Application Ref: NP/13/0071

Application Type

Full

Grid Ref: Applicant SN13860036 Mr P Prosser

Agent

Proposal

Change of use of fort to visitor attraction with gift, food & drink retail. Change of use of generator house to ticket & retail facility; restore/replace railings; install two

& retail facility; restore/replace railings; install two cranes; install two boat landings; construction of private/security residence; construct toilet & pumping facilities; install cliff nature walk; install signage; install path lighting; install operational lighting; replace fort entrance bridge; install services; repair stairs and install

new; install CCTV.

Site Location

St Catherine's Island & Fort, Castle Beach, Tenby,

Pembrokeshire, SA70 7BP

Case Officer

Julia Evans

Summary

This full application proposes a number of works to allow St Catherine's Island, Tenby, to become a tourist attraction. The proposal has been carefully considered against all material considerations and the relevant national and local development plan policies. On balance it is recommended for refusal for three reasons.

The first is that the application has been submitted with ambiguous, insufficient, and contradictory information, meaning that the impact of the proposal on the special qualities of the National Park, the Tenby Conservation Area, the Scheduled Ancient Monument, the listed buildings and the settings of nearby listed buildings, and on national and internationally important habitats and protected species cannot be ascertained.

The second is that the scheme proposes an unacceptable level of lighting that is harmful to the special qualities of the National Park.

The third is that the proposed new dwelling in the open countryside has not been robustly justified in terms of it being essential for the use of the site.

The fourth is that the proposed solar panels, roof-top shops and new dwelling are harmful to the special qualities of the National Park.

The application has been brought before the Development Management Committee because it is a major application, as defined under the terms of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

Consultee Response

Tenby Town Council: Objecting - insufficient and conflicting information.

CADW - Welsh Historic Monuments: Objecting - Does not provide the level of detail needed for Cadw to determine the application.

Countryside Council for Wales: (now Natural Resources Wales)
Objecting - (now National Resources Wales) the proposal requires additional information to show there will be no adverse effect on protected species and habitats.

Dwr Cymru Welsh Water: Conditional Consent

Dyfed Archaeological Trust: Conditional Consent - for survey and investigation works prior to commencement of development.

Ecologist - Pembrokeshire County Council: Objecting - Insuffient information to enable me to carry out a screening or to assess the impacts of the development on other European Protected Species (EPS), and it is not possible to confirm that there would be no adverse effects on SAC features or on other EPS such as brown long-eared bat.

Environment Agency Wales: (now Natural Resources Wales) Conditional Consent - Written scheme of investigation required.

PCC - Head of Public Protection: Conditional Consent - for noise mitigation measures

PCC - Transportation & Environment: No objection

Welsh Government: No Response Received

PCNP - Policy: Objecting - Insufficient information provided to judge the impact of the retail units proposed and how this may impact on Tenby Town Centre...

Tenby Civic Society: Concern

Food Section - PCC Public Protection,: Concern - Consideration should be given to the following in the future plans:-

- 1. Refuse accommodation incorporating suitable pest proofing from rodents and birds.
- 2.WC Accommodation.
- 3. Internal layout of catering units.
- 4. Suitable transportation and delivery areas for the delivery of food from distributors.

The Victorian Society: Objecting - insufficient information and the proposed toilets impact detrimentally on the historic structure.

Ecologist PCNP: Concern - Insuffient information to enable me to carry out a screening or to assess the impacts of the development on other EPS, it is not possible to confirm that there would be no adverse effects on SAC features or on other EPS such as brown long-eared bat.

Council for British Archaeology: Concern

Buildings Conservation Officer: Reply - Due to the priority of the Scheduled Ancient Monument legislation over that pertaining to listed

buildings, Cadw's response Is material in terms of considering the ancient monument and its setting

Public Response

The application has been advertised and neighbour notifications undertaken. Twelve responses have been received, including a petition from the Lexden Terrace Conservation Group and comments from the Tenby Civic Society. The following points are made:-

- The proposal results in the disneyfication of St Catherine's Island, including the provision of food and drink facilities, lighting and new buildings, and a new bridge that will spoil the beauty of Tenby;
- the establishment of a high volume tourist attraction will irrevocably affect the nature of the Island with the mainland:
- The economic benefits for the town are questionable, and will dissuade people from further investing in the town and private property there;
- The information provided in the application falls well short in providing details of whether a bridge connecting the Island to the mainland is viable and acceptable, and is not included within the current application. How can the Planning Authority consider the impacts of the application if this is not included?
- There is insufficient information provided with the application concerning the types of visitor attraction proposed, including its viability;
- The provision of a bridge would substantially change the character of the Island, eroding its character of detachment, majesty, and mystery;
- The proposal is contrary to several development plan policies, would be harmful to the special qualities of the National Park, and neither preserve or enhance the character or appearance of the Conservation Area;
- It would harm the settings of the Listed Lexden Terrace as it would result in visual clutter that would detract from their settings;
- There would be noise nuisance resulting from the use of the Island;
- The proposal could utilise the existing steps and access onto the Island, although it is acknowledged that disabled access without a bridge would be difficult to achieve;
- The Island has become an important wildlife habitat, particularly for birds;
- The marine life around the Island should be protected with a Marine Protection Zone;
- How would litter be cleared up?
- The cliff faces are not stable and it would be dangerous to attach a bridge to them;
- The provision of a bridge will affect the running of the Caldey Boats off Castle Sands;
- Where are the funds to come from for redeveloping the Island?
- Approximately 70% of the Island is unaccounted for. What will happen on this land?
- The bridge will link two Scheduled Ancient Monuments. Is it necessary when the Island is perfectly accessible, dependent on the tides?

