

DEVELOPMENT MANAGEMENT COMMITTEE

15th June 2011

Present: Councillor M Williams (Chairman)
Mrs G Hayward and Mrs F Lanc, Messrs D Ellis, R Howells, E Sangster; Councillors JS Allen-Mirehouse, JA Brinsden, ML Evans, RR Evans, RN Hancock, SL Hancock, M James, RM Lewis, PJ Morgan and WL Raymond .

(NPA Offices, Llanion Park, Pembroke Dock: 10.00a.m. – 12.10pm)

1. Apologies

Apologies for absence were received from Councillor HM George

2. 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
<i>Minute 7(a) below</i> Variation of condition 2 of NP/320/93 for change of use of the site from 55 touring caravans to 47 static caravans, Meadow House, Summerhill, Amroth	Councillor JS Allen-Mirehouse Councillor JA Brinsden Councillor RM Lewis	Withdrew from the meeting while the application was discussed
<i>Minute 7(b) below</i> Alterations and Extensions to Existing Clubhouse and Road Improvements, Meadow House, Summerhill, Amroth	Councillor JS Allen-Mirehouse Councillor JA Brinsden Councillor RM Lewis	Withdrew from the meeting while the application was discussed
<i>Minute 7(c) below</i> Change of use to 8 no lodges (on axel), Meadow House, Summerhill, Amroth	Councillor JS Allen-Mirehouse Councillor JA Brinsden Councillor RM Lewis	Withdrew from the meeting while the application was discussed



Application and Reference	Member(s)/Officer(s)	Action taken
<i>Minutes 7(g) and 7(h) below</i> Removal of existing gravel & brick walling in beer garden seating out area & replacement with heritage paving slabs & rendered wall & railing enclosure, Hope & Anchor, St Julians Street, Tenby	Councillor ML Evans	Withdrew from the meeting while the application was discussed
<i>Minute 9(b)below</i> EC04/083 Untidy Appearance of Property, Sunnyside, Rusheylake, Saundersfoot	Councillor SL Hancock Mr D Ellis	Took no part in the discussion or voting thereon
<i>Minute 9(c)below</i> EC10/023 – Unsightly Shop Front, Shop adjacent to Old Chemist inn, The Strand, Saundersfoot	Councillor SL Hancock Mr D Ellis	Took no part in the discussion or voting thereon

3. Minutes

The minutes of the meeting held on the 18th May 2011 were presented for confirmation and signature.

Members again asked about progress on the Gatehouse Development, Tenby and noted that the hoardings around the site were looking untidy. The Head of Development Management replied that discussions were ongoing, but that the requisite Section 106 Agreement had not yet been completed and that she would ask the owner to keep the hoardings in a tidy appearance.

It was **RESOLVED** that the minutes of the meeting held on the 18th May 2011 be confirmed and signed.

4. 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. As agreed at the meeting of the Policy Committee held on the 26th February 2003, when the right to speak scheme was reviewed, interested parties would now be called upon to speak in the order that the applications appeared on the agenda (*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/10/450 <i>Minute 7(a) refers</i>	Variation of condition 2 of NP/320/93 for change of use of the site from 55 touring caravans to 47 static caravans, Meadow House, Summerhill, Amroth	Cllr Tony Brinsden, County Councillor Mr D Evans, Objector Mr H Pendleton, Applicant Mr G Blain, Agent
NP/10/451 <i>Minute 7(b) refers</i>	Alterations and Extensions to Existing Clubhouse and Road Improvements, Meadow House, Summerhill, Amroth	Cllr Tony Brinsden, County Councillor Mr G Holden, Objector Mr H Pendleton, Applicant Mr G Blain, Agent
NP/11/096 <i>Minute 7(e) refers</i>	Removal of Condition 2 of NP/06/450, 9 Millmoor Way, Broad Haven	Mr D Thornton, Objector Mr K Morgan, Agent
NP/11/136 <i>Minute 7(f) refers</i>	Change of use & conversion of outbuilding to holiday accommodation, Adj Penrhyn, Mountain West, Newport	Mr E Hill, Objector

5. Planning Applications received since the last meeting

The Head of Development Management reminded Members of the protocol that had been introduced whereby “new” applications would now be reported to Committee for information. These “new” applications were ones that had been received since preparation of the previous agenda and were either to be dealt with under officers’ delegated powers or at a subsequent meeting of the Development Management Committee. The details of these 40 applications were, therefore, reported for information.



