

**Application Ref: NP/22/0319/FUL**

**Case Officer** Sara Thomas  
**Applicant** Mr B Summons  
**Agent** Mr H Coombe, Heath Coombe Architecture  
**Proposal** Retrospective planning application for the subdivision of single dwelling into two dwelling houses  
**Site Location** 7, Holbrook Close, Broad Haven, Haverfordwest, Pembrokeshire, SA62 3JE  
**Grid Ref** SM86711401  
**Date Valid** 23-Sep-2022                      **Target Date** 31-Aug-2023

**This item is being considered by the Development Management Committee because The Havens community council have raised concerns regarding overdevelopment and the use of the property as a substantial commercial holiday let with noise and amenity impacts.**

**Consultee Response**

**The Havens Community Council:** Objecting  
**Coal Authority:** No objection  
**PCC - Drainage Engineers:** No adverse comments  
**PCNPA Park Direction:** No objection  
**PCC - Transportation & Environment:** Conditional Consent  
**Dwr Cymru Welsh Water:** Conditional Consent  
**Dwr Cymru Welsh Water:** No adverse comments

**Public Response**

A site notice and neighbour notification letters were posted in accordance with requirements of the Town and County Planning (Development Management Procedure) (Wales) Order 2012. Approximately 6 letters of objection have been received to the original submission and the amended plans, their comments are summarised below:

- Overcrowding / overdevelopment
- Inadequate parking
- Increased noise and disturbance
- Excess vehicles
- Property is used for holiday accommodation
- Visual intrusion
- Intensification of use
- Contrary to policy for self-catering development
- Covenants prevent commercial use

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### **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](#)

Future Wales - The National Plan 2040 (FW which was adopted on 24th February 2020

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 11 - Nationally Protected Sites and Species

LDP2 Policy 12 - Local Areas of Nature Conservation/Sites of Geological Interest

LDP2 Policy 14 - Conservation of the Pembrokeshire Coast National Park

LDP2 Policy 29 - Sustainable Design

LDP2 Policy 30 - Amenity

LDP2 Policy 32 - Surface Water Drainage

LDP2 Policy 34 - Flooding and Coastal Inundation

LDP2 Policy 46 - Housing

LDP2 Policy 48 - Affordable Housing

LDP2 Policy 59 - Sustainable Transport

LDP2 Policy 60 - Impacts of Traffic

PPW11

SPG01 - Affordable Housing

SPG12 - Place Plan - Community Land Trust & Affordable Housing

SPG16 - Sustainable Design & Development

TAN 05 - Nature Conservation and Planning

TAN 12 - Design

### **Constraints**

Safeguarding Zone

Hazardous Zones

Recreation Character Areas

Low Coal Risk

Surface Coal

High Coal Risk

Affordable Housing Submarkets

Seascape Character Areas

Landscape Character Area

## **Officer's Appraisal**

### **Site and Context**

The application site is situated at 7 Holbrook Close, within the Rural Centre of Broad Haven. The site relates to a two storey, detached dwelling, which adjoins highways to the south and west. A grass verge is situated to the east, with the B4341 beyond and 6 Holbrook Close to the north of the site. Vehicular access is provided along the southern boundary, with a large off-street car parking area.

### **Relevant History**

NP/21/0321/FUL – Retrospective planning application for existing boundary wall, summer house/children's playhouse and raised decking area – Approved 29th October 2021

NP/17/0029/NMA – Reduce the height by 1100mm over the swimming pool addition of NP/16/0531/FUL – Approved 16th February 2017

NP/16/0531/FUL – Garage conversion with swimming pool addition – Approved 24th November 2016

### **Current Proposal**

Retrospective planning permission is sought for the sub-division of the existing property into 2 dwellings. Dwelling 1 provides a cloak room and 4 bedrooms at ground floor level and a kitchen and dining area/lounge at first floor level. Dwelling 2 provides a lounge/kitchen/dining area, cloak room with 1 bedroom at ground floor level and 3 en-suite bedrooms at first floor level. The existing swimming pool and sunroom will be a shared area for both dwellings. There are no external alterations proposed. Amenity space is provided to serve each dwelling, with 3 car parking spaces illustrated to serve dwelling 1 and 4 spaces for dwelling 2.

This is an amended application as the original submission failed to correctly annotate all of the rooms used as bedrooms. The amended plans have also annotated additional car parking spaces within the site.

### **Key Issues**

The primary issues in the considerations of this application are:

- Principle of Sub-Division
- Use Class and Holiday Let Use
- Impact on the Character of the Surrounding Area
- Residential Amenity
- Affordable Housing
- Highway Safety

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### *Principle of Sub-Division:*

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.

The property lies within the Centre Boundary of Broad Haven Rural Centre as defined by Local Development Plan 2. Policy 6 of the LDP sets out the land use priorities for Rural Centres and includes: providing for and permitting housing to facilitate the delivery of affordable housing for the local area and to ensure developments permitted contribute to the protection and enhancement of the special qualities of the Centre.

Policy 50 Housing Development proposals sets out where housing development proposals will be permitted. Locations supported by the policy include suitable sites within a Centre boundary.

The sub-division of a single dwelling into 2 dwellings is considered acceptable in principle within a Centre boundary, subject to detailed considerations of amenity and design, which are assessed below.

### *Use Class and Holiday Let Use:*

#### a) Existing use

It is noted that the application is retrospective and was submitted following enforcement reports and investigations.

A number of objections have been received in relation to the use of the property as a holiday let. The Authority has received a significant number of complaints from neighbouring local residents about noise levels and disturbance associated with this commercial letting.

The existing property is considered to have moved from a C3 use within the Use Class Order 1987 (as amended) to a Sui Generis use without planning permission.

The existing dwelling is large and the Authority has been made aware of it being advertised as having the potential to accommodate up to 17 people as a single holiday let unit. Objectors have requested that the Authority use its enforcement powers to prevent the current use of the single property as a holiday let and refuse the application for retrospective permission to sub-divide the accommodation into two properties.

The Authority has undertaken enforcement investigations against the property and considers that it is able to demonstrate that a material change of use from C3 (dwelling house), C5 (second home) and C6 (short-term commercial let) use classes in the 1987 use class order (as amended) has taken place. This is based on the pattern of arrivals and departures, with associated traffic movements; the lack of occupation by family or household groups; the numbers of people constituting the visiting groups on many occasions; the frequency of party type activities, and the lack of consideration for neighbours. It is clear that the activity of people living in the property whilst enjoying their holiday has included exuberant activities and that the reasonableness of individuals and their ability to judge what is appropriate behaviour has been diminished when they feel in a holiday spirit. Officers of the Authority

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consider that based on the way in which the property has been operating since 2020 as evidenced by adverts on Air BnB and complaints from neighbouring properties, there has been an unauthorised material change of use from C3/C5/C6 use to a Sui Generis party house use. This is evidenced by the size of groups visiting, the pattern of use including weekend breaks and an intensification of the use of the property with rooms described on the original planning permission as for use for rooms such as a study being used instead as additional bedrooms. Reports of party type activities on weekends and associated noise complaints support evidence of a change of use. The overall intensification and change of character with associated noise and disturbance is considered by Officers to indicate an unauthorised change of use to Sui Generis Party House.

The use of the property for commercial letting is not considered to have moved to Use Class C1 (Hotels or guest houses) as suggested by an objector, as the property has been let as a single property, rather than let as separate individual rooms. There has also been no proprietor on site and no provision of services such as food.

The use of the property is not considered to have moved into Use Class C4 House in multiple occupation, because as stated above, the property has been let as a single commercial unit and not as individual bedrooms with separate locks on the door.

Additionally, the pattern of use has been short-term letting for periods of less than 31 days for each period of occupation.

In Wales, there is a specific use class (Use Class C6 short-term let) which describes the use of a dwellinghouse for commercial short-term letting for not longer than 31 days for each period of occupation. There is permitted development to move between Class C3, Class 5 and Class 6.

The Authority contends that to have permitted development rights to move from C3 to C6 use both the C3 use and the C6 use must accord with the definition of the use of a dwelling house under Class C3. This use is defined as a single person or people regarded as forming a single household; or not more than six residents living together as a single household where care is provided for residents; or not more than six residents living together where no care is provided to residents. The size of the current property sleeping 17 people and being used by groups typically significantly larger than a standard family unit is considered a material change of use away from a C3 dwelling house and does not accord with the C6 use envisaged by the permitted development rights.

The property therefore has a lawful use as a C3 dwelling house but has been operating in a different manner to its permitted use. Permitted development rights accordingly do not apply for the type of use the property is currently in.

### b) C3 Use Restrictions

In March 2023 the National Park Authority considered a report on “The implications of recent Welsh Government Legislative and Planning Policy Changes in relation to Second Home as and Short-term lets”. The recommendation of the report was that Members noted its contents and supported actions in relation to:

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- Further exploration of data and evidence that might in form the establishment of an Article 4 Direction
- The imposition of planning conditions is considered on applications for planning permission on a case-by-case basis via normal development management procedures.

A report considering the prevalence of second homes and short-term lets in Broad Haven is set out in Addendum A attached to this report. In summary there is limited evidence to support the imposition of a condition restricting the use of one of the sub-divided properties to C3 use only, without the ability to move to C5 or C6 use as the percentage of properties in Broad Haven Centre Boundary (36.58%) is only fractionally higher than the baseline assumptions used for the LDP2 evidence base (35.63%).

There may however be justification for the imposition of a condition in this case based on amenity concerns – these are discussed in greater detail below.

One of the objections received has stated that there is a covenant on the properties restricting commercial use, however the Planning Authority in the National Park cannot enforce private covenants and that is a civil rather than a planning matter.

### *Impact on the Character of the Surrounding Area:*

Policy 8 of LDP2 is a strategic policy which refers to the special qualities of the National Park and lists priorities to ensure that these special qualities will be protected and enhanced.

There are no external alterations proposed to the existing dwelling and therefore it is not considered that the proposal will have a detrimental impact on the character of the dwelling or the visual amenity of the surrounding area. The dwelling is situated within a large plot and provides adequate amenity space to serve each dwelling. The proposal is therefore not considered overdevelopment of the application site. No formal plans indicating how the garden area will be divided have been submitted – indeed it is suggested that this will be a shared space - and in the interests of protecting neighbouring amenity between the two sub-divided properties this is recommended as a condition to any permission.