- Why are two cranes necessary? Is it to facilitate more building work?
- The geology of the Island is unstable;
- The necessary health and safety measures to allow access onto the Island will result in the loss of its character and charm;
- The facilities would be open from 8am to midnight, and it is not clear from the proposal what uses would exactly be occurring. Noise and light pollution will result, and therefore harm the amenities of neighbouring properties and the character of the town;
- The application provides no clear information as to what uses are proposed on the island;
- The project cannot exist without a bridge;
- Tenby does not need another cheap tourist attraction or café;
- The proposal will harm the Site of Special Scientific Interest and Special Area of Conservation;
- The application is not supported with a detailed viability assessment: the information that has been provided is too generic;
- The visual appearance of the Island will be completely changed, and the absence of the bridge from the application provides a misleading impact about the proposal;
- There is concern about how good a neighbour the scheme would be, particularly in view of the volume, hours and types of activity proposed, although it is recognised that conditions could be imposed to minimise harm; and
- The application is silent on the safety of users to the Island, including the use of a bridge, nor does it provide details as to traffic generation and the impact it will have on the town.

Policies considered

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

Circular 61/96 - Conservation Areas

LDP Policy 01 - National Park Purposes and Duty

LDP Policy 02 - Tenby Local Service and Tourism Centre

LDP Policy 07 - Countryside

LDP Policy 08 - Special Qualities

LDP Policy 09 - Light Pollution

LDP Policy 11 - Protection of Biodiversity

LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park

LDP Policy 17 - Shore Based Facilities

LDP Policy 18 - Porthgain, Saundersfoot and Tenby Harbours

LDP Policy 29 - Sustainable Design

LDP Policy 30 - Amenity

LDP Policy 31 - Minimising Waste

- LDP Policy 32 Surface Water Drainage
- LDP Policy 33 Renewable Energy
- LDP Policy 34 Flooding and Coastal Inundation
- LDP Policy 35 Visitor Economy
- LDP Policy 44 Housing
- LDP Policy 45 Affordable housing
- LDP Policy 48 Community Facilities and Infrastructure Requirements
- LDP Policy 49 Retail in the National Park
- LDP Policy 50 Town and District Shopping Centres
- LDP Policy 52 Sustainable Transport
- LDP Policy 53 Impacts on traffic
- PPW5 Chapter 04 Planning for Sustainability
- PPW5 Chapter 05 Conserving and Improving Natural Heritage and the
- Coast
- PPW5 Chapter 06 Conserving the Historic Environment
- PPW5 Chapter 07 Economic Development
- PPW5 Chapter 08 Transport
- PPW5 Chapter 09 Housing
- PPW5 Chapter 10 Planning for Retailing and Town Centres
- PPW5 Chapter 11 Tourism, Sport and Recreation
- PPW5 Chapter 12 Infrastructure and Services
- PPW5 Chapter 13 Minimising and Managing Environmental Risks and Pollution
- SPG05 Sustainable Design
- SPG06 Landscape
- SPG08 Affordable Housing
- SPG12 Parking
- SPG13 Archaeology
- SPG14 Renewable Energy plus Addendum on Field Arrays
- SPG17 Conservation Area Proposals
- TAN 02 Planning and Affordable Housing
- TAN 04 Retailing and Town Centres
- TAN 05 Nature Conservation and Planning
- TAN 06 Planning for Sustainable Rural Communities
- TAN 11 Noise
- TAN 12 Design
- TAN 13 Tourism
- TAN 14 Coastal Planning
- TAN 15 Development and Flood Risk

TAN 16 - Sport, Recreation and Open Space

TAN 18 - Transport

TAN 22 - Planning for Sustainable Buildings

Officer's Appraisal

Background

St Catherine's Island lies to the south east of Castle Sands, Tenby, and is linked to the mainland at low tide. The Island takes its name from a small chapel which existed on it in medieval times. The steeply cliffed island is mostly grass land to its leveller areas, with two buildings on it from its former military uses. A Victorian fort lies to the western half of the Island, constructed in 1867 – 70 as part of the fortification of England and Wales against the Napoleonic threat. It is a moated stone flat-roofed building, with a basement, ground and first floor, with a flat roof. The fort was decommissioned in 1906 and was used as a dwelling in 1914, but regained its military uses during the Second World War. Its last use was as a zoo from 1968 to 1979. Since that time it has been vacant. The fort was listed as a Grade II* building in 1953, and was scheduled as an Ancient Monument in 1991.

In addition to the fort there is a further building on the Island, to its western end. This housed the generators, and is also listed. It is a stone-built single story building, with concrete flat roof, and blocked in windows. A series of pathways links the two buildings and the beach entrance (to the southern end of the Island), and the boat landing platforms (to the northern side of the Island).

Constraints

The fort is a Scheduled Ancient Monument (SAM) and a Grade II* Listed Building. The generator house is also a Grade II* listed building. The Island is within the Tenby Conservation Area, in the open countryside. The Carmarthen Bay and Estuary Special Area of Conservation (SAC) surrounds the Island, along with Tenby Cliffs and St Catherine's Island Site of Special Scientific Interest (SSSI). The coast line is also susceptible to flooding as denoted in Technical Advice Note 15 — Flooding.

Relevant Planning History

Prior to the registration of this application there were two planning applications for a similar scheme, NP12/0396 and NP13/0027, along with the associated Listed Building application, NP13/0027 for alterations to the Generator Building. All three were invalid.

Listed building consent for alterations to the generator building was approved on the 15th May 2013 (reference NP13/0031).

Because the fort is a SAM, the applicant also has to apply to CADW for Scheduled Ancient Monument Consent for the works to the fort. At the time of writing the report, no decision on this application had been made by them, due to the lack of information provided.

