

Development Management Committee

13 March 2024

Present (In Person)

Dr M Havard (Chair)

Councillor Steve Alderman, Councillor D Clements, Dr R Heath-Davies, Councillor R Jordan, Mrs J James, Dr RM Plummer, Councillor V Thomas, Councillor M Wiggins, Councillor A Wilcox and Councillor C Williams.

Present (Remotely)

Councillor Dr SL Hancock, Mrs S Hoss, Councillor M James, Mr GA Jones and Councillor B Price.

Officers in attendance

Mr C Felgate (Solicitor), Mr M Kent (Monitoring Officer), 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 – 12.15pm;
12.45pm - 1.40pm]

1. **Personal Matters**

Although it had been marked at other meetings of the Authority, the Chair recalled the recent passing of Councillor R Owens and acknowledged his great service to the Authority and as a former Chair of the Committee. A minute's silence was observed.

The Chair welcomed Councillor V Thomas to the Committee.

2. **Apologies**

Apologies for absence were received from Councillor PJ Morgan and Councillor S Skyrme-Blackhall.

3. **Disclosures of interest**

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

Application and Reference	Member(s)/Officer(s)	Action taken
Minute 7 below – general declaration as an NRW Board Member and Plantlife Trustee	Dr RM Plummer	Remained in the meeting and played a full part in the



		discussions and voting
<i>Minute 7(a) below - NP/21/0752/FUL – Mountain Ash Cottage, Sandy Hill Road, Saundersfoot</i>	Councillor C Williams	Withdrew from the meeting while the application was discussed
	Councillor R Jordan	Disclosed a personal interest and played a full part in the discussion and voting on the application

4. Minutes

The minutes of the meetings held on the 31 January 2024 and 19 February 2024 were presented for confirmation and signature.

On the proposal of Councillor D Clements, seconded by Dr R Plummer, it was **RESOLVED** that the minutes of the meetings held on the 31 January 2024 and 19 February 2024 be confirmed and signed.

5. Right to speak at Committee

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

Reference number	Proposal	Speaker
NP/21/0752/FUL <i>Minute 7(a) refers</i>	The erection of 2 no. 4 bedroom detached dwellings – Mountain Ash Cottage, Sandy Hill Road, Saundersfoot, Pembrokeshire, SA69 9PL	Andrew Milne – objector (3 mins) Chris Cox – Agent (3 mins)



NP/23/0527/FUL <i>Minute 7(b)</i> <i>refers</i>	Change of use of former public toilets to takeaway ice cream parlour/coffee bar with toilet facility for public use and a disabled parking space. – Redundant Toilet Block, Adjacent to Newgale Campsite, Newgale, Haverfordwest, Pembrokeshire, SA62 6AS	Andrew Vaughan-Harries – Agent
NP/23/0534/FUL <i>Minute 7(c)</i> <i>refers</i>	Demolition of existing toilets/showers/store/ laundry & removal of touring caravans for reception & office/meeting room to the nearest alternative site outside the flood zone, with modest expansion for the replacement toilets/showers/ store/laundry/ reception & office/meeting room; plus integrated modest takeaway food kiosk to replace surrendered certificate of lawfulness via 106 Agreement for mobile catering unit – Newgale Campsite, Newgale, Haverfordwest, Pembrokeshire, SA62 6AS	Andrew Vaughan-Harries – Agent

6. **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. Finally, the Solicitor added that the report didn't mention that the Authority's decisions were subject to scrutiny and could be subject to a judicial review and it was therefore important that they were lawfully based.

NOTED

7. Report of Planning Applications

The Committee considered the detailed reports of the Development Management Team Leader, together with any updates reported verbally on the day and recorded below. The Committee determined the applications as follows (*the decision reached on each follows the details of the relevant application*):

[Councillor C Williams withdrew from the meeting during consideration of the following application, having disclosed a prejudicial interest].

