

REPORT OF HEAD OF DEVELOPMENT MANAGEMENT ON APPEALS

The following appeals have been lodged with the Authority and the current position of each is as follows:-

NP/11/250 Replacement garage, extension & car parking – 7 Prendergast, Solva
Type Householder
Current Position The appeal has been allowed and a copy of the Inspectors report is attached for information.

NP/10/451 Alterations and Extensions to Existing Clubhouse and Road Improvements – Meadow House Holiday Park, Summerhill, Amroth
Type Hearing
Current Position A hearing was held on 1st May 2012 and the decision is awaited.

NP/11/180 Stationing of 8 No.Lodges (on axel) – Meadow House Holiday Park, Summerhill, Amroth
Type Hearing
Current Position A hearing was held on 1st May 2012 and the decision is awaited.

NP/11/276 11 replacement dwellings – Llwyngwair Manor, Newport
Type Hearing
Current Position The initial paperwork has been forwarded to the Inspector and a Hearing has been arranged for 24th July 2012

NP/11/308 Conversion of garage and store to residential (retrospective) – Sunnydene, Valley Road, Saundersfoot
Type Written Representation
Current Position Awaiting Inspectors decision.

NP/11/315 Erection of artists studio & retention of 2 containers in new location - Blaenafon, Mill Lane, Newport
Type Written Representation
Current Position The appeal has been dismissed and the Inspectors decision is attached for information.

NP/11/401 One and a half storey 2 bed house with parking and access – The Court Garden, Lydstep
Type Written Representation
Current Position The initial paperwork has been forwarded to the Inspector.

NP/11/510 Single storey glazed rear extension - Ffynnon Faiddog, St Davids, Haverfordwest, Pembrokeshire, SA62 6PT.
Type Householder
Current Position The initial paperwork has been forwarded to the Inspector.

EC06/137 Siting of two shipping containers – Blaenafon, Mill Lane, Newport
Type Written Representation
Current Position The initial paperwork has been forwarded to the Inspector.



Penderfyniad ar yr Apêl

Gwrandawriad a gynhaliwyd ar 22/05/12

Ymweliad â safle a wnaed ar 22/05/12

gan **A D Poulter BA BArch RIBA**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 30/05/12

Appeal Decision

Hearing held on 22/05/12

Site visit made on 22/05/12

by **A D Poulter BA BArch RIBA**

an Inspector appointed by the Welsh Ministers

Date: 30/05/12

Appeal Ref: APP/L9503/A/12/2169401

Site address: 7 Prendergast, Solva, Haverfordwest, SA62 6UU.

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Chris Goode against the decision of the Pembrokeshire Coast National Park Authority.
 - The application Ref NP/11/250, dated 17 June 2011, was refused by notice dated 19 August 2011.
 - The development proposed is a replacement garage, extensions and a car-parking space.
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Decision

1. The appeal is allowed and planning permission is granted for a replacement garage, extensions and a car-parking space at 7 Prendergast, Solva, Haverfordwest SA62 6UU in accordance with the terms of the application, Ref NP/11/250, dated 17 June 2011, and the plans submitted with it, subject to the schedule of conditions attached at Appendix A.

Application for costs

2. At the Hearing an application for costs was made by Mr Goode against the Pembrokeshire Coast National Park Authority. This application is the subject of a separate Decision.

Main Issue

3. This is whether the development proposed would preserve or enhance the character or appearance of the Solva Conservation Area (SCA).

Reasons

4. The appeal relates to a traditional stone cottage, which is situated within the SCA. I have not been provided with a formal statement of the SCA's special interest, but I saw that it contains many traditional cottages. Most have simple pitched slate roofs and gables. Dormer and semi-dormer windows are not a typical feature of buildings in the area. Prendergast is a street characterised by charming cottages, many of which have attractive gardens.
5. The proposed development would include a side extension which would be set back from the cottage's front elevation, and which would have a slightly lower ridge line. It

would be faced with stone to match the existing building. However, it would have a front semi-dormer window. This would not be in keeping with the windows of the host building, which are simple rectangular openings below the eaves line, or the typical windows found in the conservation area. Although the proposed extension would be subservient to the existing building it would therefore be an incongruous addition that would not relate well either to the original building, or to the street scene.