A number of objections have been received in relation to the proposal from the neighbouring properties and The Havens Community Council. Some of the comments relate to the planning application being retrospective and that the owner has previously undertaken works prior to receiving planning permission. In this instance, there were enforcement investigations and a retrospective planning application has been submitted. The retrospective nature of the application is not considered material and the starting point for consideration of the application is that the properties lawful use is C3, that the existing use falls outside that and that the property does not benefit from permitted development rights.

### *Residential Amenity:*

Policy 14 of the LDP2 seeks the conservation of the Pembrokeshire Coast National Park with criteria 'b' resisting the intensification of a use which is incompatible with its location.

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Policy 30 of the LDP 2 does not permit development which has an unacceptable adverse effect on amenity, particularly where the development has a detrimental impact on the quality of the environment currently enjoyed by people living in the National Park or leads to increase in traffic or noise which has a significant adverse effect.

Objections received from the neighbouring properties refer to the increased noise and disturbance from the property. The existing dwelling is large and its sub-division will result in the creation of 2 dwellings providing 4 bedrooms and 3 bedrooms each. It is considered that the sub-division of a single large property into two smaller properties is likely to reduce the likelihood of a single large group occupying the property with associated noise and disturbance levels.

As set out above, the prevalence of second homes and holiday let use in Broad Haven is broadly in line with assumptions built into the LDP 2 Housing Requirement and on this basis alone there is limited justification for a condition restricting use to C3 dwelling house only for one property. However, the Authority has also considered whether or not a condition is reasonable in the light of amenity concerns raised by neighbouring properties regarding its use. It is considered likely that the sub-division if controlled by a condition restricting the use of one property to a primary dwelling without permission to move to a second home or short-term let is likely to result in lower amenity impacts on neighbouring properties.

In order to further control potential impacts on amenity, an additional condition preventing the use of both properties together as a single dwelling is recommended.

### *Affordable Housing:*

The sub-division of the dwelling results in the creation of a new residential unit. In accordance with Policy 48 of the Local Development Plan and the Authority's Supplementary Planning Guidance on Affordable Housing, a financial contribution towards off-site affordable housing will normally be required.

In this case however, given the unique circumstances and the need to expedite the resolution of local amenity concerns, no affordable housing contribution is proposed to be sought.

### *Highway safety:*

The proposal will provide 3 and 4 car parking spaces for each dwelling, using the existing access from the highway. The access and number of car parking spaces is considered acceptable to serve the use and the proposed development will not have a detrimental impact on highway safety, as confirmed by the Highway Authority.

### **The Coal Authority**

The Coal Authority records indicate that the application site is likely to have been subject to historic unrecorded coal mine workings at shallow depth associated with a thick coal outcrop. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases. The site also lies within a Surface Coal Resource Zone. The Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the

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application site and submits a Coal Mining Risk Assessment to support the planning application. However, when considering this particular proposal, the application is purely for a sub-division of an existing building. There will be no operational development resulting from this proposal that materially intersects the ground and could therefore present risks to the coal mining features. Accordingly, it is not considered that a Coal Mining Risk Assessment is necessary for this proposal and The Coal Authority do not object to the planning application.

### Conclusion

The proposed development is considered acceptable in terms of the principle of subdividing the existing dwelling into 2 dwellings. Planning conditions restricting the use of one of the properties to C3 dwelling house only and removing permitted development rights to change use to C5 and C6 are recommended to ensure neighbouring amenity is protected. A further condition preventing the use of both properties together as a single dwelling will also protect neighbouring residential amenity. Subject to the imposition of these conditions it is considered that the proposal will not have a detrimental impact on the character of the surrounding area or the residential amenity of any neighbouring properties in accordance with the policies of the Local Development Plan.

### Recommendation

APPROVE, subject to the following conditions:

1. The development shall be carried out in accordance with the following approved plans and documents:  
Drawing No.007 Rev.A 'Proposed Site Plan' dated September 2022 (received 06/07/2023)  
Drawing No.008 'Proposed East Elevation & Proposed North Elevation' dated April 2022  
Drawing No.009 'Proposed West Elevation & Proposed South Elevation' dated April 2022  
Drawing No.010 'Proposed Ground Floor Plan' dated April 2022  
Drawing No.011 'Proposed First Floor Plan' dated April 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).
2. Within 2 months of the date of this decision, the parking spaces shown on Drawing No.007 Rev.A dated September 2022 hereby approved, shall be marked out and shall thereafter be retained for the purpose of car parking.  
**Reason:** To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area. Policy: Local Development Plan - Policy 60 - Impacts on Traffic.
3. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.



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**Reason:** To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment. Policy: Local Development Plan - Policy: 32 (Surface Water Drainage).

- Property 1 shall be used for Use Class C3 only, and for no other purpose (including any other purpose in class C5 or C6 or a mix of C3, C5 and/or C6 uses) notwithstanding Part 1 Class I of the schedule to the Town and Country Planning (Use Classes) Order 1987 as amended (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).

**Reason:** This permission has been granted having regard to the special circumstances of the case and use not in accordance with the requirements of the condition would require the further consideration of the Local Planning Authority in the light of the Local Development Plan 2 and any other material considerations. Policy: Local Development Plan 2 – Policy 7 (Countryside) Policy 30 (Amenity), Policy 40 (Self-catering Development) and Policy 52 (Housing Mix).

- The development hereby permitted shall be carried out in accordance with the approved plans and at no time shall there be any amalgamation of the two individual dwellings hereby approved or use of the two individual dwellings hereby approved as a single property.

**Reason:** In order to protect residential amenity and in accordance with Policy 30 (Amenity) of the Pembrokeshire Coast National Park Local Development Plan 2.

- Within 3 months of the date of this decision, a scheme identifying a boundary treatment to separate the gardens of the two properties hereby permitted shall be submitted to the Local Planning Authority in writing. The scheme thereby approved shall be implemented within 12 months of this decision and retained as such in perpetuity.

**Reason:** In order to protect residential amenity and in accordance with Policy 30 (Amenity) of the Pembrokeshire Coast National Park Local Development Plan 2

- Notwithstanding the provisions of schedule 2, part 1, class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no buildings shall be erected other than those existing.

**Reason:** In order to protect residential amenity and in accordance with Policy 30 (Amenity) of the Pembrokeshire Coast National Park Local Development Plan 2.

### **Informative**

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily

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visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action

Property specific summary information on past, current and future coalmining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

## Addendum A

NP/22/0319/FUL Proposal: Retrospective planning application for the subdivision of single dwelling into two dwelling houses. Location: 7, Holbrook Close, Broad Haven, Haverfordwest, Pembrokeshire, SA62 3JE

**The Town and Country Planning (General Permitted Development etc.) (Amendment) (Wales) Order 2022) No.994 (W.211) and No.997 (W.213) Changes to Planning Policy Wales (PPW) section 4.2 Housing regarding: affordability and the impact of second homes and short term lets.**

Two new Statutory Instruments were introduced in October 2022 which create new use classes C5 and C6.

The three uses now included are:

- Use class C3 (dwelling houses; used as sole or main residences occupied for more than 183 days in a calendar year).
- Use class C5 (Dwelling houses; used otherwise than as sole or main residences covering a dwellinghouse other than as a sole or main residence and occupied for 183 days or fewer in a calendar year i.e., second homes)
- Use class C6 (Short-term lets, covers the use of a dwellinghouse for commercial short-term letting not longer than 31 days for each period of occupation).

Simultaneously Welsh Government amended the Town and Country Planning (General Permitted Development) Order 1995 to allow permitted changes between the new use classes – C3, C5 and C6 or a mixture of those uses. These permitted changes can be withdrawn by way of a direction made under article 4 of the 1995 Order.

The Welsh Government also amended Planning Policy Wales to reflect the legislative changes. These policy changes make it explicit that, where relevant, the prevalence of second homes and short-term lets in a local area must be taken into account when considering housing requirements and policy approaches in Local Development Plans.

The permitted changes between the C3, C5 and C6 use classes, or a mix thereof, in the 1995 Order may also be removed by the Authority by way of planning conditions to restrict the use of a development to one particular use class within the Order, effectively preventing the ability to move between uses without planning permission.

Planning conditions are subject to a number of tests established in the Welsh Government circular WGC016/2014 'The Use of Planning Conditions for Development Management'<sup>1</sup> so any condition imposed would need to meet the tests, that conditions must be: (i) necessary; (ii) relevant to planning; (iii) relevant to the

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<sup>1</sup> [Microsoft Word - Planning Conditions Circular - The Use of Planning Conditions for Development Management - Publication version without front cover 20141006.docx \(gov.wales\)](#)

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development to be permitted; (iv) enforceable; (v) precise; and (vi) reasonable in all other respects.

Officers have considered the appropriateness of applying conditions to control occupancy given the amendments to the Use Classes Order 1987 which provides for the three use classes.

The relevant policies from the Local Development Plan that apply are:

**Policy 46 Housing (Strategy Policy):** When the Pembrokeshire Coast National Park Local Development Plan 2 was prepared it included a housing requirement figure which incorporated an allowance for second homes and holiday homes known as a 'vacancy rate'. Dwelling growth associated with the projected household growth is calculated using a dwelling 'vacancy rate' which takes account of the number of vacant or second properties in the National Park. Pembrokeshire Coast National Park has a high vacancy rate due to the number of second/holiday homes in the area. The total housing requirement figure for the whole of the National Park area assumed that of those properties built during the LDP 2 period (until 2031) 26.7% of these would be used as either second homes or holiday homes. This figure was derived from census information on percentages in different communities at the base date of the evidence base for the Local Development Plan, so it was not a uniform figure for the whole area of the National Park. 26.7% is an average across the whole of the National Park.

