

# Development Management Committee

13 December 2023

## Present (In Person)

Dr M Havard (Chair)

Councillor Steve Alderman, Mr GA Jones, Councillor R Owens, Councillor S Skyrme-Blackhall and Councillor C Williams.

## Present (Remotely)

Councillor Dr SL Hancock, Dr R Heath-Davies, Mrs S Hoss, Mrs J James, Councillor M James and Councillor B Price,

[Councillor D Clements joined the meeting during consideration of application NP/22/0712/FUL]

## Officers in attendance

Mr T Phillips (Solicitor), Mrs S Morris (Director of Placemaking, Decarbonisation and Engagement), Mrs K Attrill, (Development Management Manager), Mr R James (Senior Planner), Mrs C Llewellyn (Minutes)

[Llanion Park, Pembroke Dock and Virtually 10.00am – 12.00pm]

### 1. **Apologies**

Apologies for absence were received from Councillor R Jordan, Councillor PJ Morgan, Dr RM Plummer, Councillor M Wiggins and Councillor A Wilcox. Councillor D Clements had advised that she would be joining the meeting late due to attendance at another meeting.

### 2. **Disclosures of interest**

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

<b>Application and Reference</b>	<b>Member(s)/Officer(s)</b>	<b>Action taken</b>
<i>Minute 6(c) below</i> NP/22/0712/FUL - Campsite for 40 pitches including infrastructure, drainage, electric hook ups and sanitary facilities – Parke Farm, Merrion	Councillor S Alderman	Remained in the meeting



Minute 7 below  
EC19/0007 – The Pool  
House, Hasguard Cross

Councillor SL Hancock

Withdrew from the  
meeting while the  
matter was  
considered

### 3. Minutes

The minutes of the meeting held on the 25 October 2023 were presented for confirmation and signature.

It was noted that the word ‘consider’ had been omitted from the second paragraph on page 6 such that the sentence would read ‘a duty to consider supporting the tourism sector’.

On the proposal of Councillor James, seconded by Mr Jones it was **RESOLVED** that the minutes of the meeting held on the 25 October 2023 be confirmed and signed subject to the above amendment.

**NOTED.**

### 4. Right to speak at Committee

The Chair informed Members that due notification (prior to the stipulated deadline) had been received from interested parties who wished to exercise their right to speak at the meeting that day. In accordance with the decision of the National Park Authority of 7<sup>th</sup> December 2011, amended 16 June 2021, speakers would have 5 minutes to speak unless they had spoken on the same application previously when they would have 3 minutes in which to present new information (*the interested parties are listed below against their respective application(s), and in the order in which they addressed the Committee*):

Reference number	Proposal	Speaker
NP/22/0712/FUL <i>Minute 6(c) refers</i>	Campsite for 40 pitches including infrastructure, drainage, electric hook ups and sanitary facilities – Parke Farm, Merrion	Steve Hole – Agent

### 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, and the Solicitor added that consideration also needed to be given to the National Development Framework - Future Wales: The National Plan 2040 adopted by the



Welsh Government on 24 February 2021 as well as its own Local Development Plan 2. The report also noted that the Authority also had a 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 Manager, 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/23/0246/FUL  
APPLICANT: Mr and Mr B & P Rees  
PROPOSAL: Change of use of pitch & putt area & expansion with 10 self-contained bespoke mobile lodges/caravans & car parking together with ecological enhancements  
LOCATION: Tretio Caravan & Camping Park, St. Davids, Haverfordwest, Pembrokeshire, SA62 6DE

It was reported that the proposed works were for the extension of a caravan park at Tretio, consisting of the change of use of a pitch-and-putt area to allow for the siting of 10 additional static caravans with additional landscaping. Officers considered that determination of the application rested on the impact of the proposed site extension on the special qualities of the landscape of the National Park, and as such it was requested that Members undertake a Committee site visit to view the site and its surroundings prior to consideration of the planning application at a subsequent Committee meeting. It was noted that the application had received a significant level of public objection.

A Site Visit was proposed by Councillor Hancock, seconded by Councillor Williams.

**DECISION: That the application be deferred to allow a site inspection to be carried out.**



- (b) REFERENCE: NP/22/0571/FUL  
APPLICANT: Mr & Mrs R & G Lewis  
PROPOSAL: Demolition of existing agricultural buildings and extend residential curtilage to allow extensions to host dwelling, new garage, stables/storage building.  
LOCATION: Lleine, Nevern, Newport, Pembrokeshire, SA42 0NY

It was reported that the host property was a detached single storey cottage with stepped extensions bookending the original cottage form. The application had been substantially revised since its original submission, which now made it capable of officer support. It was noted that the Manège, having been removed, now formed part of the application once again as it had been established that it was not located on best and most versatile agricultural land.

Nevern Community Council had objected to the application and their comments were set out and addressed in the Officer's report. In the meeting, the Officer noted that the Community Council had submitted objections in respect of each of the revisions of the plans, and these comments were displayed as part of her presentation. The report set out a detailed consideration of the relevant policies contained within the statutory Development Plan (Future Wales and Local Development Plan 2) and National Planning Policy in the form of Planning Policy Wales (Edition 11). It was considered that, having regard to all material considerations, the proposed extensions to both cottage and curtilage were not overwhelming in mass or extent and would not have an adverse impact on the existing character of the main house. The recommendation was one of approval subject to conditions.