6. It is also proposed to pave the area off the highway at the front of the building to create an additional off-road parking space. Although an amended ground floor plan submitted on 10 August 2011 shows some flower beds and shrub areas these would be too small to sustain significant planting. The frontage would therefore be harsh and dominated by hard paving, and out of keeping with the pleasant gardens that characterise the street scene. Whilst I understand the desire to provide an additional on-plot parking space to reduce the pressure on parking space elsewhere, I consider that this would conflict with, and would be outweighed by the special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas¹.
7. The rear of the building would have an area of flat roof, behind a pitched parapet, and a set of French doors with a balcony beneath a pitched dormer roof. It would therefore be complex and fussy, in contrast to the simplicity of the original building and most traditional cottages in the area.
8. I consider for these reasons that the proposed development would not relate well to the existing building or the street scene, and would be harmful to the character and appearance of the conservation area. It would conflict in this respect with Policies 8, 15, 29 and 30 of the *Pembrokeshire Coast National Park Local Plan (LDP)*, which seek to protect the character of towns and villages, and to protect the qualities and special character of the park, by resisting poor design and intrusive development that would be incompatible with the surroundings. It would also conflict with the statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
9. However, since the appeal was lodged, planning permission has been granted for a scheme submitted in December 2011². It is similar in many respects to the appeal proposal. It now provides a solid 'fall-back' position which I have no doubt would be implemented were I to dismiss this appeal. It can also be implemented irrespective of the outcome of this appeal. It is therefore a material consideration to which I attach considerable weight.
10. The December 2011 scheme includes an almost identical off-street parking arrangement, with minimal provision for planting. It also includes a similar side extension with a similar front dormer. The side extension would be set back a little further than the appeal scheme and its ridge line would be a little lower. It would therefore be more subservient. However, I do not consider that this would be a significant improvement. The rear view of the December 2011 scheme would be a little less complex and fussy than the appeal scheme, but as little would be seen of the rear elevation, even from an elevated footpath at the rear of the property, I do not

¹ Required by section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

² Application number NP/12/0006, date of application 19 December 2011, planning permission dated 13 February 2012.

consider that there would be a significant advantage to matters of public interest in this respect.

11. Moreover, the December 2011 scheme drawings show that the front elevation of the proposed side extension would be faced with render, which would not be in keeping with the existing building. Whilst at the Hearing the Authority indicated that it would seek for this to be changed to stone, the conditions imposed on the extant permission require the development to be carried out strictly in accordance with the deposited plans. A condition relating to new walling around the front parking space does not clearly apply to the front of the side extension. A condition relating to the submission of a schedule of materials for approval does not mention any requirement for the side extension to be faced with stone. Whilst the effect of these conditions may become a matter of dispute, and I therefore make no determination on this matter, it is thus far from clear that the Authority could require the approved side extension to be so faced. On the other hand, it is open to me to impose conditions to this effect.
12. It is also open to me to impose conditions relating to windows, roof finishes and boundary treatments that would ensure that these elements of the proposed development would be sympathetic to the character and appearance of the original building and the conservation area, and would remain as such thereafter. As with the use of stonework on the proposed side extension, there is considerable doubt as to whether the conditions applied to the extant permission could be used to the same effect. Similarly, I can impose a condition relating to the materials used to pave the proposed parking area. This would enable the Authority to ensure that the frontage would be softened, and that a permeable surface would be used to reduce rainwater run-off and to recharge ground water.
13. Energy, water and drainage improvements are desirable for reasons of sustainability, and, in accordance with LDP Policy 29 are sought by the Authority in the original building as well as in the proposed extension. The Authority accepted at the hearing that some of the measures included on the energy, water and drainage efficiency questionnaire submitted with the application and referred to in the suggested condition would not be enforceable, and that others would not be regarded as mandatory. The appeal scheme includes a considerable amount of remodelling and construction work within the original building, and at the hearing the appellant indicated a willingness to incorporate roof and floor insulation, draft-proofing, and an energy-efficient heating system into the proposed scheme. Even so, Welsh Office Circular 35/95: *The Use of Conditions in Planning Permissions* advises that as a matter of policy conditions should only be imposed where they satisfy *all* of a number of tests. These include a requirement that conditions should be enforceable. In accordance with Section 55(2)(a) of the *Town and Country Planning Act 1990*, the carrying out for the maintenance, improvement or other alteration of any building of works which (i) affect only the interior of the building, or (ii) do not materially affect the external appearance of the building shall not be taken for the purposes of the Act to involve development of the land. A condition requiring roof and floor insulation, draft-proofing, or an energy-efficient heating system would therefore not be enforceable, and so should not be imposed. *Technical Advice Note 22: Planning for Sustainable Buildings* (TAN 22) makes it clear that the 'whole building' approach to improving the sustainability of new developments in a cost effective way, which forms part of national planning policy, only applies to new buildings³. I consider for these