A greater prevalence for second homes and short-term lets than anticipated in a specific location would be an issue for implementing the Local Development Plan's housing requirement under Policy 46 Housing (Strategy Policy) of the Local Development Plan as it could undermine anticipated delivery of (in particular) primary residences. Conversely, a lesser prevalence for second homes and holiday homes than anticipated would mean that the Local Development Plan's housing requirements under Policy 46 Housing (Strategy Policy) of the Local Development Plan were capable of being delivered and that holiday homes and second homes were less of an issue. This analysis, it is considered, could provide a rationale for justifying a need to impose a planning condition to restrict permitted changes between the new use classes on a case-by-case basis where a greater prevalence of second homes and holiday let than anticipated in the Local Development Plan's strategy is considered likely.

**Policy 40 Self-catering Development:** Local Development Plan 2 also includes Policy 40 Self-catering Development which only permits self-catering development in specific locations (in a brownfield location in a Centre or in a conversion in a countryside location) but only in those instances where the site or building is inappropriate for market or affordable housing provision. Policy 40 is considered to provide strong justification for the imposition of a condition limiting use to C3 (Dwellinghouses) and restricting permitted development rights to move to C5 (Second Homes) or C6 (Short-term lets) uses.

However, given that a vacancy rate allowance, as set out above under the Policy 46 Housing commentary, is already factored into the housing provision figures of the Local Development Plan 2 the Authority will be required to consider the prevalence

of second homes and holiday lets in a locality in coming to such a decision as to the necessity of imposing a condition.

**Policy 47 Housing Allocations or Land with Permission & Policy 48 Affordable Housing:** Both these policies are supported by assumptions made to determine the viability of housing development to deliver the Authority's affordable housing targets. The viability was based on open market housing prices. If occupancy controls were imposed on housing then this can impact on viability. Although there is not yet specific evidence on the impact of restrictions in use in the National Park, evidence regarding the specific viability impact of the imposition of a primary residence control is emerging in locations such as Cornwall, Dorset<sup>2</sup>, the Scilly Isles<sup>3</sup> and Exmoor National Park<sup>4 5</sup>.

The documents referred to above advise that placing additional restrictions on new homes to exclude use for holiday letting and second homes may affect the market value of properties built as it limits the number of buyers by excluding all prospective second home and short-term letting owners.

The rule of thumb used is that 95% of open market value would be appropriate when a condition restricting second home or holiday letting is used.

Any reduction in a development's viability would be likely to have negative implications for the Authority's affordable housing numbers which is a key strategic objective of Local Development Plan 2.

Taking each Policy listed above in turn, in light of the new Statutory Instruments and changes to Planning Policy Wales, the planning application's compliance is considered:

The following matters are material:

- The proposal is to sub divide an existing large 2 storey dwelling with swimming pool to two dwellings. The dwelling is detached 2 storey and is located at the entrance to a small estate road.
- Policy 48 (Affordable Housing) requires a financial contribution towards off-site affordable housing. In accordance with Policy 48 and the Authority's Supplementary Planning Guidance on Affordable Housing, this will be required at £100 per square metre of floorspace.

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<sup>2</sup> [9e6c81c7-b186-cad3-b5c9-99dab34d40f7 \(dorsetcouncil.gov.uk\)](https://www.dorsetcouncil.gov.uk/9e6c81c7-b186-cad3-b5c9-99dab34d40f7) – Para 4.3 deals with viability issues.

<sup>3</sup> <https://www.scilly.gov.uk/sites/default/files/planning-apps/Housing%20Viability%20Assessment%20Council%20of%20Isles%20of%20Scilly%20-%20Final%20Report%20March%202018.pdf> paragraph 2.12

<sup>4</sup> [https://www.exmoor-nationalpark.gov.uk/data/assets/pdf\\_file/0027/239715/Inspectors-Report-full.pdf](https://www.exmoor-nationalpark.gov.uk/data/assets/pdf_file/0027/239715/Inspectors-Report-full.pdf) paragraph 79.

<sup>5</sup> [https://www.exmoor-nationalpark.gov.uk/data/assets/pdf\\_file/0025/222694/CE12-Three-Dragons-and-Rural-Housing-Solutions-2016-ENPA-Whole-Plan-Viability-Studya.pdf](https://www.exmoor-nationalpark.gov.uk/data/assets/pdf_file/0025/222694/CE12-Three-Dragons-and-Rural-Housing-Solutions-2016-ENPA-Whole-Plan-Viability-Studya.pdf) Paragraph 4.5

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**Policy 46 Housing (Strategy Policy):** The table below shows vacancy rate attributable to The Havens Community Council area from the 2011 Census.

Community/City/Town Council Areas:	All household spaces	Household Spaces with no usual resident:	Household Spaces with No usual resident (%)
The Havens	797	284	35.63%

For The Havens Community Council area the apportioned second and holiday home allowance ('vacancy rate') made is an estimated 35.63% of the provision could be used as second homes or holiday let.

Analysis of records for properties within the Broad Haven Centre Boundary (development boundary delineated in the Pembrokeshire Coast National Park Local Development Plan 2 show that there is a higher prevalence rate of 36.58% of all residential properties in Broad Haven Centre Boundary registered as holiday lets and second homes on the Council Tax register. The information is taken from the Local Land and Property Gazetteer (LLPG).<sup>6</sup>

Broad Haven
Total Properties: 462
Residential Properties: 293 (63.42%)
Total Holiday Lets and Second Homes: 169 (36.58%)
Holiday Lets: 52 (11.26%)
Second Homes: 117 (25.32%)

When considering applying a condition it is important to note that the Local Development Plan Housing Requirement specifically included an allowance which assumed that a proportion of properties across the National Park would be occupied as second homes or short-term holiday lets/homes and there is a risk that applying a condition to 100% of the properties would cause displacement to other locations. Therefore, if a condition is imposed the Local Planning Authority may wish to apply the condition in line with the assumed percentage for that settlement. In the case of Broad Haven as there was an assumption that 35.63% of properties would be second homes or holiday homes, this would mean applying a condition to 64.37% of open market properties in a development where there are a number of residential units proposed. Applying a condition to 64.37% of properties, rather than 100% of properties also assists with viability and affordable housing provision.

In this instance, however, the planning application is for the subdivision of one dwelling into two dwellings only which needs to be considered within the context of this higher prevalence more generally within the Centre boundary when compared with what was anticipated when Local Development Plan 2 was adopted (Prevalence is 36.58% compared with an anticipated 35.63%). It is considered that the imposition of a condition restricting use to a primary residence would not be justified on this evidence alone given the slightly higher prevalence found.

<sup>6</sup> A Local Land and Property Gazetteer (LLPG) is the central corporate database for all addressing used in an authority.

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**Clustering of Second and Holiday Homes:** However, whether higher prevalence can be also found in the area where the application site is located within the Centre Boundary should also be considered.

To assess this Officers have undertaken further analysis of the Local Land and Property Gazetteer (LLPG) to highlight to highlight where clusters of second homes and holiday lets can be found within the Centre Boundary of Broad Haven.

Method used<sup>7</sup>: Using a computer algorithm similar data points are grouped together in a dataset. The assumptions inputted by Officers are to have a minimum of 5 such data points (in this case either second home or holiday let) within 100m of each other. DBSCAN finds the groups of points that are close together. It starts by choosing a point at random and then looks at all the other points within a certain distance of that point. If there are enough points within that distance, DBSCAN will consider those points part of a cluster. Then, it repeats the process for each of the points within the cluster until all the points in the cluster have been identified. DBSCAN also identifies points that are too far away from any cluster to be considered part of a group. These points are called "noise" points, and they're usually not useful for making predictions or analysing the data. Overall, DBSCAN is a useful algorithm for finding patterns in data when you don't know how many clusters there are or how big they are.

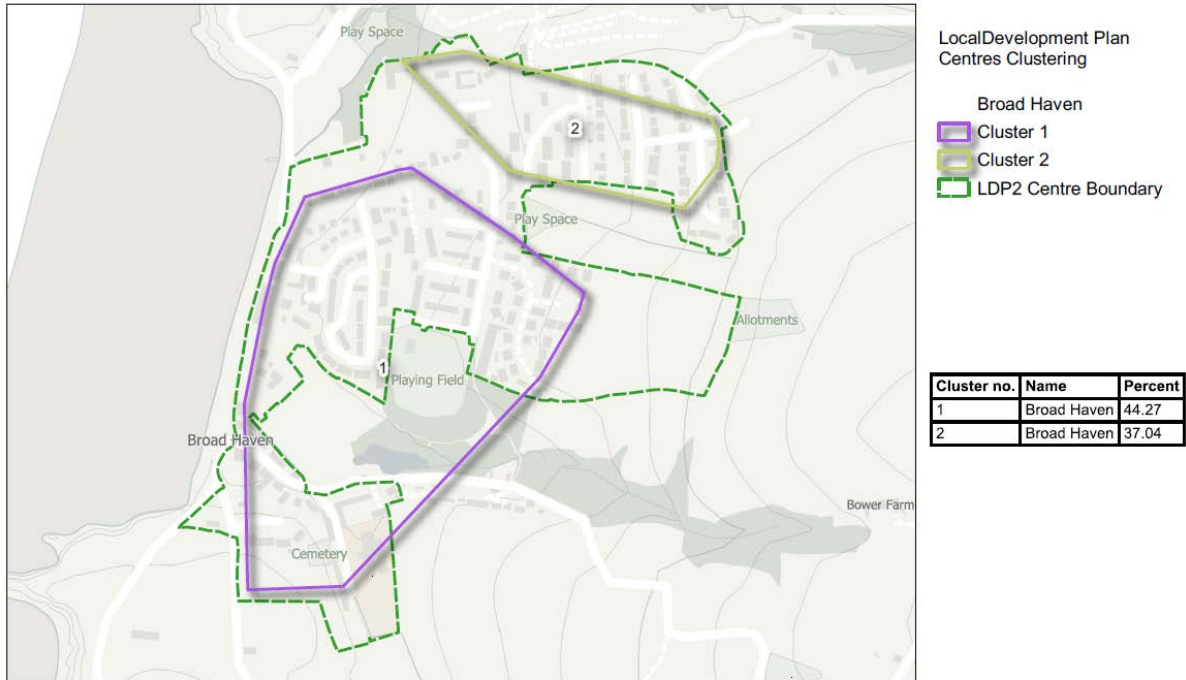
The map below identifies the location of the clusters. The application site lies outside the clusters identified. Detail has been removed from the mapping to ensure individual properties cannot be identified.

