

Application Ref: NP/22/0684/S73

Case Officer	Rob James		
Applicant	Mr & Mrs K & S Weston		
Agent	Mr Andrew Vaughan-Harries, Hayston Development & Planning Ltd		
Proposal	Variation of condition No's 5 & 6 of NP/21/0431/FUL - Change to closing time & use of rear garden for external seating area.		
Site Location	Ye Old World Cafe, Bosherton, Pembroke, Pembrokeshire, SA71 5DN		
Grid Ref	SR96629470		
Date Valid	06-Dec-2022	Target Date	30-Jan-2023

This item is being considered by the Development Management Committee because the community council have objected to the proposal.

Consultee Response

PCC - Transportation & Environment: Supporting
Stackpole & Castlemartin C C: Objection
Dyfed Archaeological Trust: Conditional Consent
Natural Resources Wales: Standard Advice
PCNPA Planning Ecologist
The National Trust:
PCNPA Buildings & Conservation Officer: Support
PCC Public Protection: No response at time of writing this report

Public Response

A site notice and neighbour notification letters were posted in accordance with requirements of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

3 letters of objection have been submitted and objections have been received regarding the potential negative impact on residential amenity for the extended opening times and also traffic and parking problems. Objections have also been received to some of the details submitted within the application and they draw attention to the fact that no picnics have taken place on the area marked yellow on the attached plan.

23 further letters of objection were received in response to the proposals. However, they have all re-submitted the Community Councils objection. The material planning considerations are detailed in the main body of the report.

Policies considered

Please note that these policies can be viewed on the Policies page Pembrokeshire Coast National Park website –

[Local Development Plan 2 - Pembrokeshire Coast National Park](#)

LDP2 Policy 01 - National Park Purposes and Duty

LDP2 Policy 06 - Rural Centres

LDP2 Policy 08 - Special Qualities

LDP2 Policy 09 - Light Pollution

LDP2 Policy 10 - Sites and Species of European Importance

LDP2 Policy 14 - Conservation of the Pembrokeshire Coast National Park

LDP2 Policy 29 - Sustainable Design

LDP2 Policy 30 - Amenity

LDP2 Policy 38 - Visitor Economy

LDP2 Policy 54 - Community Facilities

LDP2 Policy 59 - Sustainable Transport

LDP2 Policy 60 - Impacts of Traffic

PPW11

SPG03 - Landscape

TAN 06 - Planning for Sustainable Rural Communities

TAN 12 - Design

TAN 23 - Economic Development

TAN 24 - The Historic Environment

Constraints

Special Area of Conservation - within 500m

Special Protection Area - within 500m

Rights of Way Inland - within 50m

Ancient Monument - within 500m

Nat Trust Covenants

Recreation Character Areas

Nitrate Vulnerable Zone

Affordable Housing Submarkets

Landscape Character Area

Officer's Appraisal

Site and Context

The Olde Worlde Café, (a Grade II listed property), is situated in the centre of Bosherton. The property comprises a former pair of cottages built 1834 for the Stackpole Estate, later serving as coastguard cottages.

Item 5 - Report on Planning Applications

The rendered cottages are both symmetrical, with central porches, casement windows and slate roofs with stone chimneys. Rear extensions largely later C20. To the south is a small single storey C19 building, originally housing the nautical rescue equipment, now the ladies' w.c's. West of the latter is a large timber hut, apparently a wartime structure relocated here prior to 1948 for use as a tearoom. The two historic curtilage buildings fall within the listed status of the main property.

Relevant Planning History

PA/21/0035 - Pre-application query to Listed Building Officer

NP/21/0431/FUL - Demolition of part of existing rear kitchen extension, garage and removal of chalet. Construction of new kitchen and dining room, replace flat roof to gents' toilets with pitched roof. - Approved

Description of Proposal

The S73 application proposes the removal of conditions 5 and 6 of NP/21/0431/FUL which restricts the restaurant opening hours and reduces the informal outdoor area available to customers, and read as follows:

5. The building as extended, and the external seating areas shall not be accessed by members of the public after the hours of 17:00 on any day. Reason: In order to protect the residential amenity of adjoining neighbouring properties and in accordance with Policy 30 of LDP2

6. There shall be no external seating area provided within the rear garden or use of the rear garden by members of the public in association with the cafe use. Reason: In order to protect the residential amenity of adjoining neighbouring properties and in accordance with Policy 30 of LDP2.

The application proposes to amend the conditions with the following wording:

Condition 5. The building as extended, and the external seating areas and picnic area (marked in green and yellow on the location plan) shall not be accessed by members of the public outside the following times: 9.00am to 23.00pm, on any day. Reason: In order to protect the residential amenity of adjoining neighbouring properties and in accordance with Policy 30 of LDP2.

Condition 6. There shall be no external seating provided within the rear garden (marked in blue on the location plan) or use of the rear garden by members of the public in association with the cafe use. Reason: In order to protect the residential amenity of adjoining neighbouring properties and in accordance with Policy 30 of LDP2.

Since submission of the application, the Agent for the application has agreed to a compromise in principle, of a reduced number of evening hours to 8pm, rather than 11pm in the interests of protecting residential amenity.

Key Issues

The application raises the following planning matters:

- Policy and Principle of Development
- Siting, Design and Impact upon the Special Qualities of the National Park
- Amenity and Privacy
- Access and Parking

Policy

Future Wales – The National Plan 2040 (FW) which was adopted on 24th February 2021 is the National Development Framework for Wales, and is the national tier of the Development Plan.

Policy 4 ‘Supporting Rural Communities’ states that Strategic and Local Development Plans must identify their rural communities, assess their needs and set out policies to support them.

On page 104, Future Wales states that: “National Park Authorities are unique planning entities with a specific remit to reflect the distinctive characteristics of their areas...” and that “Future Wales policies respect the functions of National Parks in terms of their statutory purposes...”

This is an existing facility within the Rural Centre of Bosherton, which falls within Strategic Policy 6 of the Local Development Plan. This allows for small scale employment developments provided they also protect and enhance the centre's range of facilities and ensure development is consistent in scale with the size and character of the development.

Policy 54 of LDP2 allows for new and extended facilities where they are well located to meet the community's needs and are convenient to public transport, shops and other services where this is required to serve the needs of the user. This is a well-established facility within a defined rural centre. Limited public transport serves Bosherton via the Coastal Cruiser bus route. Bosherton Lily Ponds, the beach at Broad Haven South and St Govans are the main (natural) attractions for people visiting the area rather than the café itself.

The proposal is considered to be in accord with Policies 6 and 54 and can be supported.

Siting, Design and Impact upon the Special Qualities of the National Park

Policy 8 of the Pembrokeshire Coast National Park Local Development Plan 2 (LDP2) is a strategy policy which refers to the special qualities of the National Park and lists priorities to ensure that these qualities will be protected and enhanced.

