

Pembrokeshire Coast National Park Authority
Development Management Committee
7 June 2023

Report of the Development Management Manager

Subject: Enforcement EC21/0170 – Land at Overhaven House, Blockett Lane, Little Haven

Reason for Referral to Committee

This report provides an update to the Development Management Committee on an enforcement matter. It is referred to Development Management Committee as the Director for Placemaking, Decarbonisation and Engagement and the Chief Executive considers that it raises matters of significant public and/or Member interest or is considered to be contentious or controversial.

Breach: A range of planning breaches have been identified and are set out in the report below.

Background

Members may recall that this matter was the subject of a report to this Committee on 22nd June 2022. At that meeting, members resolved to authorise instructions for solicitors to commence prosecution proceedings in the Magistrates Court for the non-compliance with Enforcement Notice EC21/0170 (dated 23rd March 2022).

The Enforcement Notice related to the unauthorised erection of 2 no. pole mounted CCTV cameras and the erection of a 2.7 metre high metal fence enclosure along the western and northern boundary of the property known as Overhaven House, Blockett Lane, Little Haven.

The case was heard at the Haverfordwest magistrates court on 4th May 2023 in which the defendant pleaded guilty for the non-compliance of the Enforcement Notice issued on 23rd March 2022.

At the same court hearing, charges had also been brought against the defendant by the National Park Authority concerning the unauthorised display of numerous advertisement signs in contravention of Regulation 5 of the Town and Country Planning (Control of Advertisements) Regulations 1992, made under section 220 of the Town and Country Planning Act 1990 (as amended). The defendant also pleaded guilty to eleven charges relating to the unauthorised signage. The defendant pleaded not guilty to a further two charges relating to unauthorised signage, which were dropped. All unauthorised signage had by then been removed and the height of the fence reduced.

The court imposed a six-month conditional discharge on the defendant and was ordered to pay the full prosecution costs of £2,783.37 to the National Park Authority and a surcharge of £26.

Whilst the Enforcement Notice relating to the CCTV cameras and fence has not been complied with, the defendant has reduced the height of the fence and intimated that it is his intention to appeal against an earlier planning application (NP/22/0591/FUL) for retention of the CCTV cameras and the fence at the reduced height which was refused on 9th February 2023. The application was submitted on 'householder' application forms for which the appeal period is 12 weeks. The application was refused by National Park officers under delegated powers as the submitted scheme was considered to being detrimental to the amenity of neighbours and to the wider visual amenity of the Pembrokeshire Coast National Park.

At the time of writing this report, this authority has yet to receive any written confirmation that an appeal has been made to PEDW (Planning and Environment Decisions Wales).

In the absence of a valid appeal being made to PEDW within the allowed timescale, Officers will write to the offender reminding him that the Enforcement Notice remains in force and requiring him to remove the CCTV cameras and fence within a short timescale (i.e. 28 days) or face further prosecution in the Magistrates Court for failing to comply with the Enforcement Notice.

Recommendation:

That the Development Management Committee

a) note the contents of the report above

Where appropriate, updates will be provided at future Development Management Committee meetings.