This mapping does not mean that there are no second homes or holiday let properties outside these clusters it simply means that these clusters could be identified because there was a minimum of 5 second homes and/or holiday let located within 100m of another such property in the group.

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<sup>7</sup> DBSCAN stands for Density-Based Spatial Clustering of Applications with Noise

## Item 5 - Report on Planning Applications



### Density Based Spatial Clustering of Second and Holiday Homes

Broad Haven

Creuwyd gan / Created by: Philip Barlow (15/3/2023)  
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Graddfa / Scale: 1:5,765



Clusters of holiday let and second homes are identified in two areas one where the application site is – Cluster 2. Cluster 2 has a prevalence of 37.04% compared with the anticipated percentage of 35.63%.

As advised above this does not mean that there are no second homes or holiday let properties outside these clusters it simply means that these cluster could be identified because there was a minimum of 5 second homes and/or holiday let located within 100m of another such property in the group.

The Local Planning Authority has evidence that both the Centre and, in the area, where the planning proposal is located - Cluster 2 - there is slightly greater prevalence of second homes and holiday homes than the allowance made for The Havens. However, it is considered that the imposition of a condition restricting use to a primary residence would not be justified on this evidence alone given that only a slightly higher prevalence found.

Next the report considers whether the patterns of development of small-scale sites (less than 5 residential units) more recently or the type of the development proposed show a higher prevalence.

**Recent Housing Completions on small sites:** This section considers how recent housing developments of less than 5 dwellings that have been developed in Broad Haven have been occupied. The base date of Local Development Plan 2 (2015) is used as a reference point.



## Item 5 - Report on Planning Applications

Since the base date of Local Development Plan 2 there has been only one site completed in Broad Haven. It is a small site for two affordable dwellings developed by the local housing association. They are occupied as primary residences. This evidence does not assist this analysis.

**Similar Types of Proposals:** The type of proposal in question involves the subdivision of a large detached two storey dwelling. The property forms part of an estate type development.

With the benefit of Google Streetview, the Local Land and Property Gazetteer was again checked for prevalence levels against similar property types. Properties along Holbrook Road, Croft Road and Holbrook Close were viewed. The type of property when viewed from the road was not fully visible in all locations and therefore these properties were not included in the analysis.

Second Home	Holiday Let	Full Residential	Total Residential Properties
3	1	19	23
13%	4%	83%	

The analysis of similar types of developments in the local area, (in this case detached two storey dwellings) shows 17% of residential dwellings being occupied as second homes which does not in itself justify applying a C3 occupancy condition to the residential units on the application site.

### **Policy 47 Housing Allocations or Land with Permission & Policy 48 Affordable Housing:**

On a single residential unit Policy 48 (Affordable Housing) requires a financial contribution towards off-site affordable housing. In accordance with Policy 48 and the Authority's Supplementary Planning Guidance on Affordable Housing, this will be required at £100 per square metre of floorspace.

**Viability:** As advised earlier the rule of thumb used is that 95% of open market value would be appropriate when a condition restricting second home or holiday letting use is used.

In terms of the planning application proposed the knock-on effect could be that the charge of £100 per square metre affordable housing contribution might need to be reduced or more fundamentally the viability of the development itself could be affected.

## Item 5 - Report on Planning Applications

### **Conclusion on Occupancy Controls:**

Taking account of the allowance that has been made for 35.63% of housing development in Broad Haven Community Council area to be taken up by holiday and second homes and the various measures against which the prevalence of holiday/second homes has been considered it is proposed that an occupancy control to preclude the development being used as a second or holiday home is not justified on this evidence base.



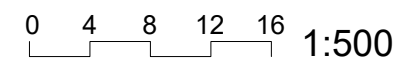
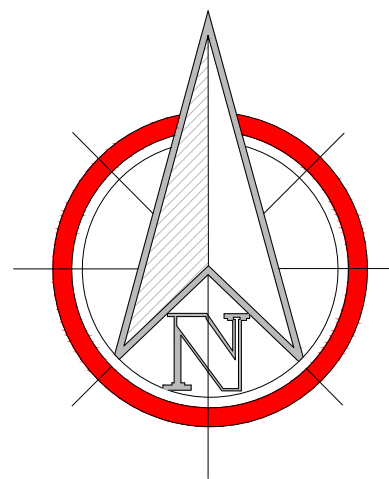
Existing Location Plan

Scale 1:1250



Existing Site Plan

Scale 1:500



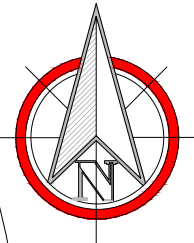
Drawing Existing Location Plan & Existing Site Plan		
Client Mr Brian Summons		
Project Title Retrospective Planning Application for Subdivision of Single Dwelling into Two Dwelling Houses at 7 Holbrook Close Broad Haven, SA62 3JE		

A3

001

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Date April 2022





Existing Boundary Wall/  
1.4m high timber fence

Existing Trees to Boundary, provide  
additional Landscaping utilising Hazel  
Blackthorn Whips

Outline of Existing Hedge Bank

Outline of Raised  
Composite Decking Area

Existing Timber  
Store

Existing Low Level  
Retaining Wall

Outline of Existing Smooth  
Rendered Wall

Existing Parking and Turning Area

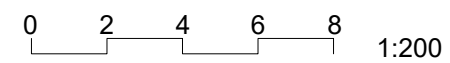
Outline of Existing  
Summer House

Outline of Existing Hot Tub

Outline of Existing  
Shared Vehicular Access

Outline of Existing Smooth  
Rendered Wall

Existing Site Plan at 1:200



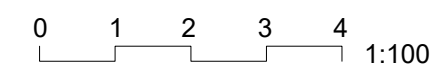
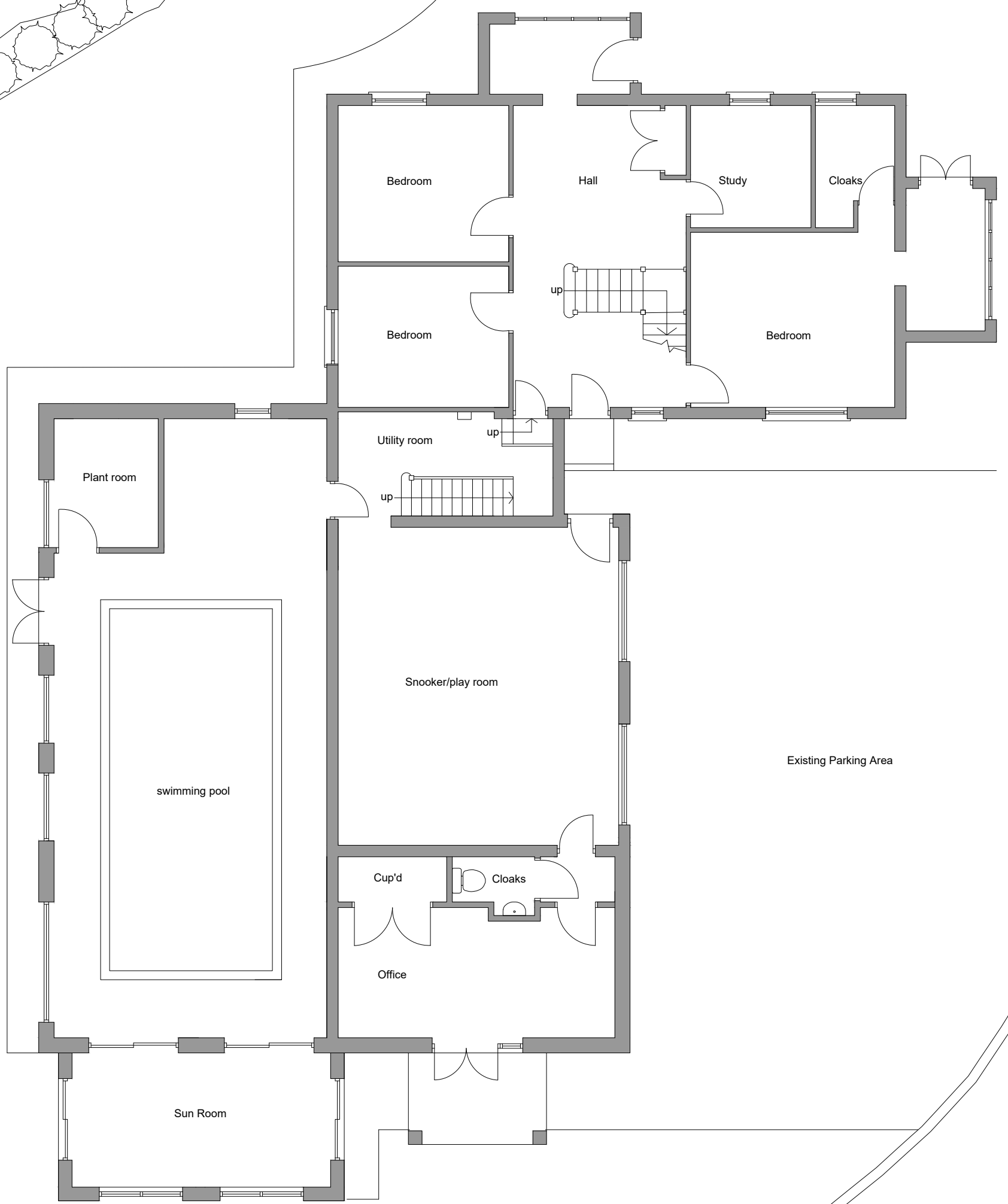
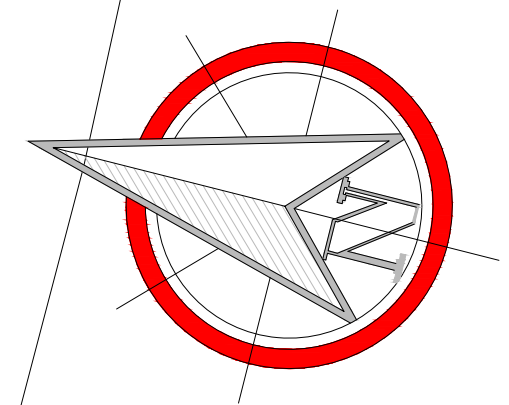
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Drawing  
Existing Site Plan

