caused by other unauthorised buildings in the area which had been given retrospective permission, but assured the Committee that this was not the same and was just an unobtrusive summer house to be used for rest from work and peaceful use of the garden.

One Member asked about the well and Ms Speechley confirmed that it was constructed before 1888 (the oldest OS map) and was still in use. It was constructed from stone slabs, although it was largely covered by bracken for part of the year. Another Member was concerned that the building was not in-keeping, referencing the sheeting on the roof which was covered by red fishing net. Ms Speechley explained that she had intended to dye the net brown to soften the colour, but had not wanted to disturb nesting birds, however she added that she felt the photographs had been zoomed in and were not a true reflection of how the building looked from the path, stating that it was hardly visible, particularly when the bracken was up, and could only be seen from a small part of the footpath as it had been dug into the slope. Finally a Member asked why permission had not been sought to extend the curtilage to include the summerhouse, and Ms Speechley explained that having taken advice she was told it was not an issue that was dealt with at validation stage. The officer confirmed that even if it had been within the curtilage, the distance from the house would have meant that planning permission would still be needed, and also the existence of the log burner was not a relevant consideration,

While Members applauded the applicant's natural approach to gardening, and were sympathetic to the siting of the summerhouse, some acknowledged that the development was in an inappropriate location and contrary to policy. The recommendation of refusal was moved and seconded. Members asked that if permission was refused, what would happen next, and the officer replied that it would remain an unauthorised structure and would either be removed or it would become an enforcement case and it would have to be considered whether enforcement action would be taken, with an appropriate time for compliance.

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

- 1. The proposal by the nature of its siting outside the curtilage of the dwelling and within the countryside, is considered unacceptable in principle as it fails to protect the countryside from unnecessary development and has a detrimental impact on the character and appearance of the surrounding countryside and the visual amenities of the National Park. The proposal is therefore contrary to Policies 7**



(Countryside), Policy 8 (Special Qualities) and Policy 14 (Conservation) of the adopted Local Development Plan 2.

[The Committee was adjourned between 11.25am and 11.30am]

[Councillor C Williams tendered his apologies and left the meeting at this juncture, having previously declared a prejudicial interest in the following application.]

- (d) REFERENCE: NP/22/0388/FUL
APPLICANT: Mr D Thompstone
PROPOSAL: Replacement dwelling
LOCATION: Kenmore, Pen y Craig, The Glen, Saundersfoot

It was reported that this application was before the Committee as the Community Council had objected to it, contrary to the views of officers. One letter of objection had been received and the comments were set out in the report.

The site consisted of a single storey detached dormer bungalow located within a fairly spacious plot. Planning permission was sought for the demolition of the existing dwelling and its replacement with a flat roofed, two storey property, increasing to three storey towards the east. There was an existing detached pool house, adjacent to an external swimming pool which it was also proposed to replace.

The site was within the centre boundary of Saundersfoot and the replacement of an existing dwelling was considered acceptable. While the scale of the proposed dwelling was notably larger than the existing dwelling, large, detached dwellings were characteristic of the surrounding area and the proposed dwelling would not appear significantly high as the levels had been reduced. Also the proposed dwelling was situated within a fairly substantial plot served by a large area of amenity space and the proposal was therefore not considered overdevelopment of the site.

It was also noted that the proposed contemporary design differed to the surrounding dwellings, however these varied in terms of their scale and designs and there was no consistent or uniform design in the area. The proposed dwelling was also set back from the front of the site to improve parking and turning, and its siting, and established vegetation within the area, reduced its visibility. As a result, the proposed development was considered acceptable in terms of its scale, design, siting and materials and would not have a detrimental impact on the character or visual amenities of the surrounding area or on the residential amenity of neighbouring properties. The recommendation was one of approval, subject to conditions.



One Member noted that Saundersfoot Community Council had expressed disappointment that officers had not agreed to a site visit, and the officer replied that this had not be possible due to both officer capacity and a concern over the appropriateness of being seen to influence their views. It had been suggested that the Community Council contact the applicant/agent to arrange a site visit themselves. A motion to approve the application was then moved, but not seconded.

Another Member asked about the distance of the proposed development from neighbouring properties and was advised that it was c25m away, and that due to this, and its orientation, there would be no overshadowing or privacy concerns. The extent of the glazing had also been carefully considered and as a result of the large wrap around balconies, it would be well contained within the site. The sustainability of flat roofs was also questioned, as these needed replacing more often, as well as the sustainability of replacing the existing building. Generally Members were unsure about the design of the building, and its sense of place within the landscape. Officers advised that as the proposed dwelling was set back within the plot and would be seen in the context of an urban area with a diversity of architectural styles, the Authority could not be an arbiter of personal taste. Also there was no policy in respect of the sustainability of rebuilding properties, but that this was a question to be raised with Welsh Government. A site visit was then proposed and seconded.

DECISION: That the application be deferred to allow a Committee Site Inspection to take place. It was requested that the Highway Authority be asked to attend.

- (e) REFERENCE: NP/22/0424/FUL
APPLICANT: Ms T Bowen
PROPOSAL: Demolition of existing residential dwelling and construction of new house and garage
LOCATION: Ringstone, Broad Haven, Haverfordwest

It was reported that this application would be considered at the following meeting of the Committee. One Member sought to suggest a site visit but the Solicitor advised that as the matter had been withdrawn from the agenda it would not be appropriate to proceed to consider that suggestion until a meeting where it was on the agenda at which the applicant and objectors could attend.

Noted.



7. Appeals

The Development Management Team Leader 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 reported that appeals NP/21/0151/FUL Alterations and extensions at 9 Atlantic Drive, Broad Haven and NP/21/0815/FUL Erection of decking in rear garden (retrospective) – 24 High Street, Solva had both been allowed, and copies of the Inspector's decisions were attached for Members' information. The Team Leader advised that no costs had been awarded, however there were lessons of consistency to be learned from the decisions.

Members asked whether there was any timescale for the Minister's decision regarding the Pantmaenog appeal (NP/20/0614/FUL), and also why it had been called in. Officers advised that neither had been provided, however they agreed to ask the questions. A question was also asked regarding progress of the Trewern appeal, and the Team Leader advised that an extension of time had been agreed to allow the applicant, Natural Resources Wales and the Authority to negotiate any improvements to the scheme, however to date it had not been possible to arrange such a meeting.

Finally it was noted that the Authority had received an application for a telecommunications mast above Rosebush, and had received an objection from the Community Council and from over 125 individuals, with calls for the consultation period to be extended to allow others to object. However the DM Team Leader was able to advise the Committee that the application had been refused under delegated powers the previous afternoon as it was considered to be contrary to policy. One Member asked that this be clearly communicated to the press.

Noted.