- (a) REFERENCE: NP/21/0752/FUL
APPLICANT: c/o Mr C Cox
PROPOSAL: The erection of 2 no. 4 bedroom detached dwellings
LOCATION: Mountain Ash Cottage, Sandy Hill Road,
Saundersfoot, Pembrokeshire, SA69 9PL

Members were reminded that this application had been considered at the meeting of the Committee held in January 2024 when Members had resolved to defer the decision in order to undertake a site inspection (Minute 4 refers). The application site was located within the local centre of Saundersfoot, to the rear of a detached dormer bungalow. The existing dwelling was situated within a large plot with a significant difference in levels between the front and rear of the site. As a result of the difference in levels, the front elevation of the proposed dwellings would appear single storey with pitched dormers while the rear was three-storey with a gable projection.

It was also noted that there was an existing valid planning permission on the application site for the demolition of the existing dwelling and the erection of 2 new dwellings. This could be implemented and was described as the fallback position.

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 the proposed development was acceptable in terms of the principle of the proposed new dwellings and would 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. Affordable housing provision in the form of an off-site commuted sum had been secured through a Unilateral Undertaking. The recommendation was therefore one of approval.

The report to the Committee recommended inclusion of an additional two conditions to those included previously, in relation to the submission of a Construction Management Plan and removal of permitted development rights. At the meeting, the Director also advised the Committee that revised plans had been submitted on 4th March which removed the balcony on the East elevation; these had been published on the Authority's website and been subject to a re-consultation exercise. One objection had been received in respect of overlooking and impact on privacy. The officer also noted that the amended plans would need to be referenced in condition 2 and also recommended an additional condition to establish ground levels on the site.

Following questions at the site inspection, the officer went on to point out the separation distances of plot 2 from the neighbouring dwelling (3.8m at the closest point) and also the dual slope which meant that plot 2 would be at a lower level than plot 1. Noting the removal of the balcony to the East elevation in the amended plans, the officer then referred to the fallback position of the existing planning permission which included a balcony and similar glazing to the first floor, but no ground floor elevation. She also advised that confirmation had been received from a Registered Social Landlord that they were not interested in taking on one of the plots as an affordable dwelling, but that a Unilateral Undertaking had been received offering an acceptable offsite contribution. In answer to a question, it was confirmed that the location of the two dwellings was 2.9m further down the slope from the previously approved application.

The first of two speakers was an objector, Mr Milne, who was advised he had 3 minutes to speak as he had spoken at the previous meeting. He stated that while he welcomed the reduced ridgeline and removal of the balcony from the revised plans, he believed this showed a recognition of the incompatible building scale and the invasion of privacy it would cause as a result of overlooking from the first floor fenestration. He also noted the likely view from The Ridgeway on the opposite side of the valley which would be of buildings of an uncharacteristic size which would be seen as infill development in open countryside. He confirmed that he was not opposed to the original plan, but was opposed to the current application on the grounds of scale and adverse effect on the community and the quality of the environment. He noted that the Community Council had also objected to the application. He asked that the application be rejected on the grounds of overdevelopment, loss of privacy and devaluation of his property; if not rejected he asked for mitigation through movement of the



development 2.9m up the slope and removal of the first floor east fenestration.

The Director advised that devaluation of property was not a material planning consideration.

The second speaker was Mr Chris Cox speaking as Agent who also had 3 minutes to speak as his colleague had spoken at the previous meeting. He explained that the applicant had responded positively to the comments made at the previous meeting and had submitted amended plans to remove the balcony in order to reduce unacceptable overlooking. He added that the applicant would also accept a condition for the ground (middle) floor windows to be obscure glazed if necessary. He considered that the scheme before the Committee was preferable as it retained the existing cottage which the Building Conservation Officer had said was of some heritage value; it would also allow provision of three, rather than two, dwellings on the site and a greater level of funding - £140,360 rather than £38,400 - for affordable housing.

Members were pleased with removal of the balcony and the offer of obscured glazed windows, however some concerns remained regarding the amenity area for the existing cottage, position of the development downslope, its overbearing bulk and size and views of the site from the valley opposite, village below and the coast path. On the proposal of Councillor Wilcox, seconded by Mrs James, approval of the application was moved on the basis of the amended plans subject to the additional/amended conditions in relation to the Construction Environmental Management Plan, ground levels, removal of Permitted Development rights, obscured glazing and also an in perpetuity clause to be added to the lighting condition. This was carried.