Client  
Mr Brian Summons  
Project Title  
Retrospective Planning Application  
for Subdivision of Single Dwelling into  
Two Dwelling Houses at 7 Holbrook Close  
Broad Haven, SA62 3JE

Drawing Number  
002  
Revision  
A  
Scale  
1:200  
Date  
Sept 2022



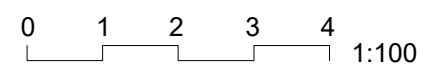
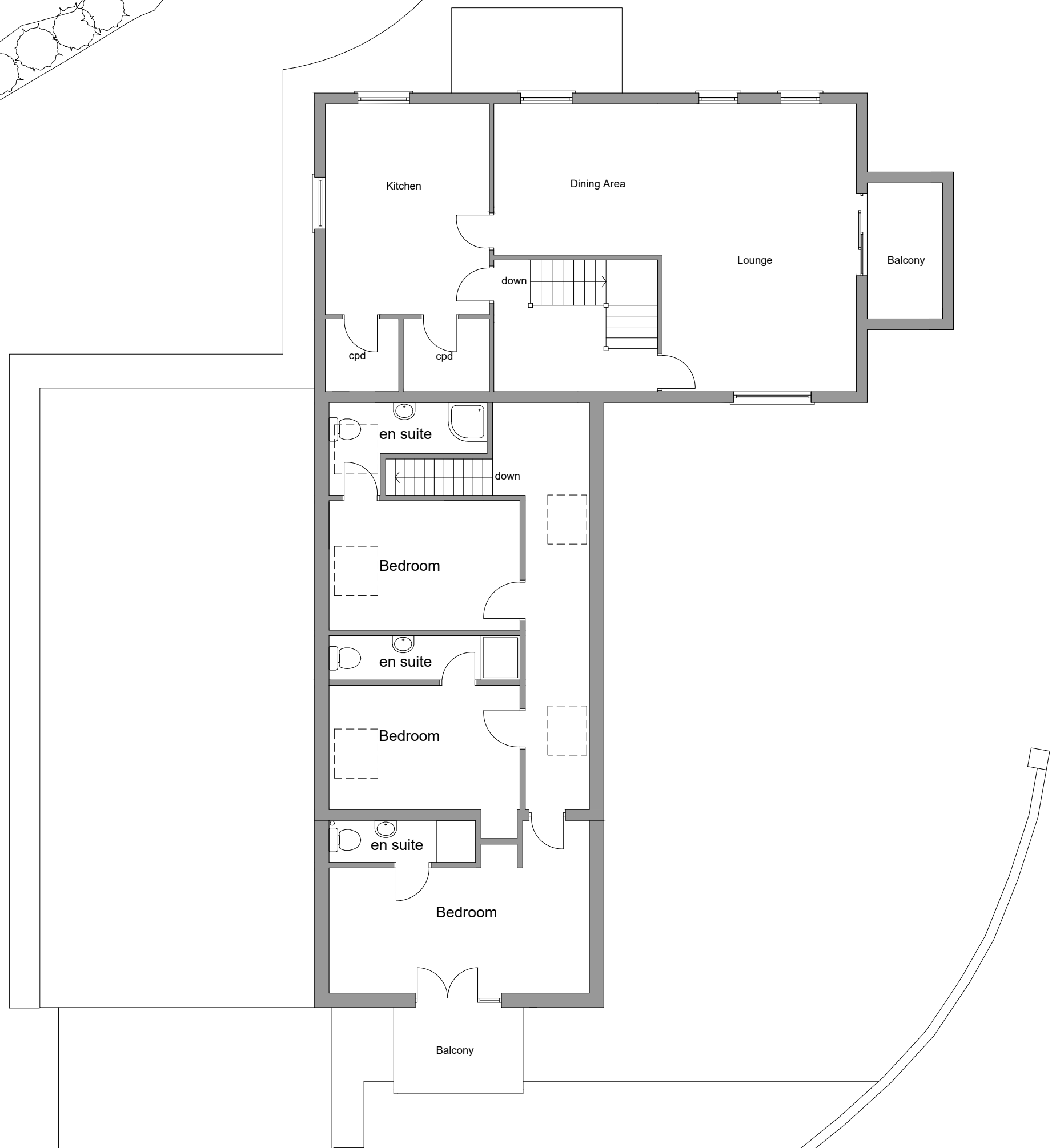
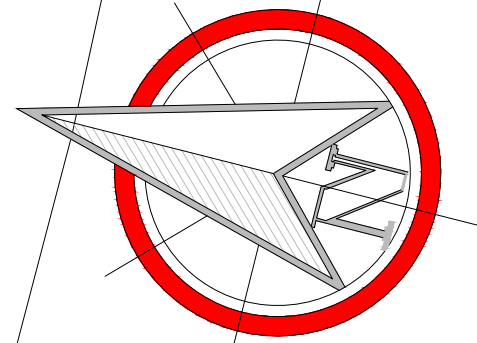


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Drawing Existing Ground Floor Plan		
Client Mr Brian Summons		
Project Title Retrospective Planning Application for Subdivision of Single Dwelling into Two Dwelling Houses at 7 Holbrook Close Broad Haven, SA62 3JE		
Drawing Number 005	Revision	Scale 1:100
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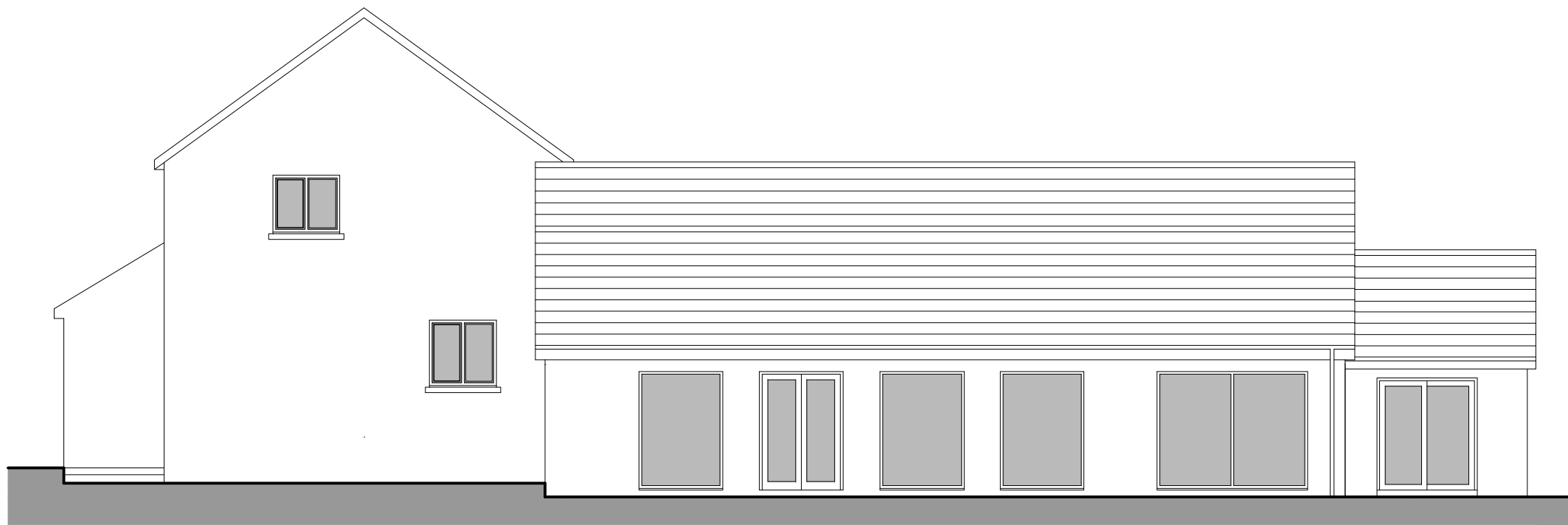
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Client Mr Brian Summons		
Project Title Retrospective Planning Application for Subdivision of Single Dwelling into Two Dwelling Houses at 7 Holbrook Close Broad Haven, SA62 3JE		
Drawing Number 006	Revision	Scale 1:100
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EXISTING EAST ELEVATION(1:100)



EXISTING NORTH ELEVATION(1:100)

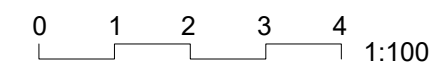
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- Roof Covering - Brown/grey concrete roof tiles
- Fascias/Bargeboards - Brown Upvc
- Rainwater Goods - Brown Upvc
- Walls - Smooth rendered
- Plinth - Facing brick
- Windows/Doors - Brown Upvc
- Cills - Concrete painted

Drawing  
Existing East Elevation &  
Existing North Elevation

Client  
Mr Brian Summons  
Project Title  
Retrospective Planning Application  
for Subdivision of Single Dwelling into  
Two Dwelling Houses at 7 Holbrook Close  
Broad Haven, SA62 3JE