Current Proposal

The current application seeks full planning permission for a number of works on the Island to allow it to be used as a visitor attraction, providing leisure, gift, food, and retail provision. The development as proposed on the submitted drawings is as follows:

- The change of use of the vacant fort from its former use as a zoo to exhibition space, storage space, food and drink, and retail uses. A new toilet building would be constructed in the moat, whilst on the roof two new buildings would be constructed to provide food and drink outlets. The toilets would be constructed of timber boarding walls under galvanized corrugated steel roofs, and would measure approximately 25.6m x 3.1m x 4.3m. The roof buildings would also be timber cladding under simulated lead roofs. They would measure approximately 10m x 4m x 2.5m at their maximum extents;
- Access to the western tip of the Island at a gated entrance from the beach, with a pathway leading to the generator building. This would be converted into a ticket, retail unit, refreshments, and welcome area, and there would be areas of hardstanding around it;
- To the north of the generator building would be a new dwelling, to provide residential accommodation for security staff, plus a first aid / office / CCTV room. The proposed dwelling would be a constructed of timber walls under a sloped simulated lead roof. The dwelling would also have a balcony looking at to sea at its eastern end. It would measure approximately 4.8m x 15.2m x 4.2m at is maximum extent;
- There would be two boat landing platforms and associated hardstanding created on the northern side of the Island, along with two cranes; and
- A flag pole by the welcome area, new signage around the island, and a high level nature walk, along with illuminated pathways. There would also be a number of off-shore mooring buoys and cameras for nature watching.

The development would be drained using the mains sewer for foul drainage. Services would be provided to the Island from the mainland from the slipway onto Castle Sands. The applicant considers that 6 full-time jobs would be created, along with 32 part-time ones. The facilities on the Island would be open daily between 08.00 and 24.00. There is no bridge linking the island to the mainland proposed with this application.

The application has been supported with the following documentation:-

- Statement of works;
- Design and Access Statement;
- Environmental Statement;

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- Proposals relating to the intertidal zone (SSSI) and Marine (SAC)
 Conservation area surrounding the island;
- Bat Survey;
- Flood Consequences Assessment;
- Noise Assessment;
- Retail Proposal Review;
- Historic Environment Desk-based Assessment;
- Materials Schedule.

Key Issues

The application raises the following planning matters:-

- Principle of the development and planning history;
- Impact of the proposal on the special qualities of the National Park;
- Impact of the proposal on the Conservation Area;
- Impact of the proposal on the Listed Buildings in and near the site;
- Archaeological matters:
- Protected species and habitat matters;
- Housing provision matters;
- Tourism and recreation matters;
- Retail impact matters;
- Highways and public rights of way matters:
- The water environment, flooding and drainage matters;
- Sustainability matters;
- Neighbouring amenity matters;
- Stability matters.

Principle of the development and planning history:

St Catherine's Island lies to the east of Tenby, and is designated as open countryside in terms of the policies in the Pembrokeshire Coast National Park Local Development Plan. It is also within the Tenby Conservation Area. Prior to the submission of this application, the applicant had undertaken extensive pre-application consultation with the Authority to change the use of the Island to a tourist attraction. In response to this pre-application enquiry, the Authority welcomed the principle of the proposal, but advised that an application for a pedestrian bridge should be submitted, because this was crucial to the viability of the scheme. Notwithstanding this advice, the bridge has not been included within the current application, nor has any subsequent application been received for it.

At the pre-application stage it was established by the Authority that although the Island was not within the built-up area of Tenby (ie it is within the open countryside in policy terms), that it and the Fortress were clearly an inherent part of the town. Policy 7 of the Local Development Plan only permits tourist or recreational activities in the open countryside where the need to locate there is essential, and that existing buildings are converted to provide the required facilities. It was the view of officers that due to the Island's inherent links to Tenby that the principle of the use as a tourist attraction was

acceptable under Policies 7 and 35 of the Plan, and that no further evidence would have to be provided by the applicant to justify the conversion of the buildings or its countryside location.

Policy 7 also requires that the conversion of buildings is acceptable in locations that are accessible by public transport. Again at the pre-application stage it was accepted that the location of tourist / recreation uses was acceptable in principle, including the provision of a pedestrian bridge, although its detailed design, and consequential impacts, would have to be considered as and when an application for it was submitted.

Impact of the proposal on the special qualities of the National Park, including the Tenby Conservation Area and the Listed Buildings:

Policies 8 and 15 of the Local Development Plan seek to protect and enhance the special qualities of the National Park. The policy priorities are to ensure that the sense of remoteness and tranquility is not lost, and wherever possible are enhanced; that the identity and character of towns and villages is protected from poor design and layout, that the pattern and diversity of the landscape is protected and enhanced, that protected species and habitats are protected, and that the historic environment is protected and where possible enhanced. In addition, Policy 15 seeks to prevent development that causes significant visual intrusion, is insensitively and unsympathetically located within the landscape, introduces / intensifies a use that is inappropriate to its location, that fails to harmonise with the landscape character of the National Park, and that loses or fails to incorporate important traditional features.

The application proposes the change of use and extension of the fort to provide for a number of uses. These are shown on the proposed floorplans for the fortress as follows:-

- Basement -
 - exhibition space (approximately 40 metre square internal dimensions);
 - storage space (approximately 15 metre square internal dimensions);
 - new toilets in moat (approximately 26 metre square internal dimensions);
- Ground floor -
 - storage space (approximately 42 metre square internal dimensions);
 - exhibition space (approximately 195 metre square internal dimensions);
 - food and drink provision (approximately 76 metre square internal dimensions);
 - retail unit (approximately 38 metre square internal dimensions);
 - public toilet (approximately 9 metre square internal dimensions);
- First floor -
 - exhibition space (approximately 83 metre square internal dimensions):
 - storage space (approximately 9 metre square internal dimensions);

- Roof -
 - food and drink (approximately 53 metre square internal dimensions);
 - storage space (approximately 19 metre square internal dimensions).

