

**Application Ref: NP/12/0365**

<b>Application Type</b>	Full
<b>Grid Ref:</b>	SN05583886
<b>Applicant</b>	Mr T Williams
<b>Agent</b>	Mr Rheinallt Evans
<b>Proposal</b>	Use of land as storage compound for building materials and equipment and siting of storage container
<b>Site Location</b>	Cwarre Yr Angland, Feidr Felin, Newport, Pembrokeshire
<b>Case Officer</b>	Liam Jones

**Summary**

This application proposes the retention of a builder's storage yard located outside the settlement of Newport. The site lies within an historic landscape setting and adjoining the Newport Conservation Area. The application has been submitted in an attempt to retain the same development which was subject to an Enforcement Notice served by the Authority in April 2009. It also follows a refusal of planning permission by the Authority under Delegated Powers on 15<sup>th</sup> December 2011 (NP/11/432) for the same development.

As was found in the previous application and in deciding to take enforcement action in respect of the breach of planning control the use of the site as a storage yard is considered to be a wholly inappropriate use. The use which involves the storage of various paraphernalia including tractors, trailers, containers and waste adversely impacts upon surrounding visual amenity as well as the landscape value of the National Park and Conservation Area and accordingly is recommended for refusal.

The application has been reported to the Development Management Committee as Newport Town Council support the scheme on the basis that there is felt to be little visual impact, no highways impact and is perceived as supporting a local business.

**Consultee Response**

**Newport Town Council:** Approve

**Dyfed Archaeological Trust:** No adverse comments

**PCC - Transportation & Environment:** No objection

**Public Protection Division - PCC:** No adverse comment

**Public Response**

The application was advertised by a site notice displayed at the front of site on 26<sup>th</sup> July 2012 as well as through neighbour notification letters forwarded to the properties nearest the site including Delfryn, Aelybryn, Garthavon, Annwylfan, Castle Reach, Feidr Felin and Mill Cottage.

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To date two letters of support have been received citing reasons such as previous commercial uses of the land and the site not being visually intrusive.

### **Policies considered**

Please note that these policies can be viewed on the Policies page Pembrokehire Coast National Park website - <http://www.pembrokeshirecoast.org.uk/default.asp?PID=549>

LDP Policy 01 - National Park Purposes and Duty  
LDP Policy 07 - Countryside  
LDP Policy 08 - Special Qualities  
LDP Policy 13 - Historic Landscapes Parks and Gardens  
LDP Policy 15 - Conservation of the Pembrokehire Coast National Park  
LDP Policy 29 - Sustainable Design  
LDP Policy 30 - Amenity  
LDP Policy 32 - Surface Water Drainage  
LDP Policy 53 - Impacts on traffic  
PPW4 Chapter 04 - Planning for Sustainability  
PPW4 Chapter 06 - Conserving the Historic Environment  
SPG05 - Sustainable Design  
SPG06 - Landscape Character Assessment Study, June 2009  
SPG17 - Conservation Area Proposals  
TAN 06 - Planning for Sustainable Rural Communities  
TAN 12 - Design

### **Officer's Appraisal**

#### **Background**

This application follows a refusal for the same development issued on 15<sup>th</sup> December 2011 (NP/11/432). The Authority refused the application, under delegated powers, for the following two reasons:

1. The site lies outside a centre boundary as defined within the Local Development Plan and accordingly the use of the land as a commercial storage compound cannot be justified as being an appropriate form of development in the Countryside. The development therefore fails to comply with the aims of Policy 7 (Countryside) of the Pembrokehire Coast National Park Adopted Local Development Plan (September 2010).
2. The use of the land as a storage compound with associated materials and a storage container adversely affects the sensitive environment and

landscape value of the National Park together with its natural beauty, wildlife and cultural heritage which the Authority has a statutory duty to conserve and enhance which is contrary to Policy 1 (National Park Purposes and Duty). The development causes a significant visual intrusion, is unsympathetically sited within the landscape adjoining the Newport Conservation Area and introduces a use which is incompatible with its location which is therefore considered contrary to Policy 8 (Special Qualities), Policy 15 (Conservation of the Pembrokeshire Coast National Park) and Policy 30 (Amenity) of the Pembrokeshire Coast National Park Adopted Local Development Plan (September 2010).