Drawing Number	Revision	Scale
003		1:100
Date	April 2022	

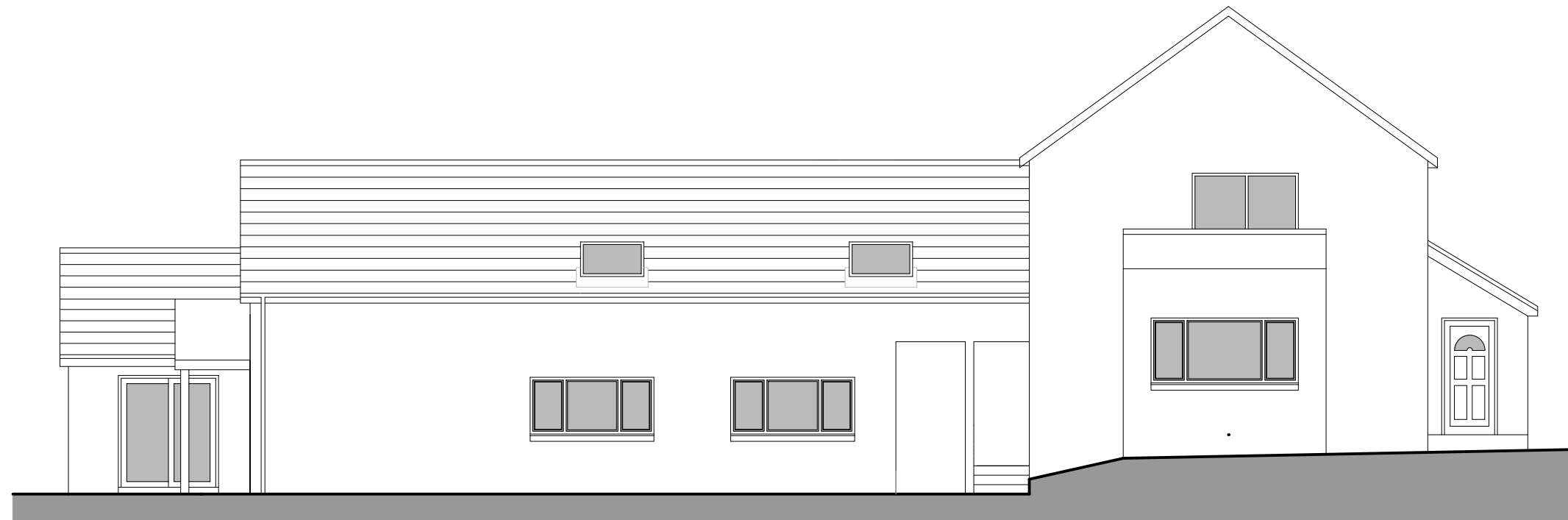


A3





EXISTING WEST ELEVATION(1:100)



EXISTING SOUTH ELEVATION(1:100)

Finishing Schedule as Existing

- Ridge - Brown/grey ridge tiles
- Roof Covering - Brown/grey concrete roof tiles
- Fascias/Bargeboards - Brown Upvc
- Rainwater Goods - Brown Upvc
- Walls - Smooth rendered
- Plinth - Facing brick
- Windows/Doors - Brown Upvc
- Cills - Concrete painted

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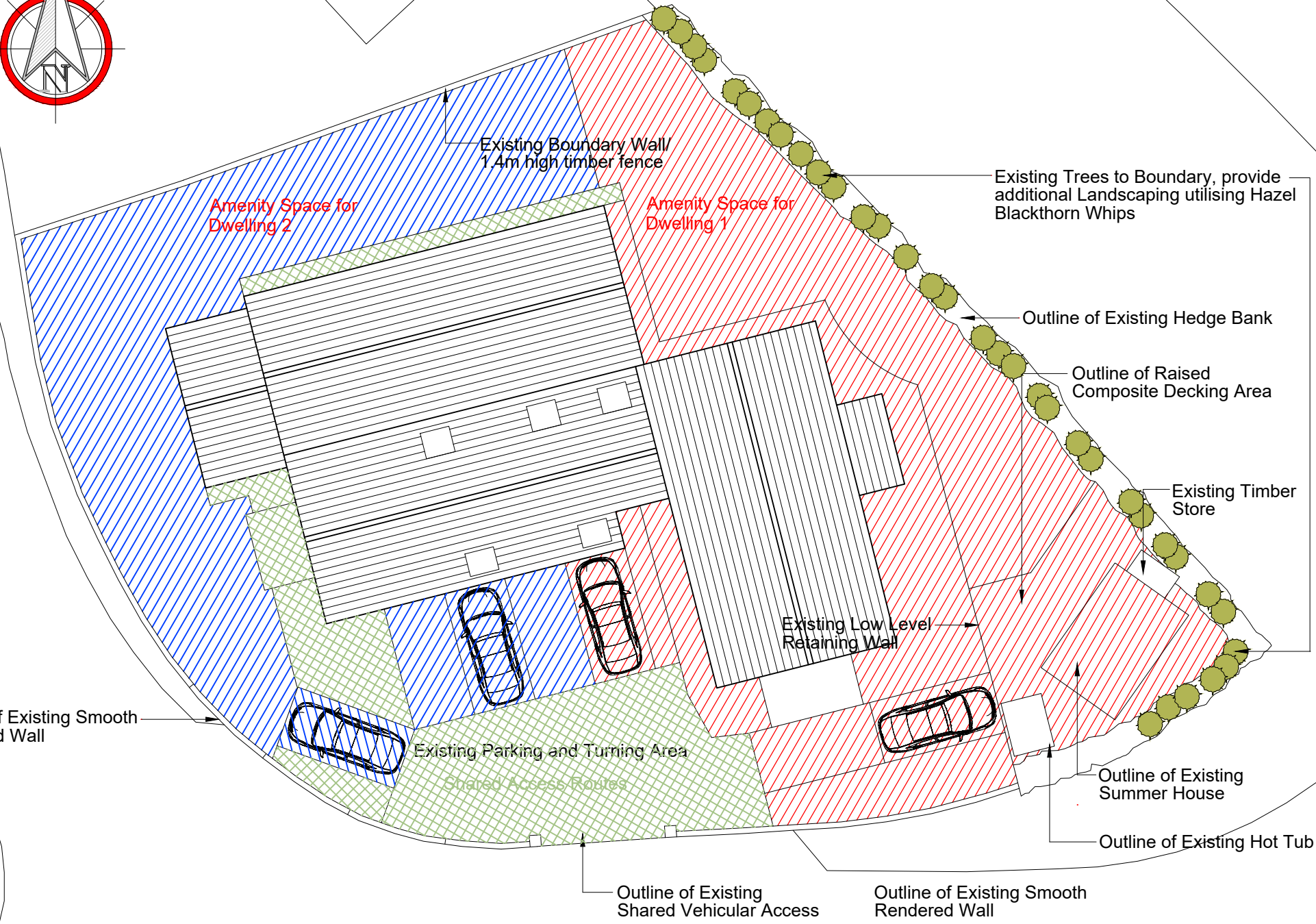
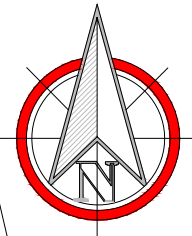
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Drawing Existing West Elevation & Existing South Elevation		
Client Mr Brian Summons		
Project Title Retrospective Planning Application for Subdivision of Single Dwelling into Two Dwelling Houses at 7 Holbrook Close Broad Haven, SA62 3JE		
Drawing Number 004	Revision	Scale 1:100
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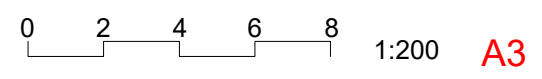


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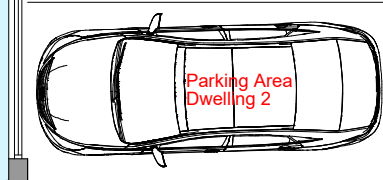
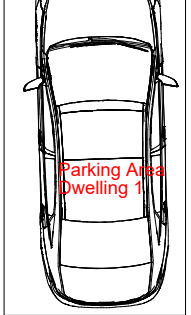
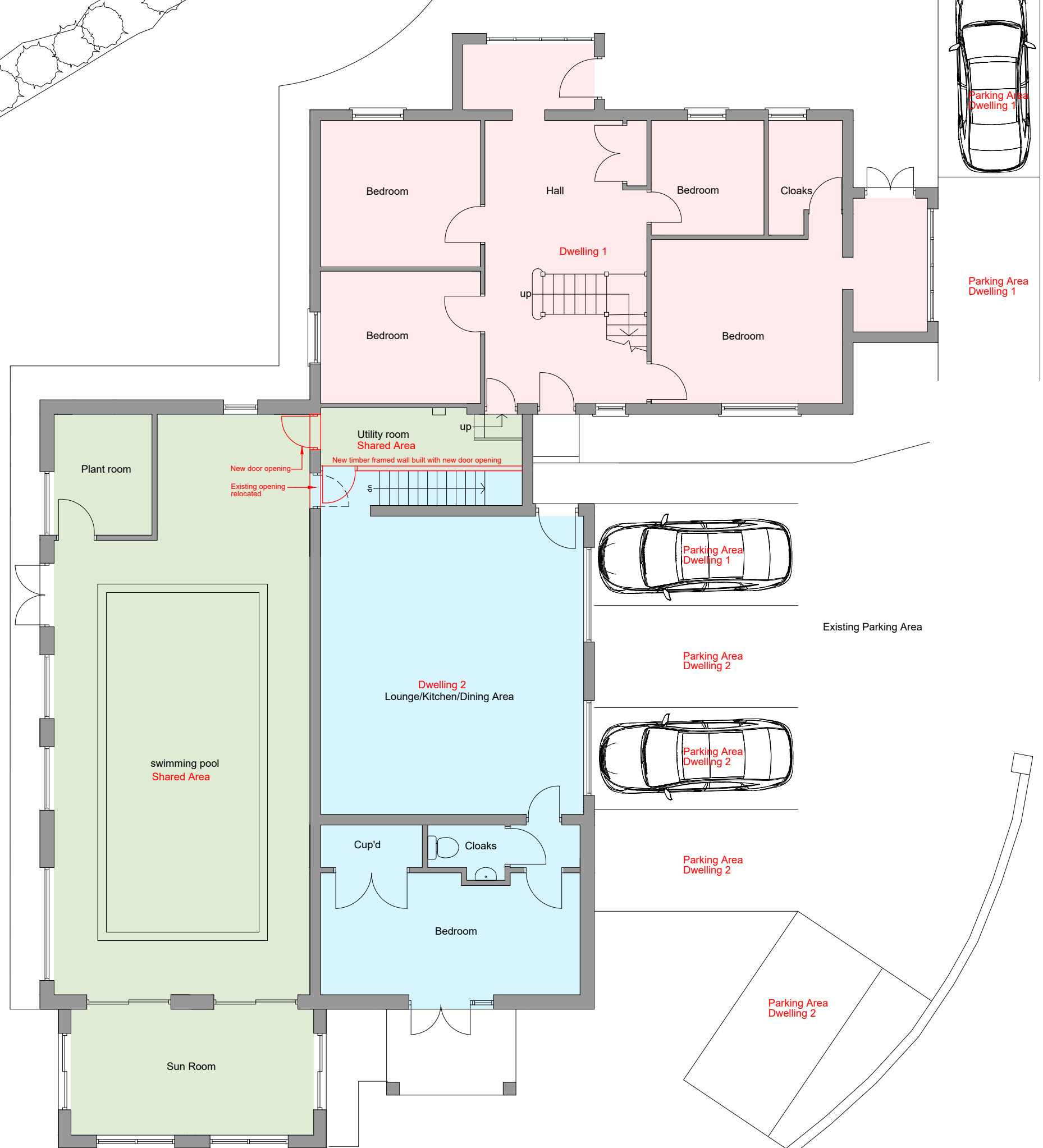
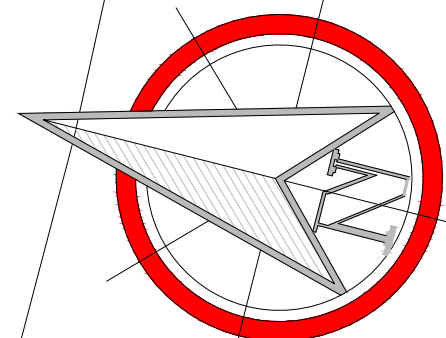