DECISION: That the application be approved subject to conditions in respect of the timing of the development, accordance with approved plans and documents, arboricultural scheme, samples of external finishes, parking and turning, light mitigation strategy (including its maintenance in perpetuity), ecology, Construction Environmental Management Plan, removal of permitted development rights, ground levels and obscure glazing to the first floor east elevation.



- (b) REFERENCE: NP/23/0527/FUL
APPLICANT: Mr Harris
PROPOSAL: Change of use of former public toilets to takeaway ice cream parlour/coffee bar with toilet facility for public use and a disabled parking space.
LOCATION: Redundant Toilet Block, Adjacent to Newgale Campsite, Newgale, Haverfordwest, Pembrokeshire, SA62 6AS

It was reported that this application involved the change of use of a redundant toilet block to a takeaway ice cream parlour/coffee bar providing a single accessible toilet cubicle facility. Members were reminded that a similar application for change of use of the building with a small rear extension had been refused by the Committee in September 2023.

The location was within both a flood zone and a coastal change management area. The proposal did not increase the footprint of the building and was classed as a low vulnerable use. While the proposed retail element was not in a location supported by the Local Development Plan, its impact could be mitigated by planning condition. The provision of an enhanced community facility in the form of an accessible toilet facility with a disabled car parking space was a material planning consideration in favour of the development. Subject to appropriate planning conditions and the submission of a signed Section 106 legal agreement, the proposed use was considered appropriate for a temporary planning permission. A permanent permission was not considered appropriate given the lack of certainty over the long-term accessibility of the building.

At the meeting, the Development Management Manager recommended inclusion of a further condition in respect of the levels and surfacing of the proposed disabled parking space, and also the marking out of the space and its retention in perpetuity. Members sought clarification on a number of the proposed conditions with regards to the sale of hot food, opening hours of the toilet and its accessibility, management of the parking space and the temporary nature of the permission.

Mr Andrew Vaughan-Harries, the Agent, then addressed the Committee. He said that the applicant was pleased with the recommendation of approval, following refusal of the previous application. He stated that this was an opportunity to find a new, viable use for a previously empty building and to provide a public toilet that was disabled friendly. He agreed that the disabled off-road parking space would be managed and enforced and he would work with officers to achieve that through provision of appropriate signage. The Agent confirmed that his client did



not want to sell fish and chips but would welcome the flexibility to serve for example toasted sandwiches. He did question, however, the temporary nature of the permission and requirement for total demolition of the building after 10 years, as well as the need for a S106 Agreement to tie the building to the adjacent campsite. Should Members approve the application, he asked whether these matters could be discussed with officers after the meeting. The Solicitor confirmed that the wording of the conditions was not proposed to be delegated to officers and were to be clarified by the Committee before reaching a decision.

There was considerable discussion regarding the wording of the conditions particularly in relation to the serving of hot food, Members being concerned that condition 5 as currently written was too restrictive to allow, for example, a hot panini to be sold. The officer suggested an amendment to prevent the change of use to take away sales for fried use or A3 use that was outside an A1 coffee shop/ice cream parlour use. Members were happy with this amendment. Other proposed changes to conditions that they sought were an additional reference in condition 2 to ensure the facility was open 'to members of the public' in the second sentence; addition of the word inclusive to the days 'Monday to Sunday' in condition 6; and an additional condition in respect of refuse storage.

There was also discussion about the hours of opening of the disabled toilet and it was suggested that these were changed to reflect the hours of opening of the proposed development. However the Solicitor pointed out that the conditions requiring the toilet to be open and available to members of the public were not intended to mirror the hours that the business was open, which were a maximum and not a requirement, and should therefore not be changed from that drafted.

Angharad Llewelyn, Coastal and Rivers Engineer at Pembrokeshire County Council, provided clarification on the status of the road in that it was currently in the Shoreline Management Plan 'managed realignment' category and would move to the classification of 'no active intervention' which would lead to complete removal of the road by 2034. The Development Management Manager confirmed that the reason for the temporary permission was due to the uncertainty regarding the future accessibility of the building. The recommendation made was based on the best available data and reasonable likelihood regarding coastal change. Should the situation change such that the facility remained accessible for longer than anticipated, the applicant could make a S73 application to amend the conditions on the permission.

The recommendation to delegate approval to officers subject to receipt of a Section 106 legal agreement and subject to the conditions



discussed was proposed by Dr Plummer, seconded by Councillor Hancock.