NOTED.

6. Human Rights Act

The Head of Legal Services reminded the Committee that the Human Rights Act provided that, from the 2nd October 2000, the rights set out in the European Convention on Human Rights would be accessible direct in the British Courts.

The Act required that, as far as was possible, existing legislation had to be read and given effect in a way which was compatible with the Convention rights. Furthermore, it would be unlawful for public authorities to act in a way that was incompatible with Convention rights.

In the planning sphere, relevant rights could attach both to applicants for planning permission, and also to third parties who might be adversely affected by a proposed development. Consequently it was essential that the way in which the Authority decided planning issues was characterised by fairness, and that the Authority struck a fair balance between the public interest, as reflected in the Town and Country Planning legislation, and individual rights and interests.

Accordingly, the following reports of the Head of Development Management, which were before Members that day, had been prepared with express and due regard to the Convention on Human Rights. In particular:

- A. In assessing each application, every effort had been made to consider, and place before Members, all the arguments put forward:
 - (i) by those seeking planning permission;
 - (ii) by those opposing the grant of planning permission, and
 - (iii) by those suggesting conditions deemed appropriate if permission was to be granted.

- B. Each planning application to be considered by the Committee was the subject of an individual Appraisal and Recommendation. These embraced a balancing of any competing interest.

It was **RESOLVED** that the report of the Head of Legal Services be noted.

7. Reports of the Head of Development Management

The Committee considered the detailed reports of the Head of Development Management, wherein were listed the comments of various



organisations that had been consulted on a number of applications for planning permission. Upon consideration of all available information, which included late representations that were reported verbally at the meeting, the Committee determined the applications as recorded below (*the decision reached on each follows the details of the relevant application*):

[Councillors JS Allen-Mirehouse, JA Brinsden and RM Lewis disclosed an interest in the following application and withdrew from the meeting whilst it was discussed.]

- (a) REFERENCE: NP/10/450
APPLICANT: Mr C Pendleton, Celtic Holiday Parks
PROPOSAL: Variation of condition 2 of NP/320/93 for change of use of the site from 55 touring caravans to 47 static caravans
LOCATION: Meadow House, Summerhill, Amroth

This application sought to vary condition 2 of planning permission NP/320/093 to allow for the stationing of 47 static caravans in lieu of the 55 touring caravans allowed under that permission. Seven letters of objection had been received, the details of which were set out in the report, and it was reported that a further objection relating to all three applications at this site (*Minutes 7(b) and 7(c) also refer*) had been received which stated that the applications did not comply with the development plan, would have an adverse impact on local habitats, views, levels of noise and light, in addition to there being inadequate infrastructure to support the development. An objection had also been received from the National Trust. It was also reported that the Highway Authority had recommended conditional consent, subject to the highway improvements (see application NP/10/451 *Minute 7(b) refers*) being carried out before the static caravans were occupied and the sales area open to the public.

The report set out officers' considerations on the application, and the main issues identified were visual impact arising from the proposal, the suitability of the infrastructure to service the development and amenity considerations. It was considered that the proposal was acceptable and subject to appropriate landscaping would not cause adverse harm to the National Park landscape. Furthermore, statutory consultees had advised that the infrastructure was sufficient to service the development subject to conditions. It was also not considered that the proposal would cause any detrimental harm to the amenities of the surrounding area or nearby residents. The application was therefore recommended for approval.



The first of four speakers was Councillor JA Brinsden, who was the County Councillor for that area and he also observed that Amroth Community Council had supported the applications . He noted that the caravan site would not be permitted under current planning policy, but had been established just after the Second World War, before most of the surrounding properties were built. He stated that he had asked for the application to be considered by the Committee due to the public interest in the proposals and stressed the economic benefits to the local community of further development of the site. He considered that fewer touring vans and motor homes on the narrow local roads would be an advantage and concluded that additional development at this site was sustainable as a regular bus service passed the entrance to the site linking it to Tenby, Amroth and Pendine.