Prior to that application it is of note that an Enforcement Notice (Ref: ENF/04/09) was served by the Authority on 14<sup>th</sup> April 2009 on the land alleging a breach of planning control consisting of *"a material change of use of the land from an abandoned quarry to a use as a compound for the storage of commercial vehicles, plant, equipment and storage container unit"*. The Notice Took effect on 18<sup>th</sup> May 2009 and it required compliance within 3 months of that period.

An appeal against the Notice was submitted by the owner to the Planning Inspectorate before the Notice came into effect although was later withdrawn formally on 10<sup>th</sup> November 2009. The Notice has not been complied with to date and the owner has submitted this application once again in an attempt to regularise the development.

The development proposed for retention is no different to that considered in planning application NP/11/432 and later refused by officers of the Authority under delegated powers.

### **History**

The site itself has no planning history although applications submitted under references NP/08/258 and NP/08/259 approved excavation works to the land to the immediate north of the site boundary in connection with the residential properties 'Delfryn' and 'Aelybryn'.

- NP/08/258 – Aelybryn and Delfryn, Mill Lane, Newport – Disposal of top soil and small quantity of shale in new cleared paddock – Approved – 24 February 2009
- NP/08/259 – Delfryn, Mill Lane, Newport – Excavate and regrade rock shale to create air circularation area around kitchen to improve dampness and better natural light and improve stability of rock bank – Approved – 24 February 2009

### **Current proposal**

The application proposes the continued use of the land as a storage compound for building materials and equipment and the siting of a storage container. The storage container is positioned to the front of the site measuring 5.4m in length by 3m in width upto a height of 2.4m. Access and turning facilities are provided with an existing sloped access with metal field gate.

The application forms submitted indicate that the site, up until 1920, was a very small slate/shale quarry and thereafter was used as a yard with a shed for a decorator/contractor and thereafter empty. Existing hours of use of the site are specified as being 7:00am to 10:00pm Monday to Saturday. The transport statement provided estimates 1 or 2 private car trips to the site per day and approximately 2 commercial deliveries a week.

### **Key Issues**

The main issues to consider in this application relate to the principle of the storage use in the proposed location, impact upon visual amenity and the special qualities of the national park as well as any impact upon neighbouring amenity and highway safety.

### **Site Context & Principle of development**

The site relates to a small parcel of land located along Mill Lane which lies to the south of the centre boundary of Newport. The site itself is not included within the Centre boundary of Newport and accordingly falls to be considered as countryside under Policy 7 (Countryside) of the Local Development Plan. This policy deals with applications for development outside identified Centres detailing the types of developments which will be acceptable. The Policy explains that outside identified centres development will only be permitted in certain instances. These include the development being a) sensitive filling in of small gaps or minor extensions to isolated groups of dwellings, b) housing for essential farming or forestry needs, c) farm diversification, d) conversion of appropriate buildings to a range of uses, e) tourist attractions or recreational activity, f) the enhancement of community facilities, g) low impact development making a positive contribution or h) new farm buildings justified for agricultural purposes.

Given that the proposal for a builder's storage compound is not a development listed as being acceptable under the policy this application is in principle considered to be unacceptable on policy grounds. Notwithstanding the unacceptability of the site for the continued use it is nonetheless important to consider its impact upon visual amenity and highway safety as well as look at whether there are material considerations in considering the application which would justify a departure from the Adopted Local Development Plan.

Visual Amenity and the Special Qualities of the National Park

In terms of context it is relevant to note that the site adjoins the Newport Conservation area and lies within land identified as being registered by CADW as Historic Landscape. It is accessed from a single track lane that leads from the medieval town of Newport and culminates on the lower levels of the Carningli Mountain. The land is part of a network of similar small single track lanes that link the medieval Scheduled Ancient Monument, Newport Castle, to the east of the site with the town of Newport. The surrounding area offers clear undeveloped rural character and is designated as both a National Park and registered by Cadw as a landscape of historic interest.