In addition to the proposed uses shown on the floorplans of the fort, the accompanying documents supporting the application propose additional ones, including the use of it for weddings and (unspecified) entertainment uses. education and display uses, and as a hotel. The latter in particular is materially different to the use classes shown on the submitted drawings, and no reference is made to it as a use in the application form, nor shown on the drawings. Indeed, despite requests for clarification of uses and accurate drawings at the validation stage for this and the preceding invalid applications, there are a number of inconsistencies and inaccuracies throughout the application which make it difficult to precisely ascertain what is being proposed. The provision of clear information as to what is being proposed is vital in this highly sensitive location, and particularly so where there are significant discrepancies within the submission. For example, a hotel use would necessitate materially different impacts on the fortress and Island than would, say, the cited exhibition space, the use of which itself has not been clarified. In addition a number of the consultees have raised concern that the application has not been supported with sufficient information to assess the merits of the application on the fort. Although they support the principle of getting a use into the fort, CADW, in particular, have objected to the proposal in that it does not provide the level of information necessary to determine either the full application or the application before them for SAM Consent, and this includes the direct impact of the works on the historic buildings and the proposed alterations. An example is that sufficient information has not been provided as to why the fort bridge needs to be re-built, nor has a business plan and viability assessment been provided, showing that the proposal is a realistic proposition. In view of the conflicting, insufficient and ambiguous information provided with the submission, the impact of the scheme cannot be assessed in terms of its impact on the SAM, the listed buildings, the Conservation Area, and therefore the special qualities of the National Park. This forms the first reason for refusal.

In addition to the change of use of the fortress itself, there is also a proposal to extend it within the moat underneath the access bridge on its north-eastern elevation. CADW state they "have no real issues with these as they are largely hidden and [the] ditch rock cut has no archaeological potential." However, they would require further details of how the structure would affect the historic fabric. Although this support for the toilets is at odds with the view of the Council for British Archaeology and the Victorian Society, who consider the provision of toilets in moat to be contrary to its original functional and current historic and visual role, the view of CADW takes precedence and the design and location of the toilets has to be considered acceptable, on archaeological grounds.

The application also proposes the conversion of the generator house into the island welcome area. This would include the use of it as a ticket office, welcome area and shop. The physical alterations to this Listed Building have already been granted consent under application NP13/0031. Consequently the impact of this conversion has been established as being acceptable in terms of its impact on the listed building and the special qualities of the National Park.

The application proposes a number, of extensions to the fort on its roof-top that provide two food and drink units with their associated storage areas. These are located either side of the existing glass atrums on the roof and would be constructed of timber cladding walls under simulated lead roofs. They would measure approximately 3.00m x 10.0m x 2.56m, and would have retractable awnings to their front elevations, which would cover the area between the building and the forts chimneys (i.e. appropriately 10.0m x 3.9m). Appropriately 0.5m of the buildings would be visible above the level of the fort walls. The design and proposed materials of the kiosks and associated wooden sheds has little respect for the historic merits of the fort with its solid and massive proportion and construction look like sheds placed on the rooftop, and in view of their size and location, they occupy a large proportion of the area. As a result they are considered harmful to the special archaeological architectural and historic characteristics of the fort, and thereby neither preserve or enhance the character and appearance of the Conservation Area. and therefore harm the special qualities of the National Park.

The part of the fort roof not used for public access is proposed for coverage by solar panels. This would be the eastern end of the fort and the 263 solar panels would cover the three lobes, in rows of three. Although the sustainable provision of energy is supported, in principle, under Policy 33 of the Local Development Plan (LDP), this is subject to there being no over-riding environmental and amenity considerations. The eastern end of the fort's roof is dominated by the solar panels, which is considered to be an anomaly in terms of visual appearance. Consequently the proposed panels are considered harmful to the special archaeological architectural and historic characteristics of the fort, and thereby neither preserve or enhance the character or appearance of the Tenby Conservation Area, and therefore harm the special qualities of the National Park.

The necessity for the proposed dwelling on the island is discussed later in this report, but its design raises concern in terms of its impact on its setting. The proposed dwelling would lie to the north of the listed generator building, and would be constructed in timber clad walls under a single pitched sloped simulated lead roof, with a balcony looking out to sea. The proposed building resembles a holiday lodge, which in view of its setting is not considered to be a sympathetic design. In addition to adding an additional building onto the island, the proposed location, design and proposed materials are considered inappropriate in this historic setting, to which it makes no reference.

Consequently the proposed dwelling is considered harmful to the settings of the Fort and Generator Listed Buildings, the character and appearance of the Tenby Conservation Area, and therefore the special qualities of the National Park.

As has been previously discussed, the principle of the use of the Island as a tourist attraction has been accepted at the pre-application stage, subject to details. As well as the alterations to the existing buildings on the island, the proposal also includes illuminated pathways and associated railings, boat landing platforms and cranes. Levels of lighting were approved, in principle. at the pre-application stage provided they were low-key. Policy 9 of the Local Development Plan states that proposals that are likely to result in a significant level of lighting will only be permitted where it relates to its purpose, and where there is not a significant adverse effect on the character of the area, local residents, vehicle users, pedestrians and the visibility of the night sky. In addition to illuminating all the footpaths and public areas, the application proposes a number of flood lit areas, some of which are described as being functionally necessary. In addition the fort would be light washed. The use of the Island has been specified as being between 8am and midnight every day of the year. Although it is accepted that some lighting is necessary during the hours of darkness, the level of lighting is such that it could well be highly illuminated for long periods of time. This level of illumination would fundamentally alter the Island's character and its relationship with Tenby: its remote and tranquil historic character would be lost whenever illuminated to the level proposed, and would completely alter the character of the area and that of the extensive views into and out-of the town. This is especially harmful because of the prominence of the Island and its visual importance. The proposal is therefore considered harmful to the character and appearance of the Conservation Area, the settings of the listed buildings in Tenby, and also to the special qualities of the National Park, and therefore contrary to adopted development plan policy. In view of the uncertainty of the proposed uses for the Island, it is not felt that conditions could address this concern, and this forms a further reason for refusal.