³ Tan 22, paragraphs 1.4.4 -1.4.5. Planning Policy Wales, Edition 4, January 2011, Section 4.11.

reasons that conditions should not be imposed requiring energy, water or drainage improvements.

14. I have considered the other suggested conditions in the light of the Circular. I have included a condition with regard to compliance with the submitted plans, as amended, for the avoidance of doubt and in the interests of good planning. I do not consider that a landscape condition requiring a planting scheme would be appropriate, as such control over a domestic garden would unreasonably restrictive. However, a condition is necessary to control boundary treatments, as these would have a significant visual impact on the conservation area, and suitably designed treatments would help to screen public views of the rear of the property from some points on the rear footpath. A condition requiring new stonework to match the existing building is necessary and reasonable, but as the existing walls can act as a reference it is not necessary to require a sample to be constructed for approval. The existing windows are set well forward within their window reveals. This is not a traditional detail. To ensure appropriate detailing I have imposed a condition requiring windows to be set back by a minimum of 100mm. For reasons relating to sustainable drainage systems, character and appearance, and highway safety it is also necessary and reasonable to require the area intended for the parking and manoeuvring of vehicles to be drained and surfaced in accordance with details to be submitted and approved before it is brought into use.

Summary and Conclusions

15. Whilst I have concluded above that the appeal scheme would be harmful and contrary to the development plan and statutory requirements relating to conservation areas, it would not be more harmful than the December 2011 scheme. Through the application of appropriate conditions the appeal scheme can deliver benefits to matters of public interest in terms of more appropriate wall, roof, window and paving materials. On balance, and having regard to all other material considerations that have been raised, I consider that the planning permission for the December 2011 scheme is a material consideration that should lead me to determine the appeal other than in accordance with the development plan. I conclude that the appeal should be allowed, subject to the conditions set out in Appendix A.

A D Poulter

INSPECTOR

APPENDIX A

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than five years from the date of this decision.
- 2) The development permitted shall be carried out in accordance with the approved plans, Numbers GA/01, GA/02 and the amended ground floor plan submitted on 10 August 2011, and the other details that accompanied the application.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building and hard landscaping hereby permitted have been submitted to and approved in writing by the local planning authority. These shall include samples of rendered wall finishes, natural slate roofing materials, painted hardwood windows, rainwater goods, sills and copings, and hard paving. Development shall be carried out in accordance with the approved details.
- 4) All new stonework, including stone facing to the front elevation of the side extension hereby approved, shall closely match the stonework of the existing building with regard to materials, mortar pointing, and pattern of laying.
- 5) Windows shall be set back within the window reveals by a minimum of 100mm from the face of the building.
- 6) The area shown on the amended ground floor plan, submitted on 10 August 2011, as being for the use of manoeuvring and parking of vehicles, shall not be used for that purpose until the area has been drained and surfaced in accordance with details submitted to and approved in writing by the local planning authority. Those details shall include details of porous paving and the means of disposal of surplus rainwater run-off. The approved paving and drainage system shall thereafter be retained at all times that the area is used for the manoeuvring and parking of vehicles.
- 7) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is reoccupied. Development shall be carried out in accordance with the approved details.