The site itself is a small and irregular parcel of land of approximately 0.04 hectares in area and is bordered by some mature trees and natural vegetation although there is still visibility through the site at the time of the application and particularly its front access. The site entrance is located opposite a historic baptistry, is close to a Listed Building (Castle Mill) and visually pleasing informal grass verges and hedgerows which form the boundary of the Conservation Area.

The proposed use as a builder's storage yard results in the storage of plant and machinery as well as the storage of a metal container at the site. At the time of visiting the site the use proposed was clearly visible which included the storage of a large container, two motor vehicles, two items of machinery and general storage including sheets of blue tarpaulin and some waste material. This form of use and its resultant visual appearance is considered to conflict harshly with the surrounding historic site. The development results in an adverse impact which fails to compliment or enhance the natural beauty, wildlife and cultural heritage of the National Park which the Authority has a statutory duty to ensure. The use proposed fails to meet the aims of criteria a) to d) of Policy 15 in that the use will cause significant visual intrusion, will be insensitively sited within the landscape, be incompatible with its location and fail to harmonise with, or enhance the landform and landscape character of the National Park.

Newport Town Council has withdrawn its previous objection to the application. Its previous view stated that the positioning of a storage compound in this restricted environment is not desirable and raises other concerns with respect to access and highway issues. Its revised view states: *"It was felt that there was little visual impact and that as highways department saw no barrier to the development then it should go ahead. This development was perceived as supporting a local business and providing some local employment. The project is seen locally, by many people, as a positive development"*.

The Authority's Building Conservation Officer advised in the previous submission; *"this land lies just outside of the Conservation Area boundary, but is critical to its setting, and that of the castle to the east. In my view, this is an inappropriate use for this location, which forms an attractive and traditional lane, one of the routes into the Conservation Area. I would strongly*

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*recommend refusal of this application". Comments received on the current submission again explain the impact of this development on the surrounding area in that "Feidr Felin forms an attractive route in the Conservation Area, where rural character suddenly becomes streetscape at its bottom end. This sudden juxtaposition of rural and urban is typical of Newport and in that context, the proposal is detrimental in introducing an alien use and feature into such a sensitive area."*

In terms of neighbour notifications, two letters of support have been received in connection with the application. The letters of support state that the land has been used commercially from the early 1920's and was the site of a painters, decorators, glaziers and carpentry business. It is understood from these representations as well as the two planning applications determined at the adjoining site in 2009 that the land formed part of the residences of Ael Y Bryn and Delfryn until it was sold to the applicant more recently. The letters offer support on the basis that the applicant offers a small but useful commercial service to the local community and it is important that he is able to securely store and service equipment at a point reasonably close to his home.

Whilst the location of the site may be convenient for the applicant and helps allow commercial storage close to his residence this does not outweigh the recognised harm this form of use has on the surrounding land which is in direct conflict with the aims of the Authority to conserve and enhance upon the natural beauty of the National Park. There are points put forward in the submission that there is a history of commercial use of this site which the applicant has stated has been so intermittently since 1910 although the National Park Authority has received no planning applications proposing such a use nor is it likely that these uses would be lawful due to their irregular and noncontinuous operation. There is no reasoned basis to suggest that the personal circumstances of the applicant cited or the unclear history of the site would justify overriding the principal objections to this scheme following consideration of the Local Development Plan.

### Neighbouring Amenity

The site lies some distance from residential dwellings with the nearest properties 'Aelybryn' and 'Delfryn' located approximately 60m to the north of the application site. Notwithstanding its relationship to the nearest dwellings the site becomes apparent when leaving the Newport settlement from the North into the countryside. It is considered that the type of use as a storage compound will result in vehicular movements along the track lane which will have impact on the amenities of those nearest the site. The development particularly in terms of its use and the type of vehicles associated with the use is a form of development inappropriate for where people live or visit, is of a scale incompatible with its surroundings, will lead to an increase in traffic by virtue of its use and results in a visually intrusive form of development contrary to aims of Policy 30 (Amenity) of the Local Development Plan. Furthermore the existing track along a narrow lane already shows evidence of

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damage particularly along the verges opposite the site at the Baptistry and this development adds to the impact on the amenity of the area.