Existing Site Plan at 1:200

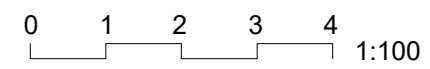


Drawing <b>Proposed Site Plan</b>		
Client Mr Brian Summons		
Project Title Retrospective Planning Application for Subdivision of Single Dwelling into Two Dwelling Houses at 7 Holbrook Close Broad Haven, SA62 3JE		
Drawing Number <b>007</b>	Revision <b>A</b>	Scale Date Page 87 of 145 Sept 2022





Existing Parking Area

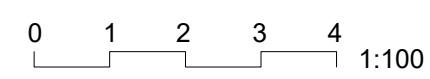
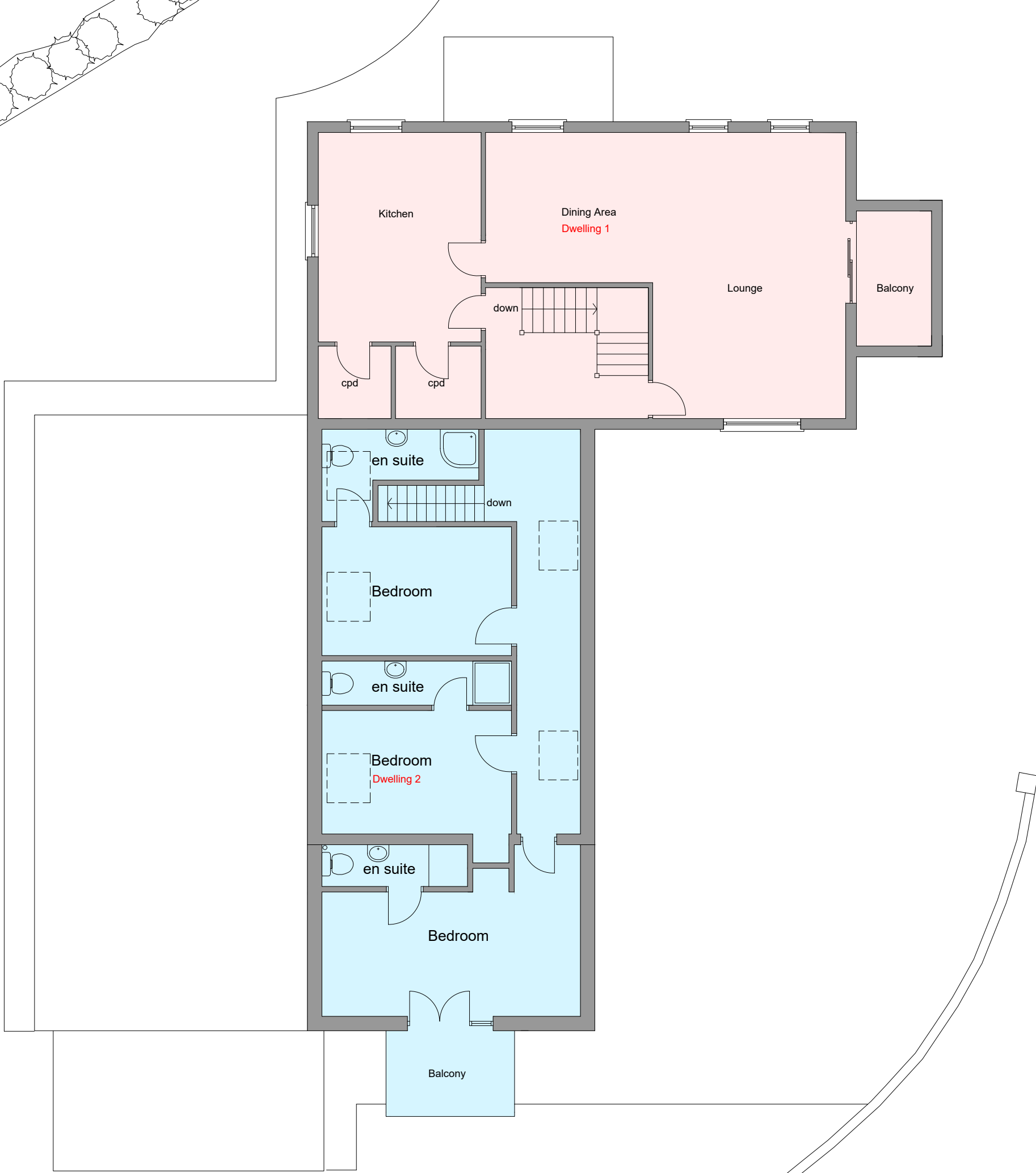
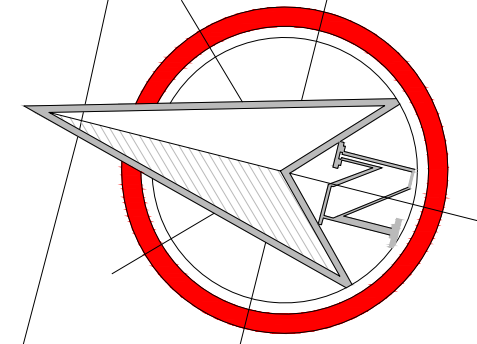


A3

Drawing <b>Proposed Ground Floor Plan</b>		
Client Mr Brian Summons		
Project Title Retrospective Planning Application for Subdivision of Single Dwelling into Two Dwelling Houses at 7 Holbrook Close Broad Haven, SA62 3JE		
Drawing Number <b>010</b>	Revision	Scale Date April 2022

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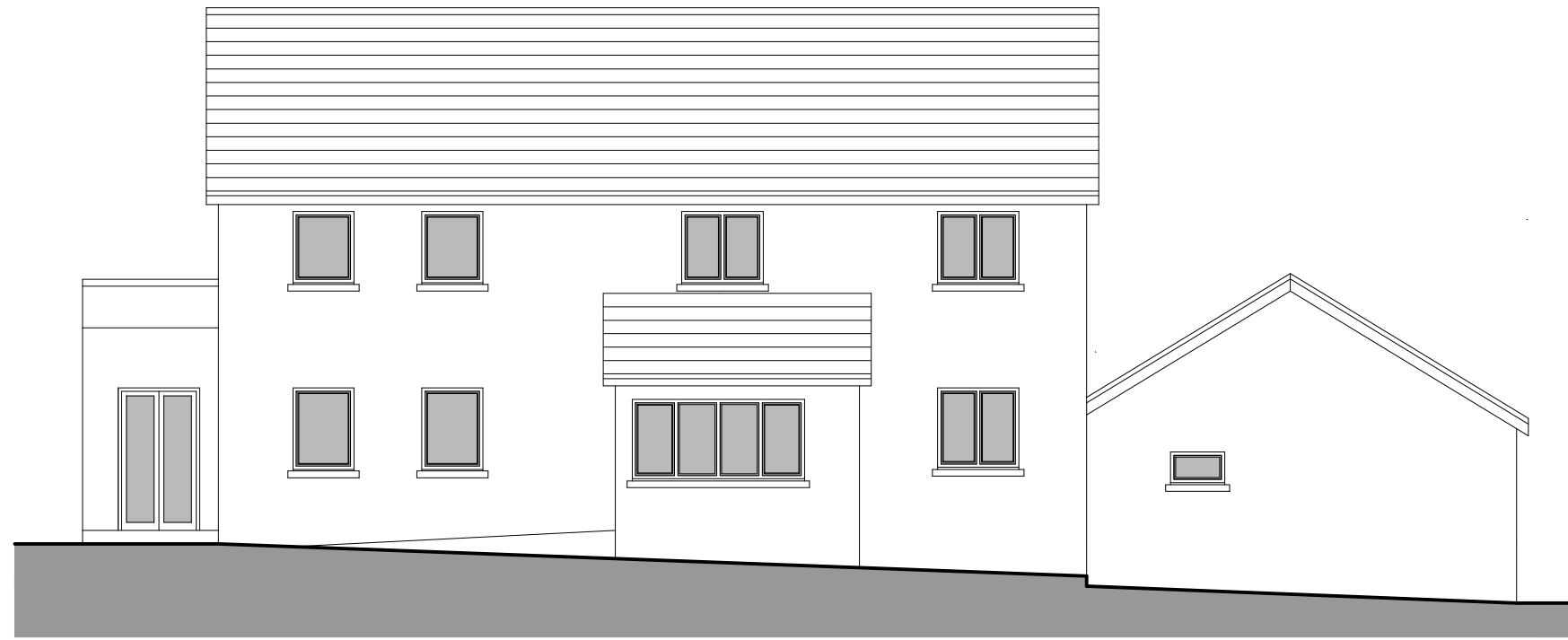