Mr D Evans then spoke on behalf of the neighbouring properties and the National Trust, objecting to the application. He considered that the loss of 55 touring pitches at the site raised questions regarding the variety of accommodation types available in the area, which the development plan considered to be important. He noted that there were already 150 static pitches at Meadow House but that there were no similar sites providing touring pitches in the local area. He also noted that signs had recently been erected on Amroth sea front stating that no overnight parking was allowed and this only emphasised the existing lack of touring provision in the area. He did not consider that Policy 38 of the Local Development Plan had been met as the proposed static caravans would be more visually intrusive than the existing tourers. He also doubted that the proposed caravans would fit into the field, particularly if additional landscaping was required. Mr Evans went on to note that the adjacent road to Summerhill flooded during heavy rain, and considered that this problem would only increase with the additional hardstanding that the static caravans would require. Finally with regard to the sale of caravans from the site, he pointed out that there were already three dealers in Pembrokeshire and questioned whether the necessary 'office' caravan was in addition to the 47 statics proposed by the application.

Mr H Pendleton, the applicant, then spoke briefly to say that this was part of a very large investment into the National Park, and that he was pleased with the recommendation of approval. His agent, Mr G Blain, then added that he had worked with officers for over two years on the applications and had addressed all the points they had raised.

Members then sought clarification on the capacity of the site to accommodate 47 static caravans plus landscaping. The Head of Development Management explained that the licensing authority required certain distances to be maintained between caravans. She explained that the proposed landscaping would take the form of 'fingers' of planting, not



just around the perimeter, and was satisfied there would be sufficient space.

As the proposal was for the replacement of temporary caravans with those to be sited more permanently, a number of Members were concerned that the level of landscaping should be sufficient to screen the greater 'urbanisation' of the site (caused by such things as gardens, car parks and lighting that would inevitably follow). They also hoped that opportunities to increase the biodiversity of the site could be taken by linking wildlife areas. The Officer confirmed that conditions would be imposed on any permission controlling such items as lighting, decking and parking as well as requiring the implementation of a suitable scheme of landscaping. However she noted that the site was already developed and granting permission with these conditions would provide an opportunity to increase landscaping on the site, and a plan would be required. Finally one Member commended the use of Sustainable Urban Drainage (SUDS) and asked whether it was possible to extend its use to cover already developed areas of the site. The officer explained that SUDS involved the control of drainage through sustainable means but that such an extension into the existing site could only be requested, rather than required from the applicant.

DECISION: That the application be approved subject to conditions relating to landscaping, holiday letting periods, sewage, surface water and highways and those discussed by Members.

- (b) REFERENCE: NP/10/451
APPLICANT: Mr C Pendleton, Celtic Holiday Parks
PROPOSAL: Alterations and Extensions to Existing Clubhouse and Road Improvements
LOCATION: Meadow House, Summerhill, Amroth

This application sought consent for alterations and extension to the clubhouse to provide increased facilities for both residents on the site and for non residents. The application had generated a number of objections, as set out in the report, and the main issues to be considered related to whether the facilities proposed were reasonably related to the site and its surrounds, whether the scale and design were acceptable and consideration of amenity issues. An additional letter of objection had been received since writing the report which stated that the applications did not comply with the development plan, would have an adverse impact on local habitats, views, levels of noise and light, in addition to there being inadequate infrastructure to support the development. A revised response had also been received from the Highway Authority requiring



the highway improvements to be carried out before the clubhouse was opened to all users.

Whilst officers had no objection in principle to the provision of additional facilities at this site to serve both residents and those in the surrounding area, there was much concern with the scale and design of the proposal and its impact on both its host building and the character of the area. The proposal would result in a three storey building by further utilising the existing basement and extending into the roofspace. A glazed link between the existing gabled wings would also be created, together with an outside terrace on two levels as well as the relocation of a children's play area to the south west of the building. Officers considered that these proposals would cause significant visual intrusion due to the massing of the building, the extent of the glazing, elevated nature of the extended building and the differing styles. The applicant's agent had attempted to address these concerns through a recent amendment to the scheme, but officers could still not support the proposal on design grounds.