Policy 14 of the LDP2 seeks the conservation of the Pembrokeshire Coast National Park with criteria (a) and (b) resisting development that would cause significant visual intrusion and/or, that would be introducing or intensifying a use which is

Item 5 - Report on Planning Applications

incompatible with its location. Criteria (c) and (d) resists development that would fail to harmonise with, or enhance the landform and landscape character of the National Park and/or fails to incorporate important traditional features.

Policy 29 of LDP2 requires all development proposals to be well designed in terms of place and local distinctiveness (criterion (a)).

Parts of the Pembrokeshire Coast National Park are still relatively undeveloped with minimal impact of lighting on the night sky.

Policy 9 seeks to conserve that character and limit the impact of lighting which could negatively impact on the special qualities of the National Park.

This application makes no changes to the scale or design of the approved extension. All material planning matters regarding design and impact upon the special qualities of the national park have been considered within the delegated report for planning reference NP/21/0431/FUL for clarity these are included below. The extension of seating to the area outlined in yellow on the proposed plans is considered not to have an adverse impact upon the special qualities of the National Park and are in keeping with the immediate character of the landscape. The Special Qualities of the National Park identified in Policy 8 include a sense of remoteness and tranquillity. The original proposal included opening hours operating until 23.00 hours, which officers considered might impact negatively on tranquillity, given the location of the café within a small Rural Centre. The revised opening hours proposed (operating until 20.00 hours) are considered to sufficiently protect the special qualities of this location.

The Planning (Listed Buildings and Conservation Areas) Act 1990, requires under Part 66 that: 'in considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

As the building is Grade II listed, the Conservation Officer has assessed the design for the extensions and found that there is no harm to the Listed Building and has stated: 'the proposal is considered acceptable in terms of preserving the architectural and historic character of the property, under the provisions of Technical Advice Note 24 (The Historic Environment)'.

Objections to the design had been received within the original application from several third parties, but the Conservation Officer's judgement as to it having an acceptable impact on the Listed Building and character of the area is considered to hold significant weight.

As such, the revised development proposals are considered to preserve the character and appearance of the immediate area and the special qualities of the National Park. As such the proposed development is considered to comply with Policies 8, 9, 15 and 29 of the LDP.

Amenity and Privacy

Policy 30 of LDP2 refers to 'amenity' in general with criteria (a) and (b) seeking to avoid incompatible development and significant adverse impact upon the amenity enjoyed by neighbouring properties.

Stakepole & Castlemartin Community Council have objected to the proposal stating - *At the last community council meeting held on the 19th December the majority of the community councillors were against the proposal for the removal of clause 5 and 6 and Stakepole & Castlemartin Community Council would like to raise an objection on the grounds that there is insufficient car parking and concerns of excessive traffic*

Several of the objections referred to noise and disturbance of the café potentially becoming worse.

The use as a café predates planning controls, and the extension of the interior of the property is not likely to have an adverse impact on noise or disturbance to adjoining residents from its current existing use.

This application seeks to amend planning condition 5 so that members of the public can continue to use the central strip of land at the rear of the café. The use of this land has the potential to adversely affect the quiet enjoyment of neighbouring residential properties, especially if the use of this land continued into the late evening.

The café has 1 neighbouring residential property sharing the rear boundary of the land marked in Yellow known as Waterwynch this property is separated from the rear boundary by circa 10m, there are 3 further residential properties sharing the rear boundary marked in Blue where no development is proposed. In addition to the Northern side boundary marked in Blue on the attached location Plan there is another residential property known as School House.

Officers consider that the area of land proposed to be used for customers of the café is centrally located within the site and is adequately distanced from residential houses. To the immediate rear boundary there is an existing storage shed and toilet as well as a mature hedge. Use of this area late into the evening however has the potential to adversely affect the amenity of neighbouring properties. Officers consider use of this area up to 20.00 hours would limit this impact and would protect the special qualities of the National Park in relation to tranquility. Subject to the imposition of a condition restricting the use to 20.00pm, the proposal's impact on amenity is considered acceptable. Officers therefore consider that the revised condition limiting use of the land until 20:00hrs together with the existing boundary treatments adequately protects neighbouring residential amenity.

With the addition of conditions restricting the outside area, and hours of use, the proposed development is considered to have an acceptable impact on the amenity of adjoining occupiers and to comply with Policy 30 of LDP2.

Access and Parking

The Highways Authority have been consulted in respect to any potential impact on traffic or highway safety.

The property is located just off the main highway that runs through the village. There are limited opportunities for highway parking, there is a National Trust Car Park pay and display car park a little over 100m from the Café.

The Café benefits from a private car park for customers of the café only.

Very little increase in traffic movement is foreseen with the addition of the rear picnic area and no objection or request for conditions to the proposals has been received from the Highways Authority.

The development is therefore considered to comply with Policies 59 & 60 of the Pembrokeshire Coast National Park Local Development Plan.

Landscaping & Biodiversity

To comply with Planning Policy Wales (2021) and the Environment (Wales) Act 2016 planning authorities are expected to ensure every development positively contributes to biodiversity.

The Authority's Tree and Landscape Officer has been consulted on the previous application with regards to the submitted scheme and a condition to ensure works during construction has been suggested.

The proposal is within 500 metres of a SAC and SPA, however the nature of the proposal and its location means that no unacceptable impact is anticipated, provided lighting can be adequately controlled - the need to control lighting in this location reinforces the requirement to limit hours of use to 20,00 hours. The PCNPA Planning Ecologist has been consulted and has suggested a lighting condition to exclude exterior lighting until an approved scheme is submitted to protect bats known to be in the area.

Subject to the conditions suggested above the application is considered appropriate and to comply with Policy 9 and Policy 10 of the PCNPA LDP2.

Conclusion

The proposed development is considered to comply with all relevant LDP policies and the application is therefore recommended for approval subject to appropriate conditions.

In reaching a recommendation, regard has been given to the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. It is considered that this recommendation is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities

Recommendation

APPROVE, subject to the following conditions:

1. The development shall begin not later than five years from the date of this decision.

Reason: Required to be imposed pursuant to Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2. The development shall be carried out in accordance with the following approved plans and documents:

Revised Location Plan 001

Rev L received 6 December 2022.

Reason: In order to be clear on the approved scheme of development in the interests of protecting visual amenity and the special qualities of the National Park. Policy: Local Development Plan 2 – Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 14 (Conservation of the Pembrokeshire Coast National Park) and 29 (Sustainable Design).