### Highway Safety

As has already been recognised above the use proposed for retention will result in vehicular movements from the narrow highway upto the application site. It is important to consider highway safety in this respect. As part of the application the Authority has consulted with officers of Pembrokeshire County Council Highways Authority. A response received suggests a recommendation of approval given that there is an existing access point with suitable visibility. Whilst there is no objection of highway safety grounds it is considered this does not outweigh the harm on amenity and the visual character of the area.

### Other Material Considerations

In view of the unacceptability of this application for the use proposed it could be considered relevant to consider the availability of other land in the local area for commercial uses. It can be noted that the Local Development Plan has an existing land allocation for a mixed use identified in the plan as MA232 – Land adjacent to the Business Park, Feidr Pen y Bont, Newport (LDP, page 67). This land which is positioned to the north east of the site and Newport Centre has been available for a number of years and as such allocated as a suitable site for potential mixed uses including commercial. Sites such as this are allocated to accommodate the needs of local businesses in suitable locations in order to prevent unacceptable impacts upon the character of historic areas as identified in the above paragraphs.

### **Conclusion**

In conclusion, it is considered that the use of the site is a wholly inappropriate use which adversely impacts upon surrounding visual amenity as well as the landscape value of the National Park and Conservation Area. Whilst the development raises no issues of highway safety nor will it impact upon neighbouring amenity these do not override the principle objection to this application on visual amenity grounds. As such the application is considered to be contrary to policies 1, 7, 8, 15 and 30 of the Pembrokeshire Coast National Park Local Development Plan (Adopted September 2010).

### **Recommendation**

The application be refused for the following reasons:

#### **Reasons**

1. The site lies outside a centre boundary as defined within the Local Development Plan and accordingly the use of the land as a commercial storage compound cannot be justified as being an appropriate form of