With regard to amenity, while the subject building was situated some distance from neighbouring properties, officers were concerned that the elevated position, together with the extent of outside terrace area, would lead to increased noise and activity. Furthermore the extensive glazed areas would significantly increase light spillage from the building, which at such an elevated level would be highly visible from the surrounding area. In addition, the proposed relocation of the children's play area close to the rear garden of the adjacent property was likely to add noise and disturbance not currently experienced by this property. As such it was considered that the proposal would cause adverse harm to the amenities of nearby properties and the application was recommended for refusal.

Councillor JA Brinsden was the first of four speakers on this application. He did not believe that the intention was to create a 'Butlins' type development and there would be no impact on other businesses. He did not consider there to be undue massing of the building, and light pollution could be controlled through appropriate types of glass. With regard to noise, he stated he had never received a complaint and through his enquiries to the licensing and public protection agencies he had discovered only one mention of noise, in 2006, when the current occupier had sought a variation in the liquor licence shortly after taking over the business. He acknowledged that planning was subjective, but he did not think that the proposed development would be to the detriment of the National Park, and urged Members to pass the application which he considered would improve the economy of the area.

The next speaker was Mr G Holden who spoke on behalf of all the local residents and the National Trust. He agreed with officer's comments with



regard to light and noise and was also concerned about traffic and odour resulting from the proposals. With regard to noise, he stated that complaints had been made by local residents and visitors to the management of the site and related an incident when he had visited the site to find the doors and windows of the club open, contrary to the requirement of the licensing committee; he therefore considered that extra facilities would lead to additional noise. This would be exacerbated by the outside terrace and playground. Finally he noted that a sewerage plant had originally been included within the application, but this had been withdrawn, and he was concerned that the increase in sewage would affect the local environment.

Mr Pendleton, the owner, then spoke, stating that as a holiday park operator he needed to improve the facilities of the site in order to compete. He considered Meadow House to be unique, and the proposed development would increase employment, the use of local produce and provide additional facilities in the area. As a living, working area, the National Park needed jobs and tourism, and he asked Members to consider the application favourably as the proposals were vital to the success of the holiday park

Mr G Blain, the applicant's agent, was the final speaker on this application. He acknowledged that the existing building was not particularly attractive, and stated that he had worked hard to come up with the best possible design for the building. He explained that permission had already been granted for extensions to the clubhouse, and the current proposals only increased the footprint by 16%; floodlighting already existed. One of the storeys would be located below ground level and inspiration for the glazing aspect had been gained from the St Brides Hotel in Saundersfoot. It was hoped that the type of product being developed, which would include fine dining, would not produce a lot of noise, and some of the terracing had been removed to try to address officers' concerns. The playground would be located on land which already had permission for a tennis court and golf course. Mr Blain concluded that the building would comply with BREEAM (Building Research Establishment Environmental Assessment Method) standards for best practice in sustainable design of buildings and incorporate Sustainable Urban Drainage, which would improve the current building.

In considering the application, Members sought clarification on the alterations that were proposed and the likely effect on neighbouring properties. In order to assist their deliberations, and given the importance of the site, it was proposed and seconded that a site visit take place.

DECISION: That the application be deferred for one month to allow a site inspection to take place.



- (c) REFERENCE: NP/11/180
APPLICANT: Mr C Pendleton, Celtic Holiday Parks
PROPOSAL: Change of use to 8 no lodges (on axel)
LOCATION: Meadow House, Summerhill, Amroth

This full application proposed the installation of eight detached holiday lodges on land at Meadow House currently used as a rubbish dump for the holiday park. As the Committee had already resolved to visit the site (*minute 7(b) refers*) it was suggested that this application also be deferred.

DECISION: That the application be deferred for one month to allow a site inspection to take place.

- (d) REFERENCE: NP/11/095
APPLICANT: Mrs L Viggars
PROPOSAL: UPVC Conservatory to replace existing conservatory
LOCATION: Glenbay, 4 Glen Court, Little Haven

This application sought retrospective approval for the replacement of a previously approved timber conservatory with one in white UPVC on this traditional building, which comprised a block of apartments. The conservatory sat on top of a single storey flat roof extension.