3. No development shall take place until a qualified and competent archaeologist has submitted a written scheme of investigation (WSI) for approval in writing by the local planning authority. This WSI will describe the different stages of the work and demonstrate that it has been fully resourced and given adequate time. On behalf of the local planning authority, their archaeological advisors (DAT DM) will monitor all aspects of this work through to the final discharging of the condition. This work will not be deemed complete until all aspects of the WSI have been addressed and the final report submitted and approved.

Reason: to protect historic environment interests whilst enabling development and in accordance with the The Historic Environment (Wales) Act 2016.

4. All retained trees, hedgebanks and hedge boundary features and/or any trees whose canopies overhang the site shall be protected by strong fencing in accordance with BS5837: 2012 Trees in relation to design, demolition and construction – Recommendations for the duration of the development to be agreed in writing with this authority prior to commencement. The fencing shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority. Details of all proposed landscaping is to be agreed in writing with this authority prior to commencement.

Reason: In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity,

Item 5 - Report on Planning Applications

landscape and biodiversity value. Local Development Plan 2 – Policies: 1 (National Park Purposes and Duty), 8 (Special Qualities), 14 (Conservation and enhancement of the Pembrokeshire Coast National Park), 30 (Amenity), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009), Technical Advice Note (TAN) 10: Tree Preservation Orders (1997).

5. The building as extended, and the external seating areas and picnic area (as marked in green and yellow on the location plan) shall not be accessed by members of the public outside the following times: 9:00am to 20:00pm, on any day.

Reason: In order to protect the residential amenity of adjoining neighbouring properties and in accordance with Policy 30 of LDP2.

6. There shall be no external seating provided within the rear garden (as marked in blue on the location plan) or use of the rear garden by members of the public in association with the cafe use.

Reason: In order to protect the residential amenity of adjoining neighbouring properties and in accordance with Policy 30 of LDP2.

7. Prior to the erection of any external lighting on the building as extended, a light mitigation strategy, including measures to reduce light spillage shall be submitted to and approved in writing by the local planning authority. The development shall be carried out and retained in perpetuity in accordance with the approved details.

Reason: To ensure that animal and plant species and habitats listed under the Conservation of Habitats and Species Regulations 2010 are adequately protected, and to protect and enhance the character and appearance of the site and its setting within the Pembrokeshire Coast National Park. Policy: Local Development Plan 2 – Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 9 (Light Pollution) 12 (Local Areas of Nature Conservation or Sites of Geological Interest) and 14 (Conservation of the Pembrokeshire Coast National Park).

8. The roof shall be covered with natural slates and retained as such thereafter.

Reason: To ensure a proper standard of development and appearance in the interests of conserving the amenities and architectural character of the area. Local Development Plan, Policies 1 - National Park Purposes and Duty, 7 - Countryside, 8 - Special Qualities, 11 - Protection of Biodiversity, 15 - Conservation of the Pembrokeshire Coast National Park, 29 - Sustainable Design 30 - Amenity.

Natural Resources Wales Informative:

Warning: An European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

Item 5 - Report on Planning Applications

It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/protected-specieslicensing/european-protected-species-licensing/information-on-european-protectedspecies-licensing/?lang=en>.

Development should not be commenced until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorising the specified activity/development to go ahead.

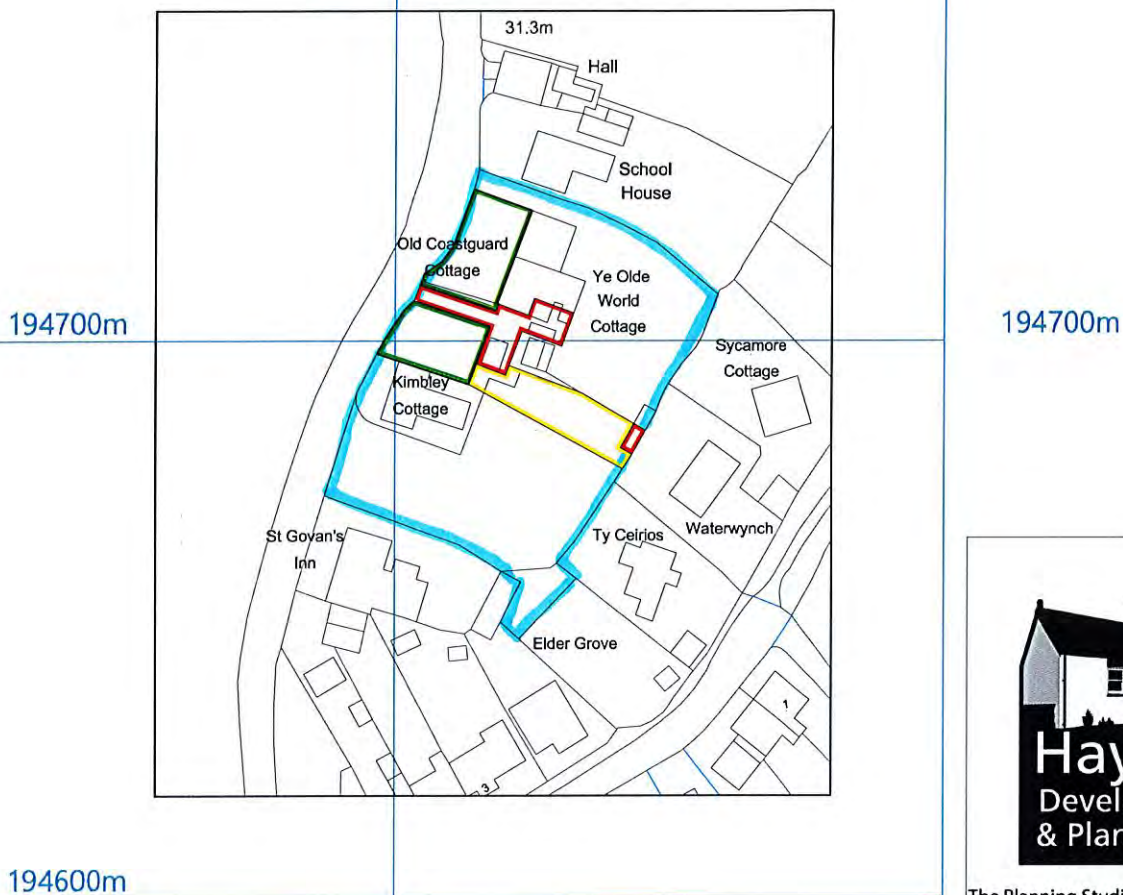
Please note that any changes to plans between planning consent and the licence application may affect the outcome of a licence application.