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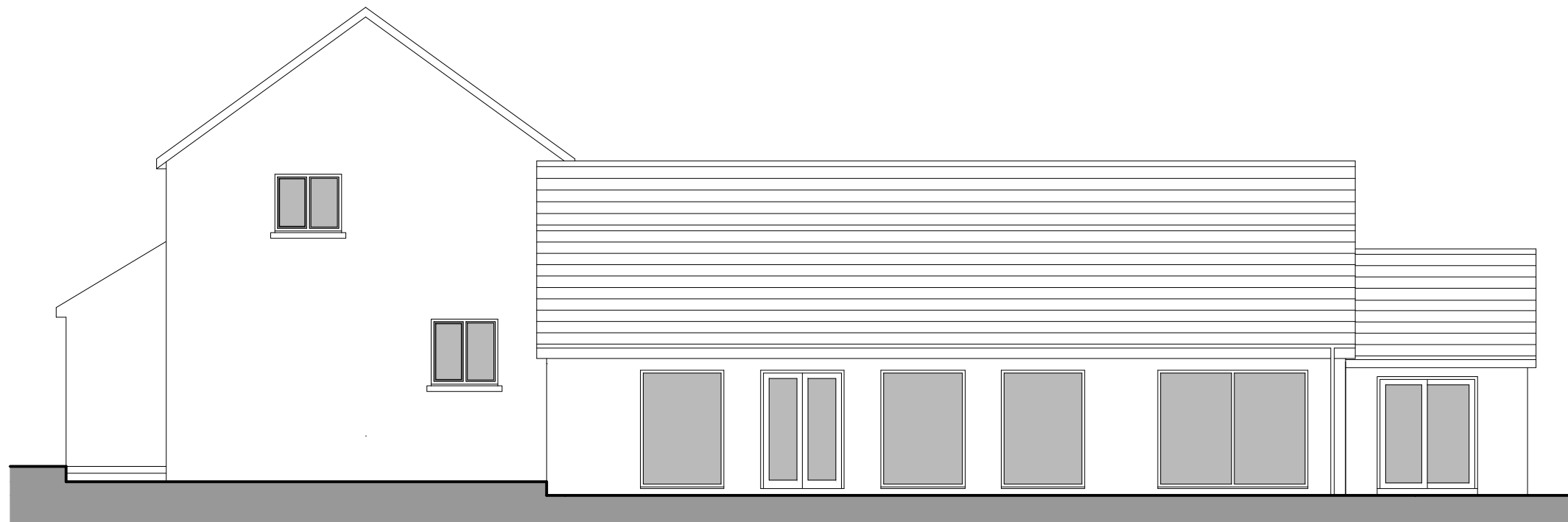
Drawing Proposed First Floor Plan		
Client Mr Brian Summons		
Project Title Retrospective Planning Application for Subdivision of Single Dwelling into Two Dwelling Houses at 7 Holbrook Close Broad Haven, SA62 3JE		
Drawing Number 011	Revision	Scale 1:100
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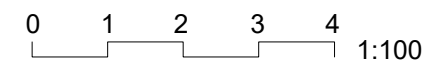


PROPOSED EAST ELEVATION(1:100)



PROPOSED NORTH ELEVATION(1:100)

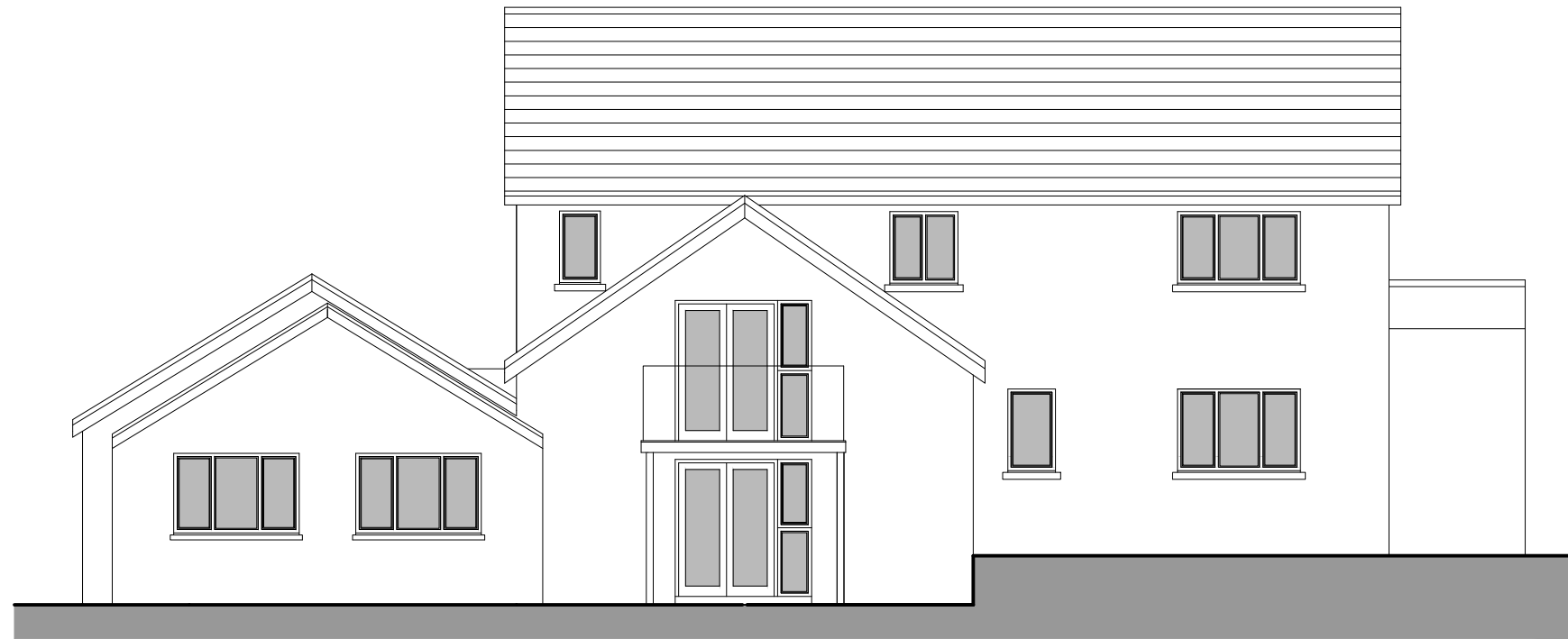
Finishing Schedule as Proposed
Ridge - Brown/grey ridge tiles
Roof Covering - Brown/grey concrete roof tiles
Fascias/Bargeboards - Brown Upvc
Rainwater Goods - Brown Upvc
Walls - Smooth rendered
Plinth - Facing brick
Windows/Doors - Brown Upvc
Cills - Concrete painted



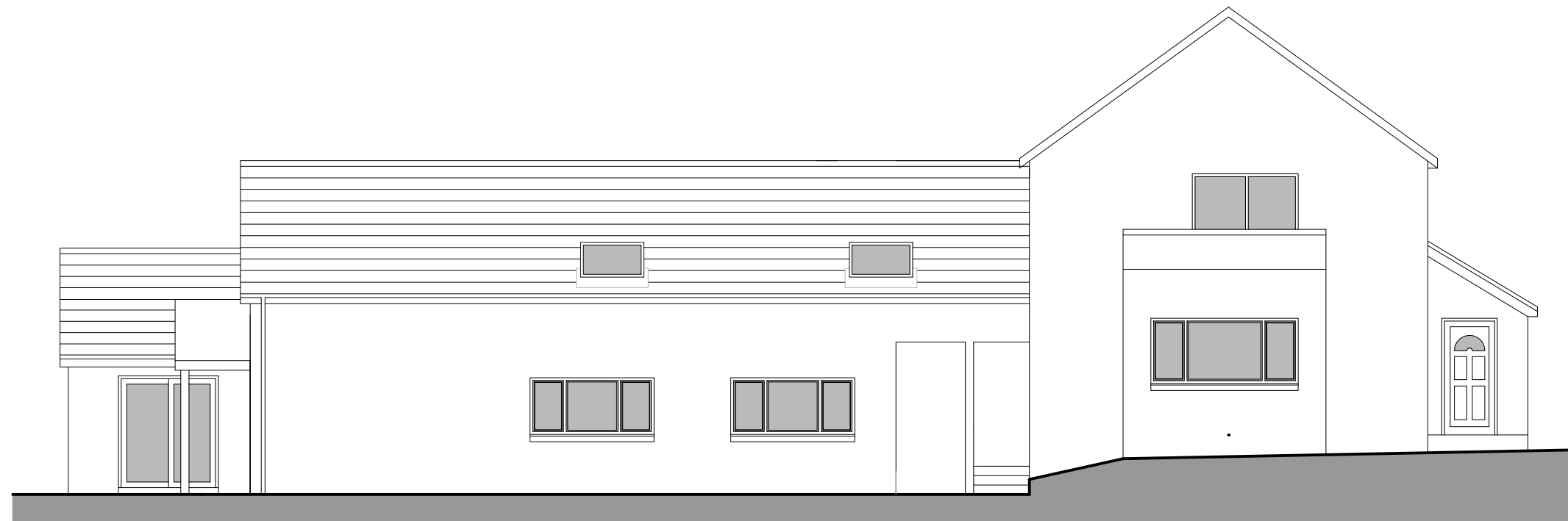
A3

Drawing Proposed West Elevation & Proposed South Elevation		
Client Mr Brian Summons		
Project Title Retrospective Planning Application for Subdivision of Single Dwelling into Two Dwelling Houses at 7 Holbrook Close Broad Haven, SA62 3JE		
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PROPOSED WEST ELEVATION(1:100)



PROPOSED SOUTH ELEVATION(1:100)

Finishing Schedule as Proposed

- Ridge - Brown/grey ridge tiles
- Roof Covering - Brown/grey concrete roof tiles
- Fascias/Bargeboards - Brown Upvc
- Rainwater Goods - Brown Upvc
- Walls - Smooth rendered
- Plinth - Facing brick
- Windows/Doors - Brown Upvc
- Cills - Concrete painted

Drawing  
Proposed East Elevation &  
Proposed North Elevation

Client  
Mr Brian Summons  
Project Title  
Retrospective Planning Application  
for Subdivision of Single Dwelling into  
Two Dwelling Houses at 7 Holbrook Close  
Broad Haven, SA62 3JE

Drawing Number	Revision	Scale
008		1:100
Date	April 2022	



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