One objection had been received from a neighbouring property, the details of which were set out in the report. Whilst officers considered that the proposal was not particularly sympathetic, was likely to introduce some detrimental impacts upon the amenity levels of the neighbouring apartments and would have a visually intrusive impact upon the existing character of the building and surrounding residential area, the fact that this conservatory replaced a previous lawful structure had to be taken into account. Therefore the main planning considerations comprised whether any additional detrimental impact was caused by the replacement structure from what was already present on site as a result of the previously approved timber conservatory.

Officers concluded that no significant additional detrimental impact upon the existing character of the building or surrounding residential area had been caused by the replacement conservatory. Neither was it considered that the conservatory significantly exacerbated any detrimental impact upon the existing amenity value of the site or neighbouring properties. It was therefore recommended for approval.



Some Members disagreed with the officer's recommendation, pointing out that two wrongs did not make a right. They considered it to be a fine building, which should be treated with respect, and lamented the use of UPVC in the building. While other Members did not disagree with this view, they reluctantly agreed with officers that it was difficult to do anything other than approve the application in the circumstances

DECISION: That the application be approved, subject to standard conditions relating to time limit and compliance with plans.

(Mr D Ellis voted against the above mentioned application)

- (e) REFERENCE: NP/11/096
APPLICANT: Mr S George
PROPOSAL: Removal of condition no. 2 of NP/06/450
LOCATION: 9 Millmoor Way, Broad Haven

It was reported that the above mentioned site had benefitted from two separate planning permissions in recent times. In 2005 full planning permission was granted for a replacement dwelling and garage. In 2006 planning permission had been granted for an alternative scheme comprising the demolition of the original dwelling and the erection of a pair of semi-detached dwellings. The current position was that the 2005 permission had been commenced and the 2006 permission remained extant.

Planning permission was now sought to amend the design of the semi-detached dwellings as well as to add an oil tank in each rear garden area and to retain/adapt the partly constructed garage at the rear of the site to create covered parking for each residential unit together with domestic storage. Officers considered that the application respected the character and amenity of the neighbourhood and was therefore recommended for approval, subject to a number of conditions to control the development.

Mr David Thornton then addressed the Committee. He began by expressing concern over the public consultation process, particularly what exactly was being applied for as the application appeared to combine the two previous applications. He noted that the Community Council had objected to both the 2005 and 2006 applications on the grounds of overdevelopment. He went on to explain that his main concern was regarding the drainage from the property. His garden flooded in a bad winter, with water flowing from the property the subject of this application, and, coming from a background in drainage engineering, he did not believe that the measures proposed would alleviate this problem.



Before listening to the next speaker, Members asked officers to comment on the public consultation arrangements. The officer replied that the written description of the application as “Removal of condition no. 2 of NP/06/450” was not particularly helpful and there was also confusion over which of the previous permissions was being implemented. However this application was presented to resolved these problems and he maintained that plans had always been available from the Authority’s office and these addressed any confusion.

Mr Ken Morgan, the agent, then spoke. He explained that the current application regularised the situation, which had arisen as he had believed that the garage had been included in the 2006 permission, but it seemed this had not been the case. With regard to the Community Council’s concern regarding over-development, he noted that the footprint of the development covered less than 50% of the site, and officers were happy with the design. With regard to drainage, a cut-off drain was proposed along the length of the boundary, with a soakaway at a lower level than the neighbouring property so that there would not be any runoff into its garden.

Members noted that as the application was for a replacement dwelling, the principle of development was established. They hoped that the issue of flooding of the neighbouring property’s garden had been addressed, but questioned whether sufficient percolation tests had been carried out. The officer replied that he had met on site with the agent, the applicant, Drainage Officer and Building Control Officer of Pembrokeshire County Council and as a result of that meeting amended drawings had been agreed which addressed the issues to the County Council’s satisfaction. However it would remain the responsibility of building control to ensure that the system functioned properly.

DECISION: That the application be approved subject to the following conditions: development to commence within 5 years; development in accordance with amended plans; removal of permitted development rights; landscaping and boundary treatments; undergrounding of power cables; foul and surface water drainage; and highways (access, parking and turning).