Blue line - update 6/12/2022



196600m 196700m
194800m 194800m

- existing outside tables and chairs
- proposed picnic areas (summer only)



194600m 196600m 19670

©Crown Copyright and database rights 2020 OS Licence no. 10001998



The Planning Studio, Hayston Bridge
Johnston, Haverfordwest
Pembrokeshire SA62 3HJ
01437 891 817
07515 851 704
andrew@haystonplanning.co.uk
www.planningpembrokeshire.co.uk

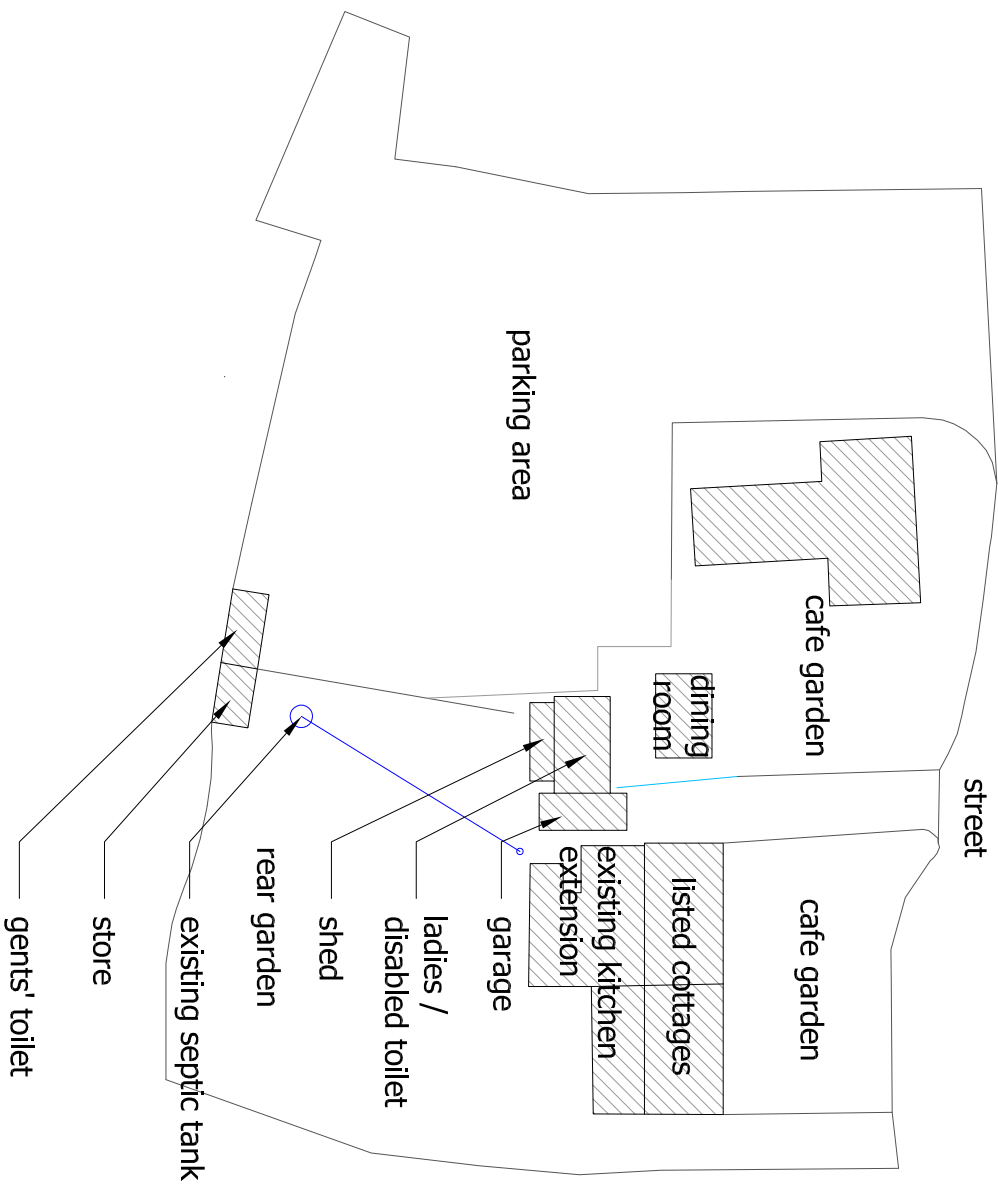
sureline
DESIGN SERVICES LTD

Tel: 07826 705493
E-mail: mail@sureline.org.uk

Site: Ye Olde Worlde Cafe
Job: Extension
Client: Mr Kim Weston

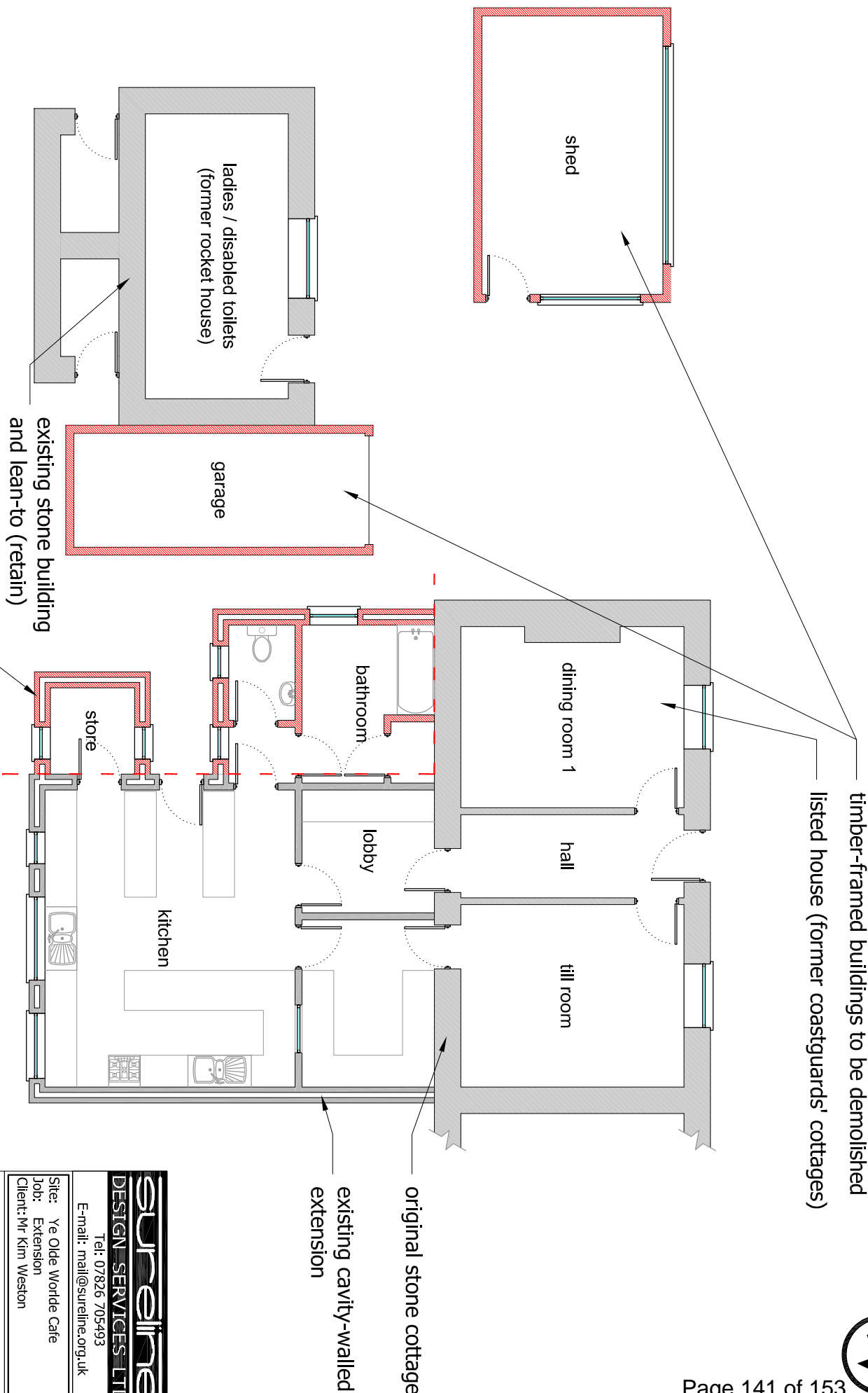
Drgs: Location plan
File: Bosherton
Scale: 1:1250
Date: 09/11/22 Drn: MDH
Drg no: 001 REV: L