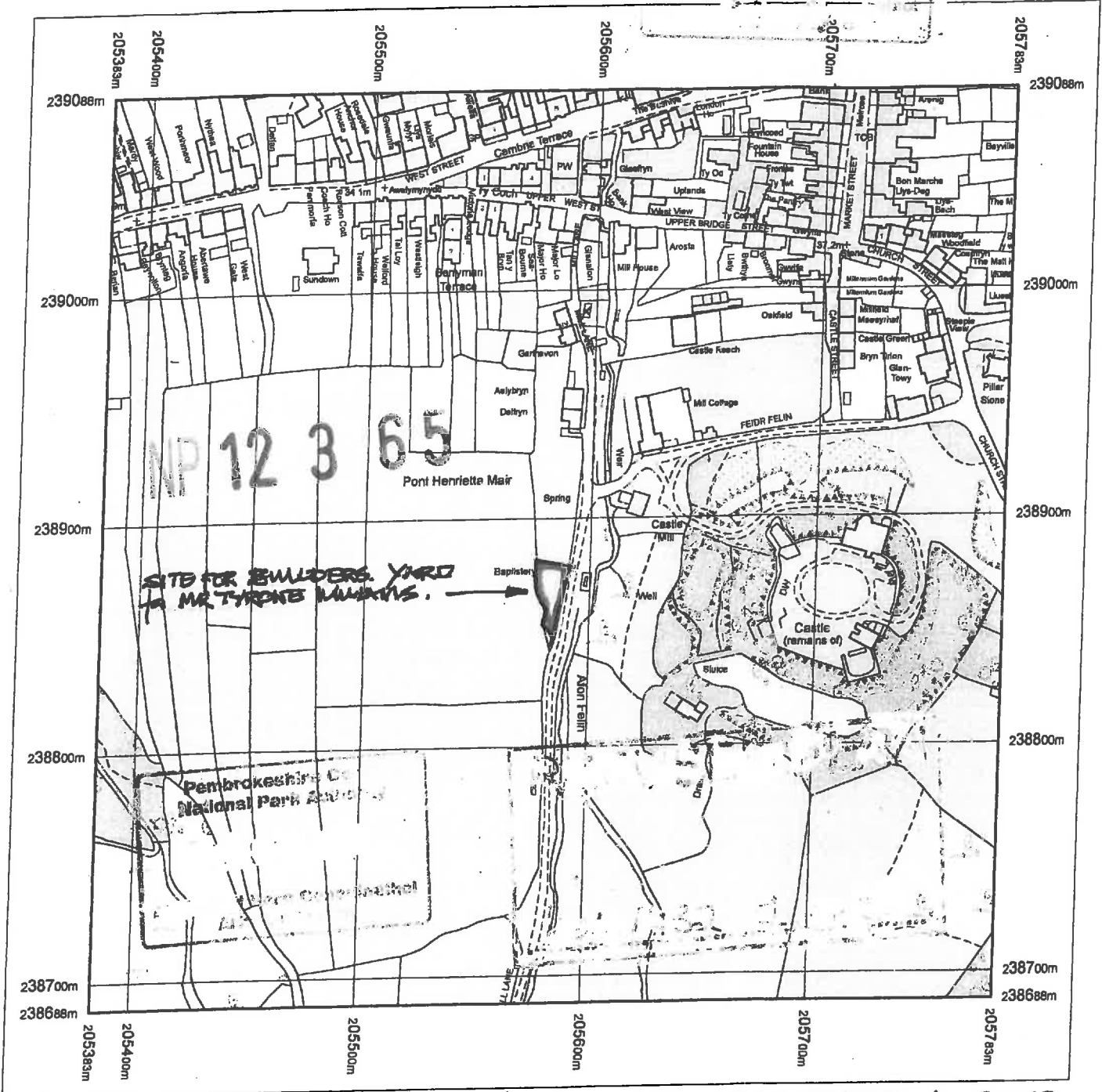
development in the Countryside. The development therefore fails to comply with the aims of Policy 7 (Countryside) of the Pembrokeshire Coast National Park Adopted Local Development Plan (September 2010).

2. The use of the land as a storage compound with associated materials and a storage container adversely affects the sensitive environment and landscape value of the National Park together with its natural beauty, wildlife and cultural heritage which the Authority has a statutory duty to conserve and enhance which is contrary to Policy 1 (National Park Purposes and Duty). The development causes a significant visual intrusion, is unsympathetically sited within the landscape adjoining the Newport Conservation Area and introduces a use which is incompatible with its location which is therefore considered contrary to Policy 8 (Special Qualities), Policy 15 (Conservation of the Pembrokeshire Coast National Park) and Policy 30 (Amenity) of the Pembrokeshire Coast National Park Adopted Local Development Plan (September 2010).