- (f) REFERENCE: NP/11/136
APPLICANT: Mrs R Benson
PROPOSAL: Change of use & conversion of redundant outbuilding to holiday accom & Internal alterations, works to garage & installation of drainage system
LOCATION: Adj. Penrhyn, Newport

Full planning permission was sought for the conversion and extension of an existing outbuilding to a one-bedroomed holiday let, plus internal alterations and external rendering to an existing garage. The outbuildings lay adjacent to the cottage at Penrhyn which was in separate ownership.

It was reported that this was the second application on the site for conversion to holiday accommodation use, the first having been refused under officers' delegated powers due to substantial extensions, lack of information with regard to the protection of trees and hedgebanks and unacceptable loss of amenity. The current application had sought to address the reasons for refusal on the previous application.

Officers noted that the building was not considered suitable for affordable housing provision by virtue of the impact a full residential use would have on the character of the area. Therefore they considered that the current proposal was in accordance with the Development Plan and subject to conditions was not felt to harm the special qualities of the National Park, the Historic Landscape or the amenity of neighbouring residents. It was therefore recommended for approval. However the application was before the Committee as Newport Town Council had objected to the application. Four additional letters of objection had also been received, three of which were from the same property and the points raised were set out in the report.

It was reported at the meeting that the Environment Agency had confirmed that they had no objection to the application, and the Authority's Tree Officer was happy with the proposals, both subject to conditions.

Mrs Emma Hill then addressed the Committee. She explained that she lived at the adjacent property, Penrhyn, which was only a few metres from the site, which was outside of any settlement boundary. She objected to the application in terms of the proposals' unacceptable impact on her privacy and light; the proposed unit would overlook her property's driveway and she would also be disturbed by the sensor lights which would activate. Her family had chosen to live in a peaceful and tranquil location and this would be disturbed if the proposals went ahead, affecting their human rights – the issue of loss of amenity which had been one of the reasons the previous application had been refused had not been addressed by the removal of the patio. She went on to express concern



over the impact of the domestic appearance of the property on the historic landscape and on users of the bridleway as this formed part of the access to the property and would have to be surfaced. She believed that traditional boundary walls and a sycamore tree would have to be removed so that access could be gained to the property, and that bats had been found using the barns and she feared these would be eradicated. Mrs Hill concluded that for all these reasons the building was unsuitable for conversion to a holiday let.

Some Members were concerned that the quality of the environment in this area would be harmed if the development went ahead, particularly if in providing access to the site there was a loss of traditional boundary features, which were part of the attractiveness of the site. Concern was also expressed about the impact of the development on the neighbouring property. However others were concerned that the buildings would become ruined if a sympathetic use could not be found for them and it was suggested that, with the imposition of conditions to ensure traditional detailing, appropriate landscaping and low key hardstanding, the application could be approved. The use of an air source heat pump was also noted and concern was raised about the noise it would generate in what was a quiet rural area.

Officers believed that this was a sensitive conversion and had worked with the applicants to try to ensure the scheme complied with policies. With reference to the issue of noise, it was understood that air source heat pumps were quiet but that any issues would be dealt with by Environmental Health. With regard to the loss of the boundary, as it was unclear from the plans before officers whether an area of hedgebank was to be removed, the agent was then permitted to clarify that this was not the case, and that the tree was to be replaced with an ash of local provenance. He stated that the gate was wide enough for access to be gained without the need for additional work. Members remained concerned over the access and the apparent need to surface it, but the officer stated that agreement not to tarmac it would be sought. The application was moved and seconded for refusal, however when put to the vote this motion was lost. A substantive motion that the application be approved subject to conditions regarding landscaping, the use of traditional materials and removal of permitted development rights to control such domestic items as external lighting, satellite dishes, etc was then proposed and seconded and this was approved.

DECISION: That the application be approved subject to conditions regarding the development being constructed in accordance with approved plans, external finishes, landscaping, the protection and retention of trees, hedgerows and hedgebanks, holiday occupancy,



removal of permitted development rights and those recommended by consultees.