Archaeological matters:

CADW are currently considering an application for the proposal as regards the works requiring Scheduled Ancient Monument Consent. In addition to this the National Park Authority has a duty to consider the impact of the proposed works on both the SAM and the archaeological potential of the Island. Policy 8 of the Local Development Plan seeks to protect the special qualities of the National Park, including amongst other things, the protection and enhancement where possible of the historic landscape. The quality of the submission and CADW's objection to the proposal has already been discussed above, but in addition to the impact of the proposal on the SAM, Dyfed Archaeological Trust was consulted to ascertain their views on the proposal. The Island has a long history of occupation and the Trust have requested that the impact of the proposal on the Island's archaeology can be dealt with by a "Grampian" condition, that is to say a condition requiring archaeological investigation before any works are commenced on site.

Protected species and habitat matters:

In addition to the historic qualities of the Island, it is also an important habitat. The Island is both a Special Area of Conservation (SAC), and a Site of Special Scientific Interest (SSSI), and used by protected species, particularly bats. Policy 8 of the Local Development Plan seeks to protect the special qualities of the National Park, including amongst other things, the restoration and enhancement of the National Park's ecosystems. Policy 9 seeks to minimise light pollution. Policy 11 states that development that would disturb or otherwise harm protected species or their habitats will only be permitted where the effects can be acceptably minimised or mitigated. The then. Countryside Council for Wales, (now Natural Resources Wales) were consulted on the application and have raised an objection to it, in view of the quality of the protected species and habitats survey and proposed mitigation measures. Despite extensive consultations with the applicant as to what it is they required, the appropriate level of survey has not been provided, and in some parts has been omitted. CCW have stated that they have no option but to object to the proposal because it cannot be demonstrated it would not have adverse impacts on protected species and habitats. Consequently until the required information is received the impact of the proposal on the protected habitats and species cannot be assessed, and this forms a reason for refusal.

CCW also required the application to be screened for likely significant effects under the Conservation of Habitats and Species Regulations 2010. This is undertaken by the Authority's Ecologist, who like CCW, has objected to the proposal in that insufficient information has been provided to allow this to be undertaken. The absence of information provided is not just for the impact of the proposal on the protected habitats but also as regards protected species, particularly bats. Until the information has been provided the impact of the proposal on protected habitats and habitats cannot be assessed. As a competent authority for the purposes of the 2010 Regulations the National Park Authority cannot give permission unless it has ascertained that doing so would not adversely affect the integrity of an internationally important designation, in this case the SAC. As this is not the case, the Authority cannot permit the application, nor can it condition additional information as the results of these conditional requirements cannot be guaranteed to satisfy the statutory requirements of the 2010 Regulations.

Housing matters:

TAN 6 and Policy 7 of the Local Development Plan state that housing in the open countryside will only be allowed where it can be justified in accordance with essential countryside uses. The application proposes a new dwelling to the north-western side of the Island, and the justification for it is "We propose to use this building in many different ways, including for staff to stay in when cut off on the island, for a first aid and medical room, for security staff to stay in, for visiting experts teaching on the astronomy courses to sleep in, as a staff room, or as an office, we require a multi-function domestic dwelling without restriction." Both national and local policy seeks to strictly control new dwellings in the open countryside, and consequently where proposed they need to be robustly justified. The application provides no such justification, nor is any reasoning provided as to why this accommodation cannot be

provided within the existing buildings on the Island. Consequently, the provision of a new dwelling in such a prominent and sensitive countryside location without any over-riding justification for its need, is considered contrary to national and local development plan policy, and forms a further reason for refusal.

Tourism and recreation matters:

Policies 7 and 35 of the Local Development Plan only permit tourism and recreation in the open countryside where the countryside location is essential and where existing buildings can be converted to these uses. It was established at the pre-application stage that due to the proximity of the Island to Tenby that the application did not have to justify provision because of its countryside location, as prescribed in these policies. However, both national and local development plan policy requires such proposals to ensure they are accessible to as many people as possible. The town of Tenby is well served by public transport and in principle the location was determined as being accessible with the pre-application. However, the particular merits of this proposal mean that localised accessibility is pertinent. There is currently no access to the Island apart from across the beach, and it is therefore tide dependent. Both at the pre-application stage and within the supporting documentation for the current application, reference is made to the provision of a pedestrian bridge. However, the submitted drawings make no reference to its provision. The use of the Island as a tourist facility is dependent upon its provision, and is an integral part of the success of any such application. As no details of how this bridge is to be provided it would be premature to allow permission for the change of use of the site unless access to it for all can be achieved.

Retail impact matters:

Both national and local development plan policy seeks to promote the economic and social role of town centres, and Policy 49 of the Local Development Plan establishes the retail hierarchy within the National Park: ie provision of shops should be within Tenby Town Centre. The application has been supported with a retail statement justifying the provision of the retail units within the proposal: it is not considered that the proposal would harm the retail function of the town, both in terms of its local service provision role and that for tourism. At the time of writing the report no comment had been received on this aspect of the scheme from the Development Plans Section, who assess the impact of the proposal in terms of Tenby's retail function. Their views will be verbally reported to the Committee if received.