10 JUL 2012



**PROPOSED: BUILDERS STORAGE YARD + SITING OF STORAGE CONTAINER.**

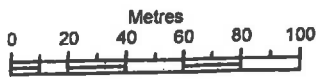
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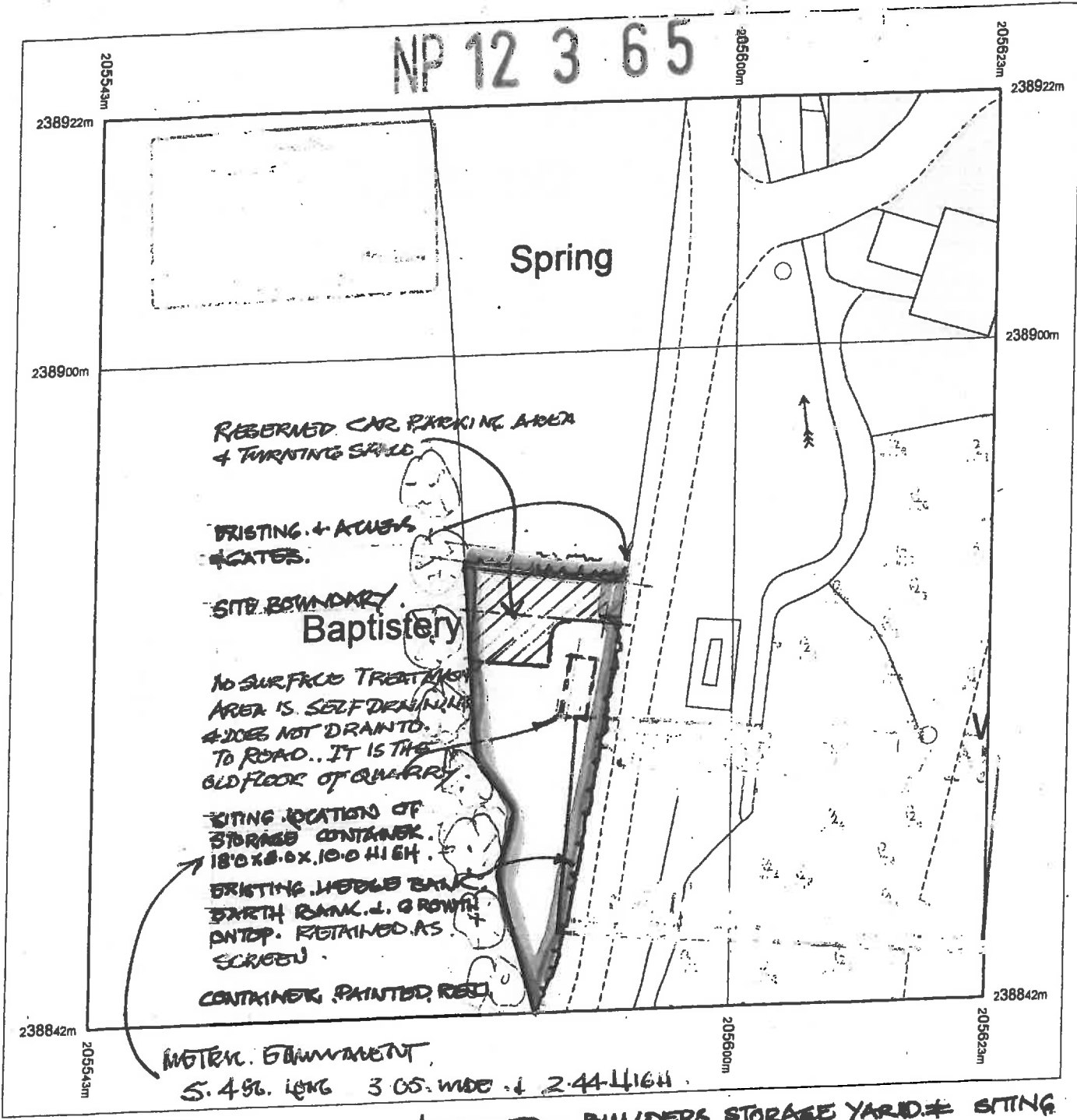
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LOCATION PLAN