Section 73 application to delete and
amend Conditions 5 & 6 of
Planning Approval NP/21/0431/FUL



sureline DESIGN SERVICES LTD	
Tel: 07826 705493 E-mail: mail@sureline.org.uk	
Site: Ye Olde Worlde Cafe Job: Extension Client: Mr Kim Weston	
Drgs: Block plan	File: Bosherton
Scale: 1:500	Date: 28/06/21
Drg no: 002	Drm: MDH REV: K

Note: structures to be removed are shaded red



sureline
DESIGN SERVICES LTD

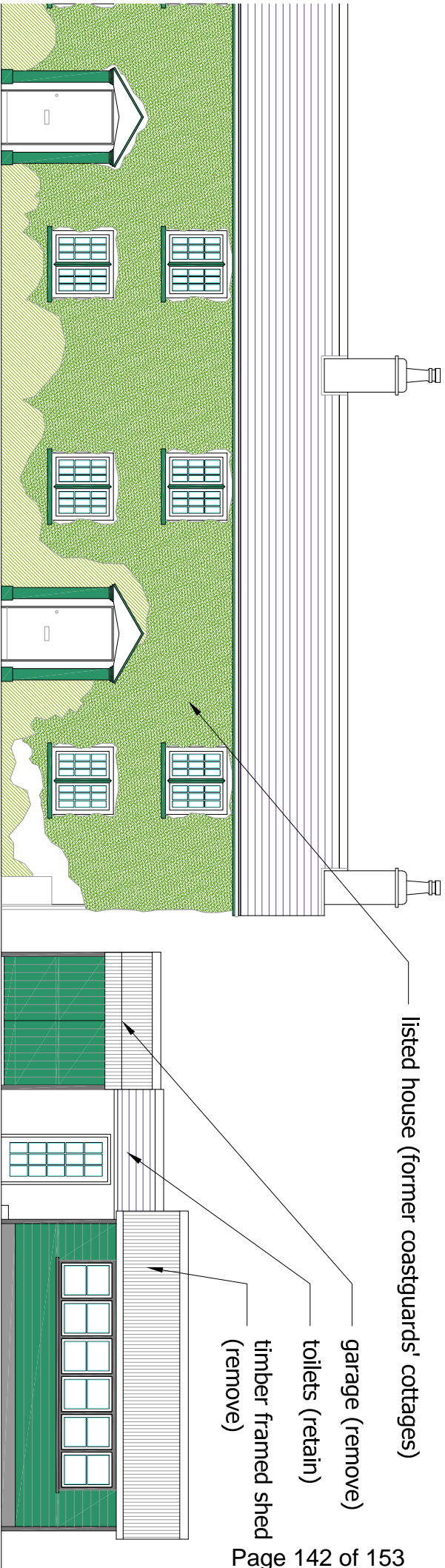
Tel: 07826 705493
E-mail: mail@sureline.org.uk

Site: Ye Olde Worlde Cafe
Job: Extension
Client: Mr Kim Weston

Drgs: Existing floor plans
File: Bosherton
Scale: 1:100 (A4)
Date: 28/06/21

Drn: MDH
REV: K

Existing elevations



garage (remove)

toilets (retain)

timber framed
shed behind
(remove)

listed house (former coastguards' cottages)

rear elevation (East)

existing rear extension (retain)

existing rear extensions (remove)

sureline
DESIGN SERVICES LTD

Tel: 07826 705493

E-mail: mail@sureline.org.uk

Site: Ye Olde Worlde Cafe

Job: Extension

Client: Mr Kim Weston

Drgs: Existing elevations (1 of 2)