Highways and Public Rights of Way Matters:

Policies 52 and 53 of the Local Development Plan refer to traffic impacts of proposed development. The application has not included the bridge provision, but on the basis of the information submitted, the County Council's Highways Section has raised no objection to the proposal, considering parking for staff, users, and occupiers would have to be in public car parks or leased spaces.

The water environment, flooding and drainage matters:

Policy 32 of the Local Development Plan requires development to incorporate sustainable drainage systems for the disposal of water on site. The application proposes the use of the mains sewer for foul drainage, with surface water being discharged to the existing watercourses. The Environment Agency (now part of Natural Resources Wales) were consulted, and have raised no objection to the proposal subject to a written scheme of investigation being provided. This is to protect the environment from any pollution resulting from the scheme. Welsh Water was also consulted on the application and have raised no objection to the proposal subject to conditional requirements for arrangements for foul and surface water drainage.

Sustainability matters:

Both national and local Development Plan Policy requires sustainable design. Policy 29 of the Local Development Plan expects all proposals for development to demonstrate an integrated approach to design and construction, whilst Policy 32 requires sustainable drainage systems for the disposal of surface water. Policy 31 requires the minimisation of waste, requiring development to minimise, re-use and recycle waste generated through demolition and construction. The conversion of the historic buildings is exempt from the BREEAM requirements, but the new dwelling needs to comply with the Code for Sustainable Homes requirements. Although the application has not been supported by a Pre-Assessment Report, it could be dealt with as a conditional requirement. The foul sewage drainage of the site would be via mains sewer, with surface water being disposed of to the sea, and this is considered acceptable by the Environment Agency (Natural Resources Wales) and Welsh Water.

Neighbouring Amenity Matters:

Policy 30 of the Local Development Plan refers to amenity in a general sense, seeking to avoid incompatible development and significant adverse impact upon the amenity enjoyed by neighbouring properties. Objection has been raised by several properties as to the potential for nuisance to be experienced by the operation of the site. The matter of light pollution has been discussed above, but the application also raises noise and nuisance concerns. In consultation with the Public Protection Department at the County Council, the use of the site for food and drink provision has raised issues that could not be overcome by condition. This includes the internal layout of catering units, and delivery and refuse arrangements. As the fortress is a SAM it is not an option to deal with these matters by condition as the arrangements may not be appropriate for this historic building, so the lack of information concerning these matters provides a further reason for refusal. As regards noise issues. despite the ambiguity as to the use of the Island, it is felt that the proposed uses and their impact can be satisfactorily addressed by a noise mitigation condition.

Land stability matters:

Several comments have been received from the publicity process as to the stability of the cliffs around the island. National development policy requires

applicants to demonstrate the stability of the ground where it is an issue and identify remedial measures. Although no detailed drawings have been provided, the supporting documents for the proposal states that fixing plates will need to be provided on the cliff face to carry services, whilst all loose rock will be removed. In view of the SSSI designation the details of these works will need to be provided, and could well require planning permission in their own right. The absence of accurate information therefore forms a further reason for refusal, although it should be noted that national guidance makes it clear that the responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and the land owner.

Conclusion

The application has been submitted with ambiguous, insufficient, and contradictory information that means that the impact of the proposal on the special qualities of the National Park, the Tenby Conservation Area, the SAM, the listed buildings, the settings of nearby listed buildings, and on national and internationally important habitats and protected species cannot be ascertained. In addition the scheme proposes a new dwelling in the open countryside that has not been robustly justified in terms of its essential need for the use of the site, plus excessive lighting that is considered harmful to the special qualities of the National Park. The proposed new dwelling, roof-top shops and solar panels on the fort are also considered harmful to the special qualities of the National Park.

Recommendation

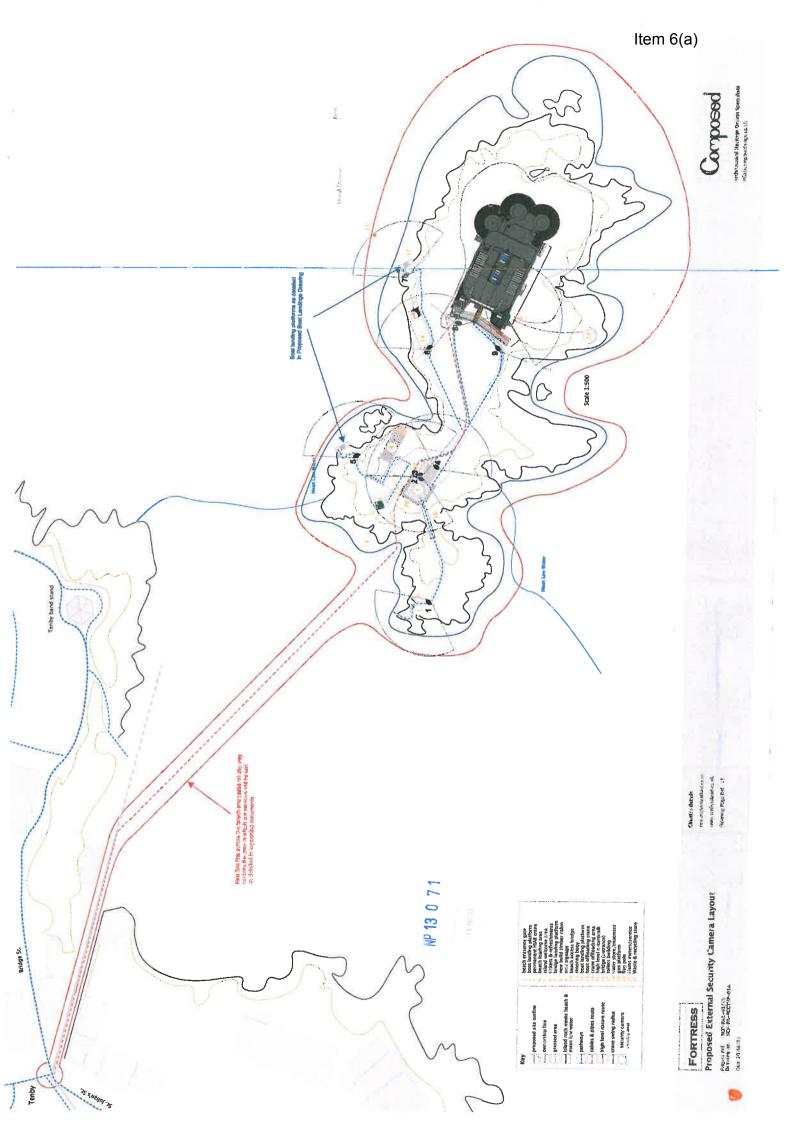
The application is recommended for refusal for the following reasons:-