Rheinalt  
**PROPOSED SWIPEERS YARD @ MILL LINE TREFDRAETH SIR BENFIS**  
**MR. TYRONE WILLIAMS**

**DRAWN: EVANS R. ARTEL**  
MAY 2012



Wiltshire  
10 JUL 2012

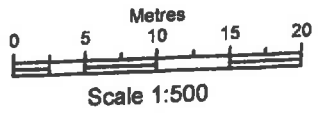


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**PROPOSED: - BUILDERS STORAGE YARD & SITING OF STORAGE CONTAINER**

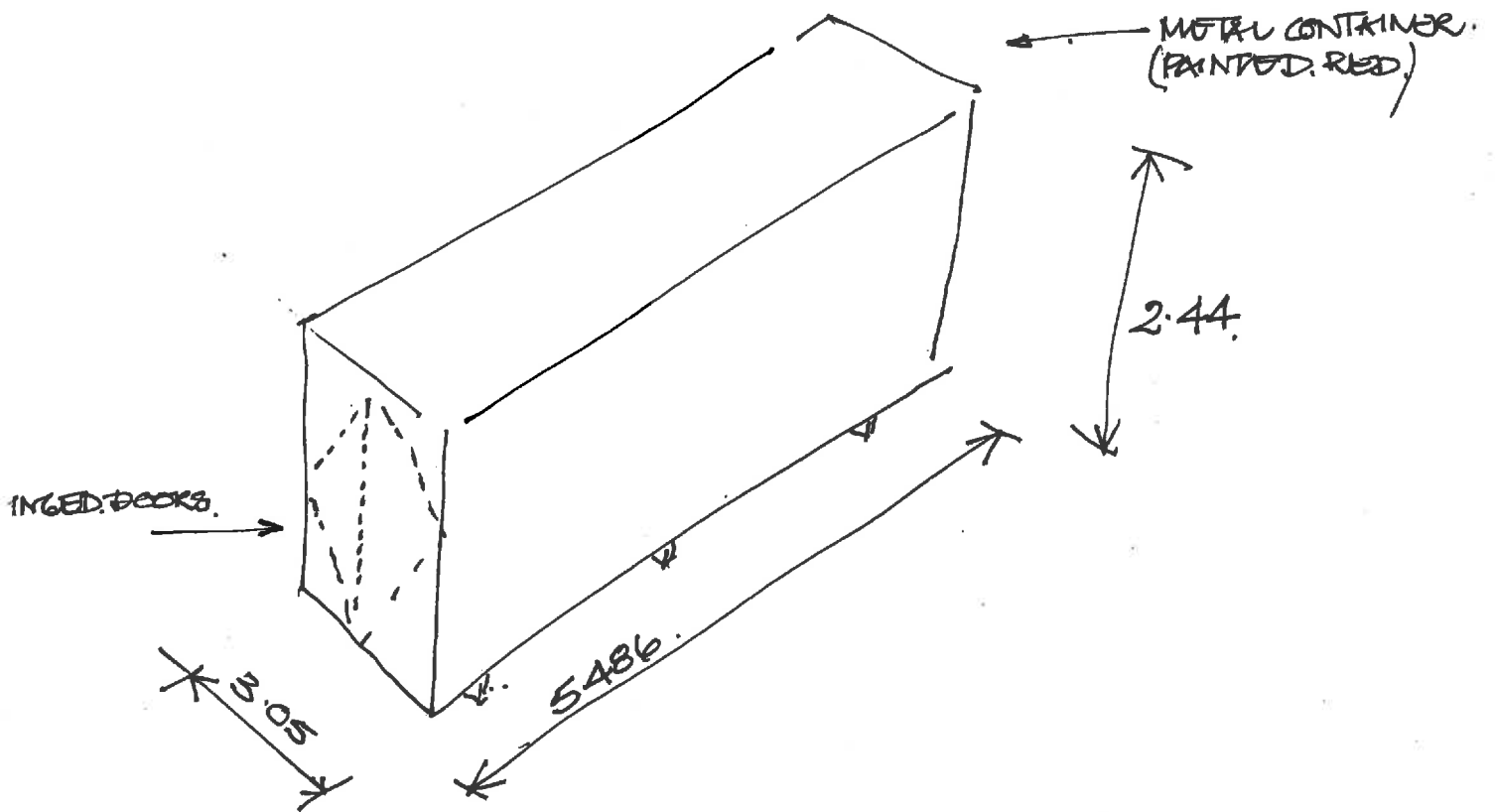


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BLOCKPLAN  
  
PROPOSED BUILDERS YARD @ MILL LANE  
TREFDRAETH: SIR BENFRO  
& MR. TYRONE WILLIAMS.  
  
DRAWN BY: ARIEL  
MAY 2010

NP 12 3 65



SKETCH. OF CONTAINER . STORAGE OF. SMALL  
TOOLS. & FITTINGS

NOT TO SCALE

BUILDERS. YAKO @  
CWARRE K ANGLAND  
MILL LANE. NEWPORT. PENNS.