File: Bosherton

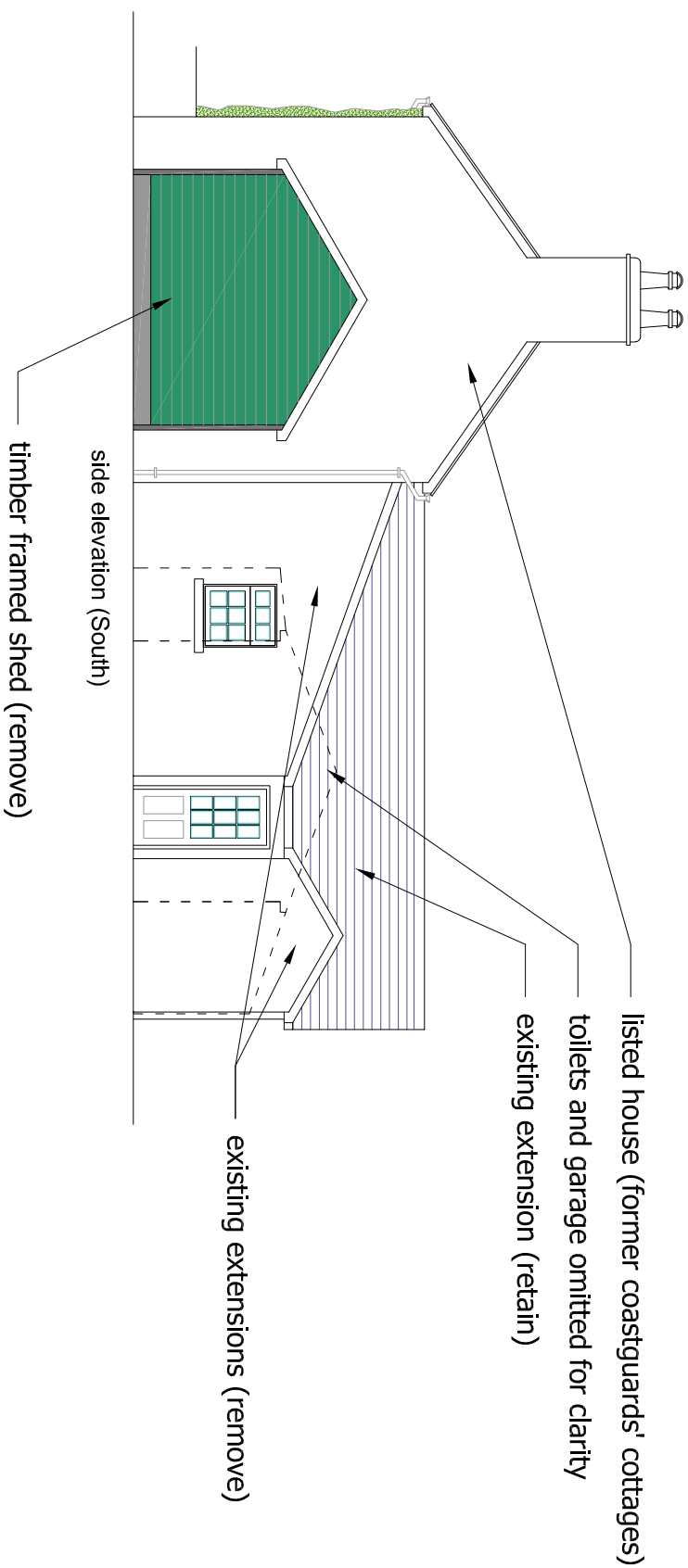
Scale: 1:100 (A4)

Date: 28/06/21

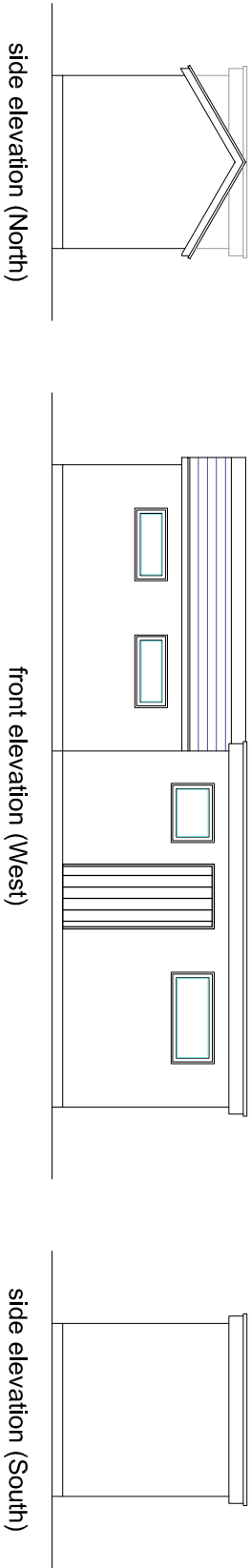
Drg no: 201

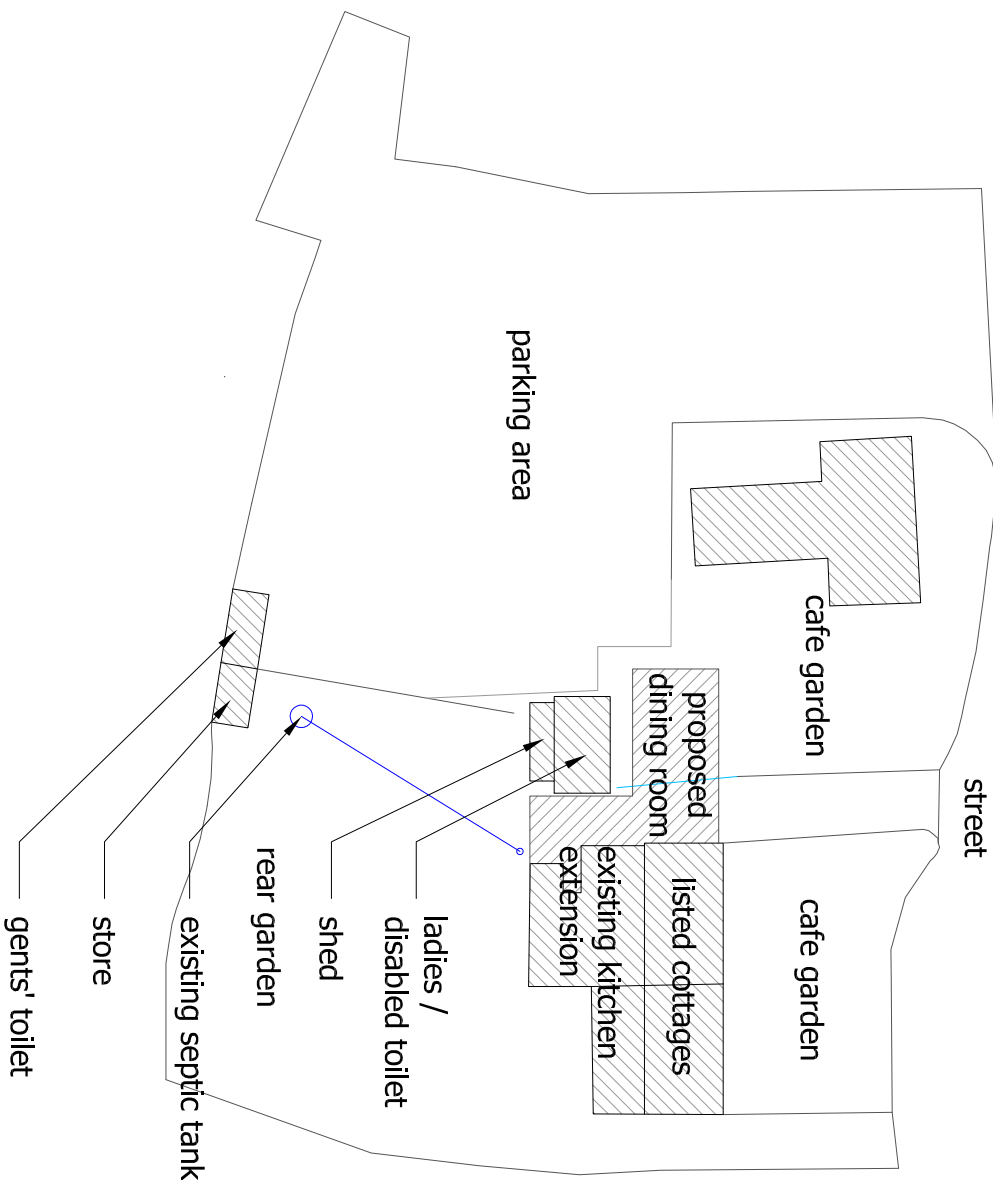
Drm: MDH

REV: K



Existing elevations (gents' toilets and store - retain but re-roof)