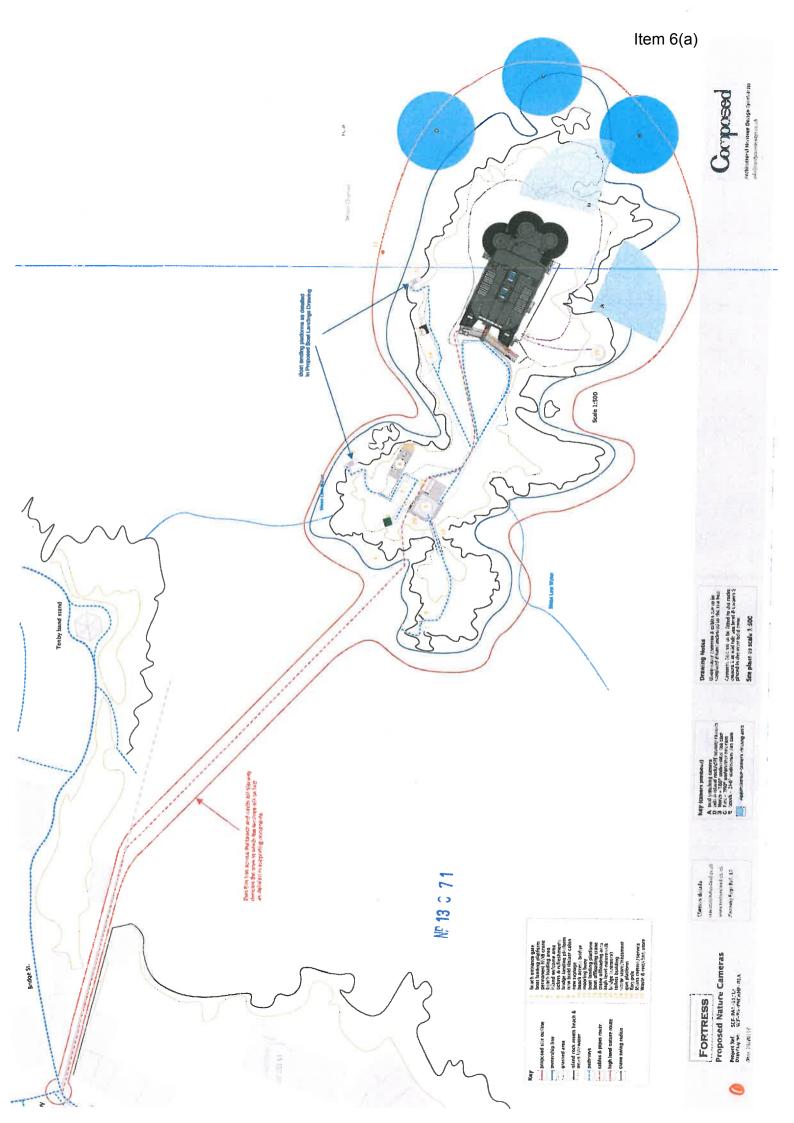
Reasons

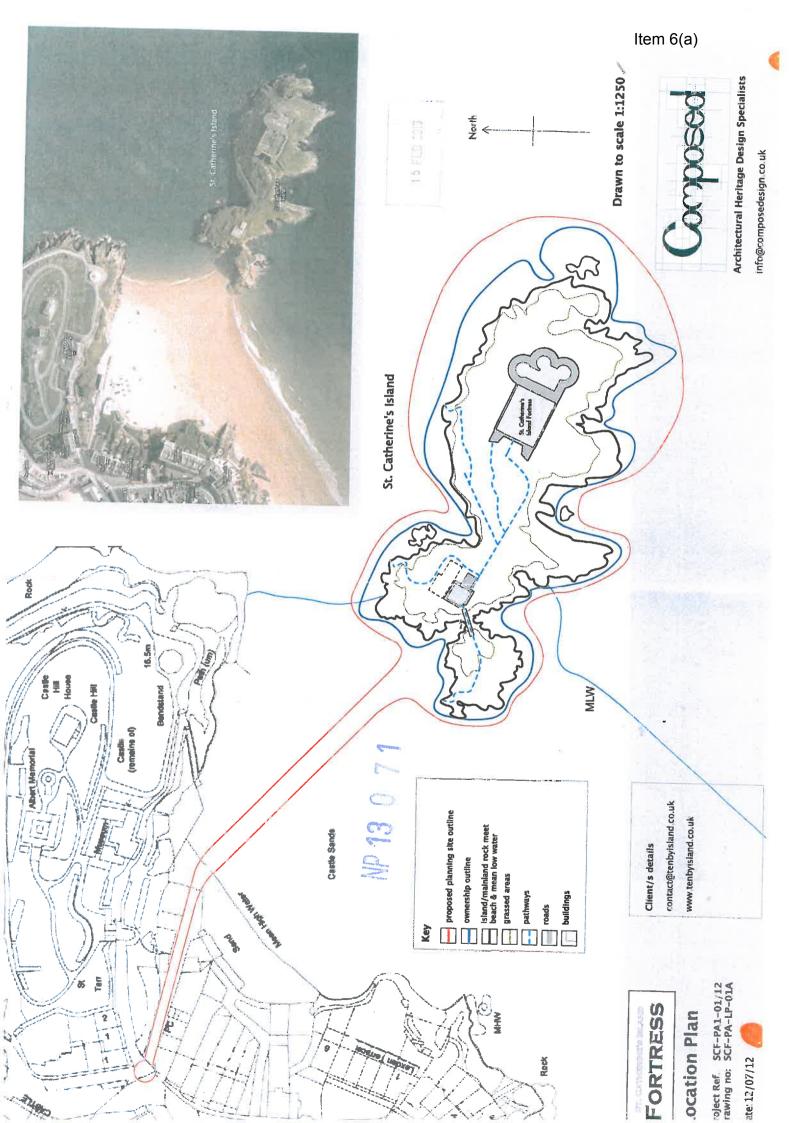
- 1. Policies 8, 11 and 15 of the Pembrokeshire Coast National Park Local Development Plan seek to protect the special qualities of the Pembrokeshire Coast National Park, and require the protection of the historic environment, and the protection of protected species and habitats. The application has been supported with contradictory, ambiguous, and insufficient detail to enable a comprehensive assessment to be made of the impact of the proposed works. The proposal is therefore considered contrary to these policies, and detrimental to the protected species and habitats present, the protected and special archaeological, architectural and historic interest of the Island and the fort, as a Scheduled Ancient Monument and Listed Buildings, in the Tenby Conservation Area and therefore the special qualities of the National Park.