APPEARANCES

FOR THE APPELLANT:

Mr C Goode

FOR THE LOCAL PLANNING AUTHORITY:

Mr R James

Pembrokeshire Coast National Park Authority

Ms J Evans

INTERESTED PERSONS:

Ms S Young

Local resident / Solva Community Council

Ms J Reed

Local resident / Solva Community Council



Penderfyniad ar yr Apêl

Appeal Decision

Ymweliad â safle a wnaed ar 16/04/12

Site visit made on 16/04/12

gan Gareth A. Rennie BSc (Hons) DipTP
Arolygydd a benodir gan Weinidogion Cymru

by Gareth A. Rennie BSc (Hons) DipTP
an Inspector appointed by the Welsh Ministers

Dyddiad: 25/05/12

Date: 25/05/12

Appeal Ref: APP/L9503/A/12/2170848

Site address: Blaenafon, Mill Lane, Newport, Pembrokeshire, SA42 0QT

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mrs Lorna Tresidder against the decision of Pembrokeshire Coast National Park Authority.
- The application Ref NP/11/315, dated 1 August 2011 was refused by notice dated 28 September 2011.
- The development proposed is the erection of small artists printing studio adjacent to existing dwelling and retention of 2 no. existing storage containers in new position.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the surrounding countryside and the effect of the proposal on the objectives of policies designed to control development and protect the character of the National Park.

Reasons

3. The appeal site consists of part of an agricultural field bordering the southern part of the garden to Blaenafon. The garden of Blaenafon has a strong boundary with adjacent open farmland. The wall and hedge that border the garden effectively separate it from the open field that makes up the appeal site.
4. The appellant maintains that the appeal site has been used as part of the extended curtilage of Blaenafon for some time and was the site of a railway carriage and the construction of a garage. There are the remains of a structure on the appeal site together with an existing septic tank but there is no evidence that there has been any change of use on the site and I do not consider that there is any evidence that the abortive garage was constructed with the benefit of planning permission. Moreover, the existing storage containers which are proposed to be relocated are currently the subject of enforcement action by the Authority.
5. There is a clear demarcation between the built up area of the existing house and the adjacent agricultural land at this point. Whilst it may have been used informally as an

extension to the garden there is clear separation both physically and functionally between the garden to Blaenafon and the appeal site. The appeal site, and the enclosure of which it is a part, have the appearance of an open agricultural field. I conclude that the proposal would constitute an extension of the built up area of the existing dwelling and its curtilage into open countryside.

6. The siting of the proposed studio and the re-location of the two storage containers within this setting would undermine the area's open rural character by introducing new development on the edge of an existing dwelling and extending built development into open countryside. The studio and containers would be significant structures, in a prominent position, visible from surrounding countryside despite any landscaping, and would be out of character with the site and the countryside of which it is a part. The containers in particular would be incongruous and would introduce a jarring note.
7. I also consider that the studio though modest, and at least partly utilitarian in design would have a domestic appearance. This would emphasise the appearance of the whole proposal as a separate development to the existing cottage. I conclude, therefore, that that it would undermine the character and appearance of the area and the special qualities of the National Park
8. For these reasons I consider that the proposal would undermine the special qualities of the National Park and of the designated historic landscape. It is therefore contrary to Policies 1, 7, 8 and 15 of the Pembrokeshire Coast National Park Adopted Local Development Plan.
9. Consequently for the reasons given above, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Gareth A. Rennie

Inspector