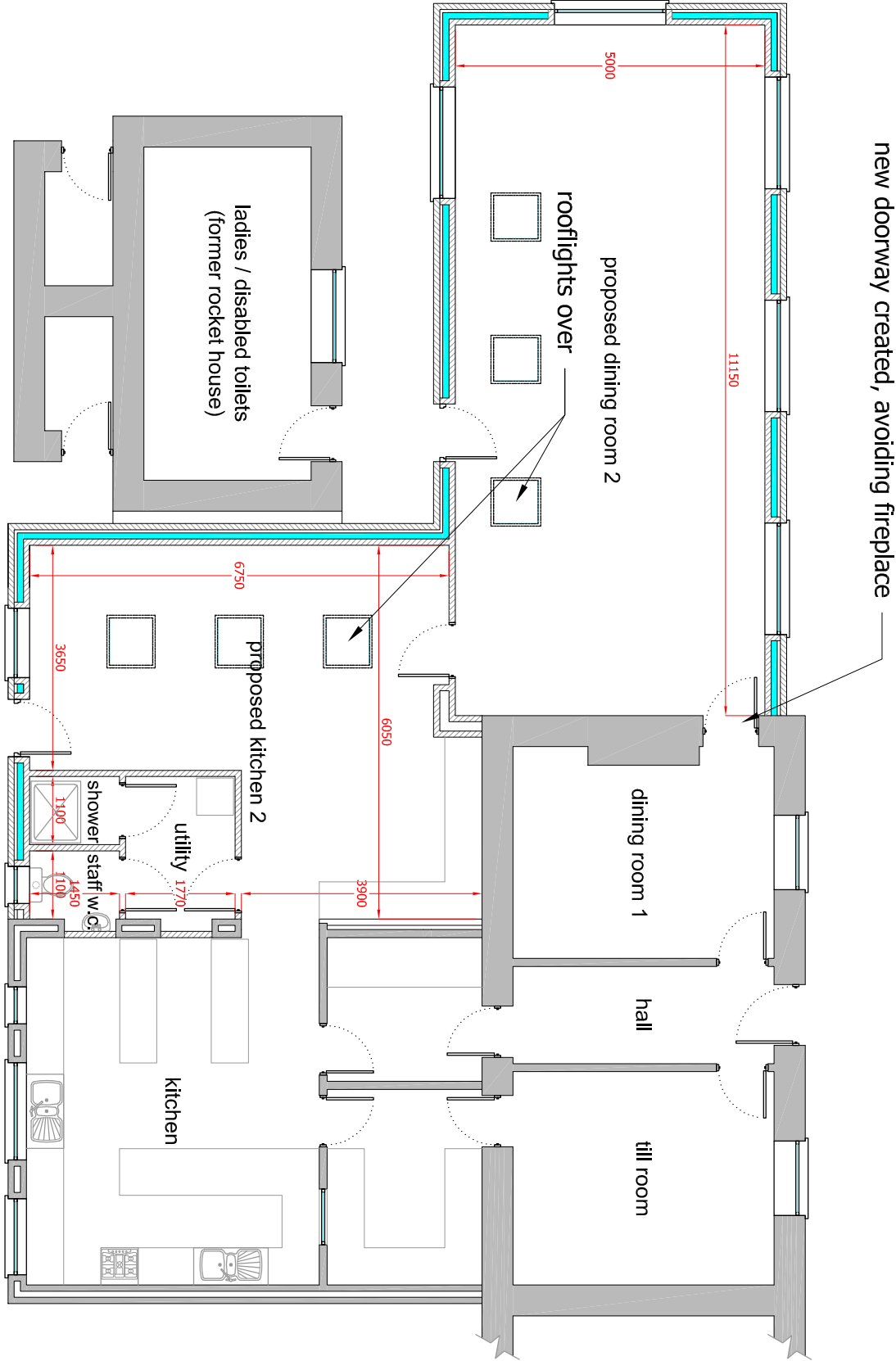


APPROVED PLAN 24/02/2022

sureline DESIGN SERVICES LTD	
Tel: 07826 705493 E-mail: mail@sureline.org.uk	
Site: Ye Olde Worlde Cafe Job: Extension Client: Mr Kim Weston	
Drgs: Block plan (proposed) File: Bosherton Scale: 1:500 Date: 28/06/21 Drm: MDH REV: K	



APPROVED PLAN 24/02/2022



sureline
DESIGN SERVICES LTD

Tel: 07826 705493
E-mail: mail@sureline.org.uk

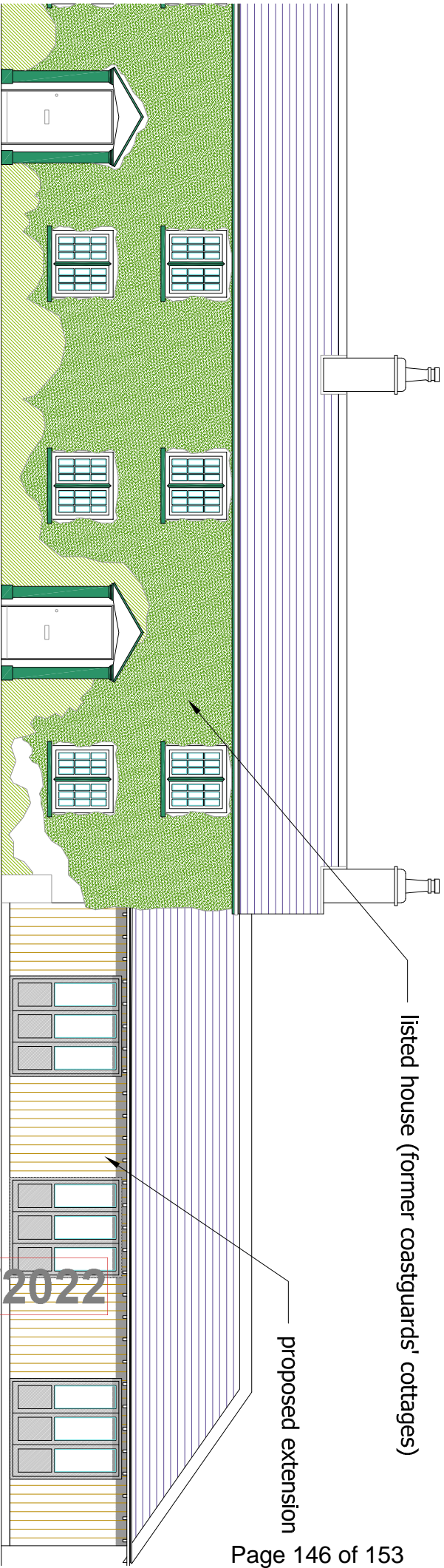
Site: Ye Olde Worlde Cafe
Job: Extension
Client: Mr Kim Weston