At the meeting the Development Management Manager recommended inclusion of an additional condition that the replacement outbuilding/store shed should not be used for any form of residential accommodation in order to prevent excessive glazing of its northwest elevation. She also added that since writing the report, comments had been received from the ecologist who was happy with the updated scoping report.

Members were happy with the application that was before them, and noted the hard work of officers in bringing it to this point. The recommendation of approval subject to conditions, including the additional condition, was proposed by Mr Jones, seconded by Councillor Owens.

**DECISION: That the application be approved subject to conditions relating to the timing of the development, accordance with approved plans and documents, lighting, ground levels, external materials, removal of permitted development rights, landscaping, tree**



**protection, no commercial use of the manège, contamination and no residential occupation of the outbuilding.**

[Councillor Clements joined the meeting online during consideration of the following application but abstained from voting.]

- (c) REFERENCE: NP/22/0712/FUL  
APPLICANT: Mr C Goldsworthy  
PROPOSAL: Campsite for 40 pitches including infrastructure, drainage, electric hook ups and sanitary facilities  
LOCATION: Parke Farm, Merrion, Pembroke, Pembrokeshire, SA71 5DU

It was reported that the application site comprised 2 paddocks north of the farmhouse. The Agent for the site had confirmed that the site had been operating historically under an exempted organisation's certificate which had run until 27 January 2022. This had permitted use of the site for up to 5 caravans and 10 tents for a period of 60 days. Since the certificate had ceased, the site had been operating under the 28-day rule. At the meeting the officer clarified that the land the subject of this application had formed part of the exempted site, contrary to the statement in his report. It was noted that as the certificate had ceased in January 2022, this did not provide a fall back position that had to be taken into consideration.

It was also reported that there was a range of unauthorised facilities on site in the form of pod structures containing toilet and dishwashing facilities, as well as electric hook up points.

The report explained that the land was classified as Grade 2 agricultural land, i.e. classed as best and most versatile (BMV) which should only be developed if there was an overriding need for the development. Officers considered that there was an in-principle objection to the development of BMV Agricultural Land and the development was therefore contrary to National Policy as set out in sections 3.58 & 3.59 of PPW11 and TAN 6. Although the proposal was considered to accord with the Visitor Economy and Caravan, Camping and Chalet Development policies of the LDP2 (Policy 38 and Policy 41), this consideration did not outweigh the considerable conflict identified with National Planning Policy in relation to the loss of BMV Agricultural Land and the in-principle objection to this proposal was maintained.

The Officer's report set out a detailed consideration of the relevant policies contained within the statutory Development Plan (Future Wales and Local Development Plan 2) and National Planning Policy in the form of Planning Policy Wales (Edition 11). It was considered that, having



regard to all material considerations, the proposed caravan and camping site as submitted failed to accord with National Planning policy and the application was recommended for refusal.

At the meeting, the officer clarified that the holding was only 10 acres and he did not believe there was currently any agricultural activity on the farm. However, the National policy was intended to protect BMV land in perpetuity, so that it was available for agricultural use in the future. Also, that should the caravan site continue to operate under the 28 day rule, planning permission would still be required for the structures onsite.

There was one speaker, the Agent Mr Steve Hole. He explained that the objection from officers had come late in the process, with no issue having been raised at pre-application stage. He noted that National policy required best and most versatile land (classed 1-3a) to be conserved for the future and considerable weight would be given in Development Management decisions to protecting such land. However, he noted that the policy didn't require the land to be productive, but prohibited development that rendered it unavailable for agricultural production. The guidance went on to advise that reversal of soft development, such as a golf course, was expensive and seldom practical, however Mr Hole noted that use for camping would lead to no physical development that would affect the topography or quality of the soil and it could therefore be returned to its current state with no problem. The agricultural land would therefore not be lost. He also noted that permitted development allowed for seasonal use as a campsite, and further advised that the applicants were tenants and had to make good the land at the end of their occupancy under the terms of their tenancy agreement. The agent went on to say that the policy only allowed for development of BMV land if there was an overriding need for development but it did not say what such a need might be.

Turning to the site of Parke Farm, Mr Hole noted that the curtilage was all of historical value, the field pattern being unchanged from that shown on the Tithe Map. The house was a Grade II listed building and there was a covenant to require the land to be retained with the cottage. He noted that the applicants were passionate to preserve the building and that the best way to do this was for it to have a sustainable use and he therefore considered that insufficient weight had been given to protection of the listed building and undue weight given to the existence of BMV land when the development would not cause material harm to it. He noted that NRW had supported the application.