[The following applications NP/11/155 and NP11/156 were considered together as they relate to the same development; Councillor ML Evans disclosed an interest in both items, tendered his apologies and left the meeting]

- (g) REFERENCE: NP/11/155
APPLICANT: Mr J Rossiter
PROPOSAL: Removal of existing gravel & brick walling in beer garden seating out area & replacement with heritage paving slabs & rendered wall & railing enclosure
LOCATION: Hope & Anchor, St Julians Street, Tenby

It was reported that this application to remove the existing sub-standard wall and gravel surface to the existing beer garden at this public house in Tenby and replace with heritage paving slabs and a new rendered wall, was on the agenda due to a Member of the Committee's interests in the site. The property was listed for group value and fell within the Tenby Conservation Area. It was noted that the site had been the subject of several previous planning applications relating to similar proposals but that these had now lapsed.

Officers considered that the proposed works were a satisfactory solution to providing a beer garden that also enabled disabled access into the public house. The proposal would also preserve both the setting of the listed building and the Conservation Area, being of traditional finishes with a forecourt wall that reflected those found elsewhere within the vicinity. The proposal followed the suggestions made by officers and it was considered that the application could be supported subject to conditions.

Members considered that the current proposals were an improvement on the existing scheme, but given the prominence of the site within the Conservation Area, were mindful that the detail of the proposals was important. Officers reassured the Committee that as the building was listed, Cadw would require further details and it would be a condition of any permission that these were provided.

DECISION: That the application be delegated to the Head of Development Management to approve subject to agreement of the external finishes and with conditions relating to time, colour scheme



- (h) REFERENCE: NP/11/156 (Listed Building)
APPLICANT: Mr J Rossiter
PROPOSAL: Removal of existing gravel & brick walling in beer garden seating out area & replacement with heritage paving slabs & rendered wall & railing enclosure
LOCATION: Hope & Anchor, St Julians Street, Tenby

DECISION: That Cadw be advised that there was no objection to consent being granted subject to agreement of detailed external finishes.

7. Other Planning Issues

(a) NP/10/511 – Blockett Farm, Little Haven

Members were reminded that the above-mentioned application had been considered by the Committee at its meeting on 26th January 2011 when it was resolved to grant consent subject to the completion of a Section 106 Agreement in respect of delivering affordable housing and providing infrastructure payments. The three affordable homes would be provided either for rent through a Housing Association or sale for low cost home ownership.

In negotiating the S106 Agreement, the applicant had expressed a wish to retain an option to rent through a private management company rather than through a Housing Association. This option was allowed in the Supplementary Planning Guidance in relation to affordable housing adopted in March 2011, subject to requirements. Members were therefore asked to agree to include the option for private rental of the affordable homes on this development. The Head of Development Management noted that the range of options would be included in future S106 Agreements negotiated by the Authority to avoid similar applications coming back to Committee.

It was **RESOLVED** that the Section 106 Agreement regarding the affordable housing to be provided as part of NP/10/511 include the option for it to be rented through a private management company.

It was also **RESOLVED** that all Section 106 Agreements in relation to affordable housing could include a range of options for delivery; ie low cost ownership, private rental or rental through a Registered Social Landlord.



9. Enforcement

(a) EC11/0039 – Unauthorised erection of pig pens, Red Hill Pigs, Manorbier, Tenby

It was reported that a block of permanent pig pens and a shed had been constructed on the above mentioned site without the benefit of planning permission. A Planning Contravention Notice had been served and the owner advised that planning permission was required, although no planning application had been submitted to date.

Officers considered that the development raised issues with regard to noise and smell and associated impact on amenity and visual impact, but without an application these matters could not be controlled through planning conditions and they therefore recommended that action should be taken to remove the unauthorised development.

It was **RESOLVED** that authority be given to proceed with the service of an Enforcement Notice to secure the removal of the pig pens and shed at Red Hill Pigs, Manorbier

[Councillor SL Hancock and Mr D Ellis disclosed an interest in the following enforcement matter EC04/083 and took no part in the discussion or voting thereon.]

(b) EC04/083 – Untidy Appearance of Property, Sunnyside, Rushey Lake, Saundersfoot

Members were reminded that at the meeting of the Committee on 14th July 2010 authority had been given to proceed with the service of a Notice under Section 215 of the Town and Country Planning Act 1990 to require steps to be taken to improve the appearance of the above mentioned property, which was in a dilapidated and deteriorating condition, to remedy its adverse effect on the amenity of the area.