Drgs: Proposed floor plans
File: Bosherton
Scale: 1:100 (A4)
Date: 28/06/21

Drm: MDH
REV: K

Drg no: 102

Proposed elevations



bat brick
proposed dining room
proposed kitchen
existing ladies / disabled
toilets and lean-to

existing extensions removed shown dashed

rear elevation (East)

existing rear extension

APPROVED PLAN 24/02/2022

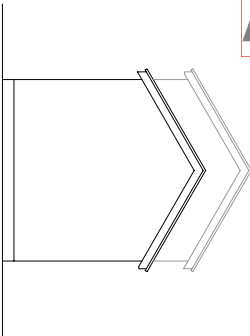
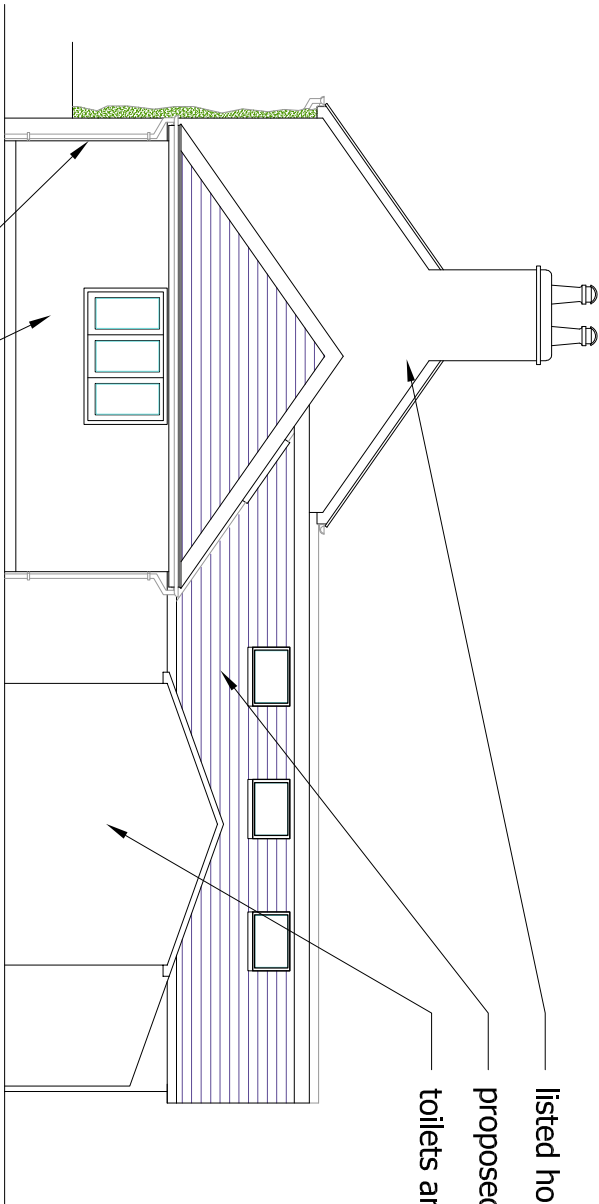
sureline	
DESIGN SERVICES LTD	
Tel: 07826 705493	
E-mail: mail@sureline.org.uk	
Site: Ye Olde Worlde Cafe	
Job: Extension	
Client: Mr Kim Weston	
Drgs: Propd. elevations (1 of 2)	
File: Bosherton	
Scale: 1:100 (A4)	
Date: 28/06/21	
Drm: MDH	
REV: K	

Proposed elevations

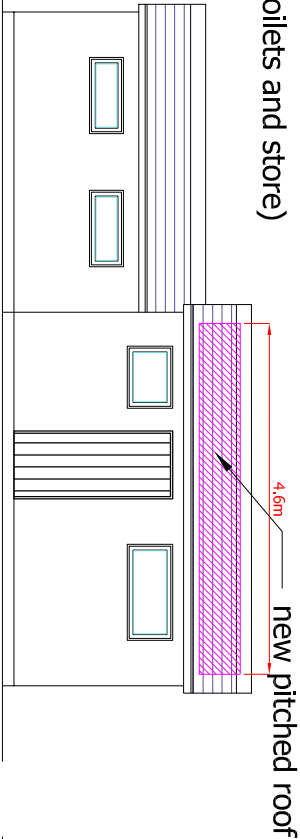
Lighting notes:

- Any new external wall lights on the houses and/or outbuildings should be mounted no higher than 2 metres above ground level and be hooded and/or downward pointing so as not to cast light upwards, illuminating bat access points and flight lines.
- Any new post lights should be low level (max 1.3 metres) and shaded to cast light downwards onto paths.
- Any motion-sensitive lights should be set to stay on for a maximum of 1 minute when triggered.

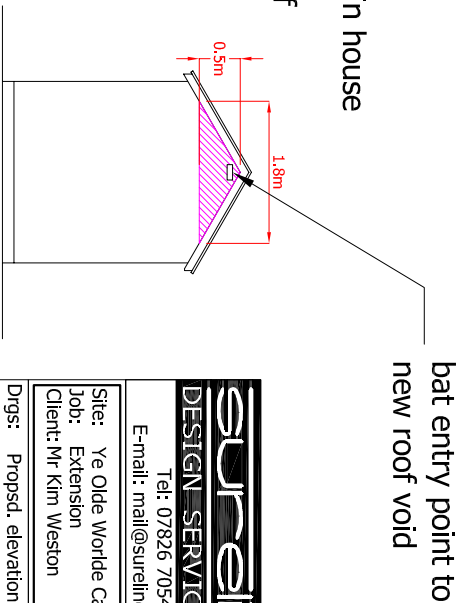
APPROVED PLAN 24/02/2022



side elevation (North)



front elevation (West)



side elevation (South)



DESIGN SERVICES LTD

Tel: 07826 705493

E-mail: mail@sureline.org.uk

Site: Ye Olde Worlde Cafe

Job: Extension

Client: Mr Kim Weston

Drgs: Propsd. elevations (2 of 2)

File: Bosherton

Scale: 1:100 (A4)

Date: 28/06/21

Drm: MDH

Drg no: 204 REV: K