Councillor Owens said that he felt it would be difficult to make a living from a farm of this size and believed that it would be quite easy to reverse the change of the use of the land to a camping site in future as there were



no permanent structures proposed. He was reluctant to support refusal of the application and moved that the Committee undertake a site visit. This was seconded by Councillor Skyrme-Blackhall. Other Members agreed that it would probably not be viable to farm the holding as it stood, despite the quality of the land, however it was noted that the B4319 road was quite busy and access to the site would need to be looked at carefully if 40 pitches were to be provided.

The officer agreed that a 10 acre farm was unlikely to be viable, however it could be farmed as part of a larger holding or as a small-scale venture. He also reminded the Committee that permission was sought for 40 pitches, rather than for camping pitches specifically, and such a use could lead to applications for a shop or shower block. The Development Management Manager advised that if Members were minded to approve the application, the number of caravans and tents respectively could be conditioned. The Director highlighted that Welsh Government's Chief Planning Officer had sent a letter referring particularly to solar arrays indicating that any loss of BMV land was a material consideration, no matter how easy it would be for the land to revert back to agricultural use.

The motion that the application be deferred to allow a Committee Site Inspection to take place was put to the vote and this was lost on the Chair's casting vote. A motion to refuse the application in accordance with the officer's recommendation was proposed by Councillor Williams, and a motion to approve the application in order to support the tourism industry in Pembrokeshire by providing affordable accommodation i.e. for economic reasons was also made by Councillor Owens, seconded by Councillor Price. The Director advised that if Members were minded to approve the application, she would invoke the Authority's Cooling Off Procedure as such a decision would be significant in terms of precedent.

The officer clarified that discussions had been had with the applicants regarding roads and hardstanding on the site, however they had been advised that such infrastructure would not be supported. The motion to refuse the application was seconded by Dr Heath-Davies. The Development Management Manager clarified that if refused, the applicant would have the right of appeal and that an application could be sought for any structures to be retained as part of a licenced site or enforcement action could be taken if necessary. Members suggested that a workshop on BMV land would be helpful.

A vote was taken on the motion to refuse the application and this was won.



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

- 1. The application would result in the loss of Best and Most Versatile Agricultural land (Grade 2). This is contrary to the provisions of both Planning Policy Wales Edition 11 and Technical Advice Note 6.**

[Councillor Hancock disclosed a prejudicial interest in the following matter and left the meeting. Mrs Hoss and Councillor Price also tendered their apologies and left the meeting.]

- 7. Enforcement Matters: EC19/0007 – The Pool House, Hasguard Cross**  
The report set out the planning history of an enforcement matter relating to non-compliance of condition 4 of Planning Permission NP/12/0614 (dated 21/06/13). This related to retention of a mobile home (Rural Enterprise Dwelling) on the site which was approved for only a period of three years from the date of the decision and was to be fully removed from the site on or before 19/06/16.

Following refusal of a number of applications which sought to retain the mobile home, a Breach of Condition Notice had been issued on 28/03/23 requiring the permanent removal of the mobile home and all its supports from the land by 01/11/23. Following a site inspection by officers on 21/11/23 it was evident that the mobile home remained on the land contrary to the requirements of the Breach of Condition Notice and authorisation was therefore sought to instruct Solicitors to commence prosecution proceedings in the Magistrates Court against the persons responsible pursuant to section s187A(9) of the Town and Country Planning Act 1990 (as amended), on the basis that, without reasonable excuse, they had failed to comply with a notice served on them under s187A and were accordingly guilty of an offence and liable on summary conviction to a fine.

At the meeting the Director advised that a letter had been received from the legal advisors of the mobile home's owners, contending that the Breach of Condition Notice was of no legal effect as the mobile home had been classed as a building during the Authority's consideration of the Certificate of Lawfulness application and it was therefore no longer a mobile home. The Authority had sought legal advice and didn't consider that the letter provided any basis for an arguable defence and the recommendation remained that Solicitors be instructed to commence prosecution proceedings.

Members asked about costs to the Authority to date and the Director replied that she would advise Members of those details outside of the meeting.





On the proposal of Councillor Clements, seconded by Councillor James, it was **resolved** that Solicitors be instructed to commence prosecution proceedings in the Magistrates Court against the persons responsible pursuant to section s187A(9) of the Town and Country Planning Act 1990 (as amended), on the basis that, without reasonable excuse, they had failed to comply with a notice served on them under s187A and were accordingly guilty of an offence and liable on summary conviction to a fine.

## **8. Appeals**

The Development Management Manager reported on 2 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 both applications - NP/22/0693/FUL for a New 4-bedroom dwelling with garage and vehicle access/driveway on Land to west of Charnwood, Castle Way, Dale and NP/22/0503/FUL for the installation of a 51 metre high telecommunications tower supporting 9 no. transmission dishes and 6 no. mobile coverage antennas, an equipment cabin and 2 no. equipment cabinets at ground level, a chainlink security fence surrounding the equipment and development ancillary thereto at Pantmaenog Woodlands, Rosebush - had been dismissed.

In response to a question, the Development Management Manager advised that an application had been received in respect of one of the buildings that was subject to the ongoing appeal at Trewern, Nevern, and it was hoped to bring this to the January meeting of the Committee. The appeal was being held in abeyance, pending a decision on the application.

**Noted.**