The notice, under Ref No ENF/11/10, was served on the owner/occupier of the property on 8th September 2010 and clearly specified the steps required to be undertaken to remedy the condition of the land within 3 months (ie by 8th January 2011). It was reported that site visits had established that some work had been carried out, however despite a further letter, the Section 215 Notice had not been complied with and an offence committed.

It was reported at the meeting that the owner had said that work was underway at the property and had asked for more time for this to be completed. However in view of the failure of the owner to take effective action to comply with the Notice, officers still recommended that solicitors be instructed to commence prosecution proceedings in the Magistrates Court for the failure to comply with the Section 215 Notice. The site



would continue to be monitored and if the situation resolved itself, prosecution proceedings could cease subject to payment of the Authority's legal costs.

It was **RESOLVED** that authority be given to instruct solicitors to commence prosecution proceedings in the Magistrates' Court for the failure to comply with the requirements of the Section 215 Notice in force with regard to Sunnyside, Rusheylake, Saundersfoot.

[Councillor SL Hancock and Mr D Ellis disclosed an interest in the following enforcement matter EC10/023 and took no part in the discussion or voting thereon.]

(c) EC10/023 – Unsightly Shop Front, Shop adjacent to Old Chemist inn, The Strand, Saundersfoot

Members were reminded that at the meeting of the Committee on 14th July 2010 authority had been given to proceed with the service of a Notice under Section 215 of the Town and Country Planning Act 1990 to require steps to be taken to improve the appearance of the above mentioned mid-terrace shop front, which was in a poor and progressively deteriorating condition, to remedy its adverse effect on the amenity of the area.

The notice, under Ref No ENF/12/10, was served on the owner/occupier of the property on 8th September 2010 and clearly specified the steps required to be undertaken to remedy the condition of the land within 3 months (ie by 8th January 2011). It was reported that site visits had established that some work had been carried out, however despite a further letter, the Section 215 Notice had not been complied with and an offence committed.

Officers recommended that solicitors be instructed to commence prosecution proceedings in the Magistrates Court for the failure to comply with the Section 215 Notice in force. The site would continue to be monitored and authority for further legal action would be sought should the requirements of the Notice continue not to be met.

It was **RESOLVED** that authority be given to instruct solicitors to commence prosecution proceedings in the Magistrates' Court for the failure to comply with the requirements of the Section 215 Notice in force with regard to the shop adjacent to the Old Chemist Inn, The Strand, Saundersfoot.

(d) NP/11/108 – 17 Puffin Way, Broad Haven, Haverfordwest, SA62 3HP
It was reported that a retrospective planning application for a 2.5m high retaining wall across the rear garden of the above-mentioned property



was refused planning permission under delegated powers on the 17th May 2011, on the grounds that the wall was visually intrusive and out of character with the area. Discussions had taken place with regard to a re-submission lowering the height of the wall, but to date no new application had been received.

It was **RESOLVED** that authority be given to proceed with the service of an Enforcement Notice to secure the removal of the wall from the land at 17 Puffin Way, Broad Haven.

10. Appeals

The Head of Development Management reported on 8 appeals (against planning decisions made by the Authority) that were currently lodged with the Welsh Assembly Government, and detailed which stage of the appeal process had been reached to date in every case.

NOTED.

11. Delegated applications/notifications

40 applications/notifications had been issued since the last meeting under the delegated powers scheme that had been adopted by the Committee, the details of which were reported for Members' information.

NOTED.

12. Chairman's Closing Remarks

- (i) As Mr Ray Kirk, Principal Planning Officer, would soon be leaving the Authority, the Chairman wished to thank him for his work and wished him well for the future.
- (ii) An invitation had been received for Members of the Authority to visit the former Lifeboat House in Tenby and the Chairman commended this to the Committee. It was suggested that this might be arranged for the same day as the site inspection.
- (iii) Finally, as it was also his last meeting as Chairman of the Committee, Councillor Williams wished to thank Members for their tolerance and co-operation over the previous two years and he praised the Head of Development Management and her staff for their commitment and achievements. The Head of Development Management thanked the Chairman for his support.