DECISION: That the application be delegated to officers for approval subject to receipt of a Section 106 legal agreement to ensure that the former toilet building was retained in the same ownership as the campsite in perpetuity and operated as part of the wider campsite business and subject to the conditions in respect of accordance with approved plans and documents, timing of the development, temporary permission for 10 years, retail use, A1 coffee shop/ice cream parlour use and opening hours, opening hours of the public toilet, lighting, surface water, landscaping, waste refuse collection and storage.

If the Section 106 legal agreement was not completed within 3 months of the date of the Committee resolution, then delegated power be given to the Director of Placemaking, Decarbonisation and Engagement to exercise discretion to refuse the application on the grounds of non-compliance with Policy 7 Countryside and Policy 42 Site Facilities on Camping, Chalet and Caravan Sites of the Local Development Plan 2.

[The meeting was adjourned between 12.15pm and 12.45pm]

[Councillor Jordan tendered his apologies and left the meeting at this juncture.]

- (c) REFERENCE: NP/23/0534/FUL
APPLICANT: Mr Harris
PROPOSAL: Demolition of existing toilets/showers/store/ laundry & removal of touring caravans for reception & office/meeting room to the nearest alternative site outside the flood zone, with modest expansion for the replacement toilets/showers/store/laundry/reception & office/meeting room; plus intergrated modest takeaway food kiosk to replace surrendered certificate of lawfulness via 106 Agreement for mobile catering unit
LOCATION: Newgale Campsite, Newgale, Haverfordwest, Pembrokeshire, SA62 6AS

It was reported that this proposal was for the demolition of an existing toilet and shower building located within the Newgale Campsite. A new building was proposed to be located at a higher point within the site, in a location with less flood risk which was outside the coastal change area. The proposed building would be significantly larger than the existing



building with regards to floorspace. The applicant had suggested the building would replace existing reception caravans on site, however in planning terms these were currently unauthorised. The applicant had also suggested he would rescind use of a mobile catering unit, however the mobile unit was in any case only permitted for part of the year on a temporary basis and in any event no legal agreement had been provided to ensure this.

It was considered that the increased scale of the building, together with the prominent visual location would result in an unacceptable landscape impact. Insufficient information on lighting had been provided and the landscaping proposed would not be capable of mitigating the impact created by a building of the scale proposed. Insufficient information in support of the retail element of the takeaway use had been provided to justify it. The proposal was not considered to meet the requirements of the PCNPA LDP 2 in terms of policies and guidance relating to coastal change relocation, special qualities, design, landscape and retail and the application was therefore recommended for refusal.

At the meeting the Head of Development Management recommended that the third reason for refusal be amended to refer to the majority of the campsite being located within the Coast Change area leading to uncertainty about how the business would operate in future to justify a permanent new building. She added that informal discussions had taken place with the applicant during which she had suggested that a sensitively positioned temporary timber lodge could provide a solution to the needs of the site until there was greater certainty over the future of the road.

The Agent, Mr Andrew Vaughan Harries, then addressed the Committee. He described the existing toilet/shower block as a monstrosity which didn't enhance the National Park, yet it had planning permission. He explained that the applicants had spent money on it and it was lovely inside, it served an operational purpose and was well used. However they were willing to demolish it and rebuild it at considerable cost to improve the facilities further at their popular campsite. As the current building was within the coastal change management zone, a site immediately outside of this had been chosen for the replacement building and such a move was supported by Policy 37 Relocation and Replacement of Development.

The agent acknowledged that the temporary meet and greet trailers were unauthorised, however he believed that they were ancillary to the operation of the campsite, which had a certificate of lawfulness and the proposal provided a sensitive building to replace them. He noted that the building was broken up by using different materials, and if the trailers and mobile catering unit were taken into account, would be of a similar size to



existing units on the site. He believed that there was a demand for the campsite to provide food, particularly as the pub was not currently operational. He concluded by saying that a solution needed to be found as the business was planning for the long term; he suggested that if flooding became more of an issue, the campsite could move further up the hill to protect the health and safety of visitors.

While Members wished to support the business they agreed that the proposal before them was not acceptable and hoped that agreement could be found for a better solution. The recommendation of refusal was proposed by Dr Plummer, seconded by Dr Heath Davies.

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

- 1. The building proposed is of a scale significantly larger than the building it seeks to replace, this together with a formalised access track and footpath positioned in a prominent and high landscape location would result in a visual intrusion into the sensitive landscape of the National Park. Insufficient information on lighting strategy has been provided and the landscaping proposed is not appropriate for this location. The proposal is therefore contrary to the provisions of PCNPA LDP2 Policy 8 (Special Qualities), Policy 14 (Conservation and enhancement of the Pembrokeshire Coast National Park), Policy 37 (Relocation and replacement of development (other than residential) affected by coastal change and the Authority's Supplementary Planning Guidance Document on Landscape Character and the principles of TAN12 Design).**
- 2. The retail element of the proposal has not been sufficiently justified and is therefore not compliant with PCNPA LDP 2 Policy 42 (Site Facilities on Camping, Chalet and Caravan Sites) and Policy 57 (Town and District Shopping Centres).**
- 3. The majority of the campsite which is the subject of this application is located within a Coastal Change area. The Authority has insufficient information on how the site will be accessed when the road is no longer maintained. The Authority therefore has no certainty that in the long term appropriate access can be achieved. Given that the majority of the existing campsite is located within the Coastal Change area there is also insufficient certainty about how this business will operate in the future to justify a permanent new building. The proposal is therefore contrary to Policy 7 Countryside as the proposal does not assist coastal communities in preparing for and adapting to climate change and is also contrary to Policy 29 Sustainable**



**Design and Policy 59 Sustainable Transport and Policy 60
(Impacts of Traffic).**

- (d) REFERENCE: NP/23/0416/MOD
APPLICANT: GRD Ltd
PROPOSAL: Modification of a planning obligation relating to
NP/18/0575/OUT - Clause 19 affordable
housing/commuted sum payment
LOCATION: Land to the East of Glasfryn Road, Glasfryn Road, St
Davids, Pembrokeshire, SA62 6FJ

It was reported that this application had been withdrawn.

Noted.

- (e) REFERENCE: NP/23/0609/S73
PROPOSAL: Variation of condition No 2 of NP/22/0462/FUL -
Alteration to some external elevation finishes &
addition of 1 x window opening
LOCATION: Tar House, Llangwm, Haverfordwest,
Pembrokeshire, SA62 4HN

It was reported that this was a S73 application wishing to amend details previously approved under planning ref NP/22/0462/FUL. The application was before the Committee as the applicant was a senior member of staff in the employment of the Authority.

The proposal involved the demolition and replacement of an existing dwelling house. The application reflected that previously approved under NP/22/046/FUL but with amended design details. These were the addition of a window to the east elevation of the porch, using blue/black engineering bricks to construct the porch matching the plinth, replacing the cedar cladding with vertical hung blue-black natural interlocking concrete slate or composite man-made slate cladding and a repositioning of the flue.

Following consideration of the policies contained within Future Wales, Planning Policy Wales 12 and LDP2, and having regard to all material considerations it was considered that the development was in accordance with policy, was appropriate and could be supported. It was suggested that a condition be added requiring a sample of the proposed external materials to be submitted for approval if non-natural slates/tiles were used.



At the meeting, the officer advised that conditions 3 and 4 of the previously approved application in respect of protection of landscaping and Construction Management Plan had been discharged and he asked that the conditions be removed from the application, and that condition 2 be amended to add the tree and hedgebank site plan and construction method statement to the list of approved documents.

The recommendation of approval was proposed by Mrs James, seconded by Councillor Clements.

DECISION: That the application be approved subject to conditions relating to timing of the application, accordance with approved plans and documents and approval of external material.

8. Appeals

The Development Management Team Leader 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.

The Development Management Manger apologised that the address of NP/22/0600/FUL had been omitted from the report – it was land south of Haroldston Hall, Broad Haven.

A question was asked regarding the Trewern appeal and the officer advised that following approval of the agricultural workshop and equipment store at the previous meeting of the Committee, a second application had now been submitted in respect of another building and PEDW had been asked to hold the enforcement appeal in abeyance for a further 4-6 months to allow the current application to be progressed.

NOTED.