- 2. Policies 8 and 9 of the Pembrokeshire Coast National Park Local Development Plan seek to protect the remoteness and tranquility of the National Park, and proposals that are likely to result in a significant level of lighting will only be permitted where the lighting proposed relates to its purpose, and where there is not an adverse effect on the character of the

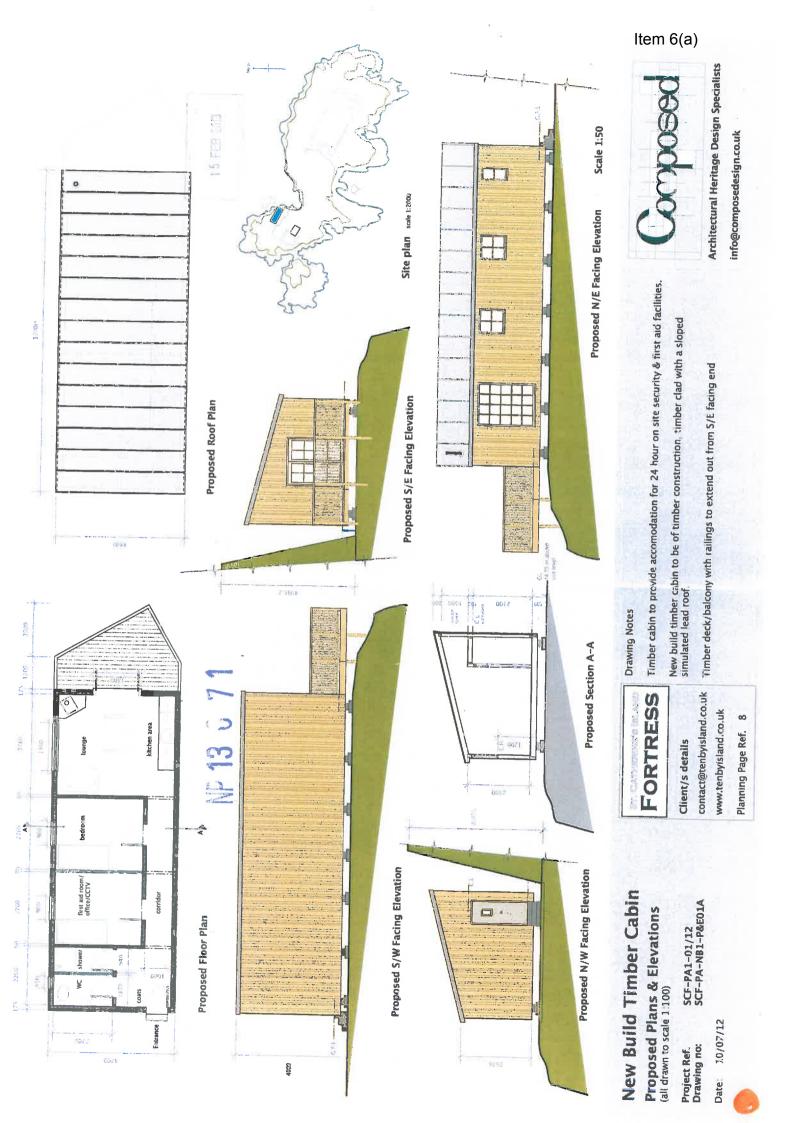
area, the amenity of local residents, and the visibility of the night sky. The proposal includes extensive lighting proposals that have not been satisfactory justified in terms of need, and the amount, location, and level of lighting would have a harmful impact on the protected species and habitats present, the protected special archaeological, architectural and historic interest of the Island and the fort, as a Scheduled Ancient Monument and Listed Building, the Tenby Conservation Area and therefore the special qualities of the National Park. The proposal is therefore contrary to adopted development plan policy.

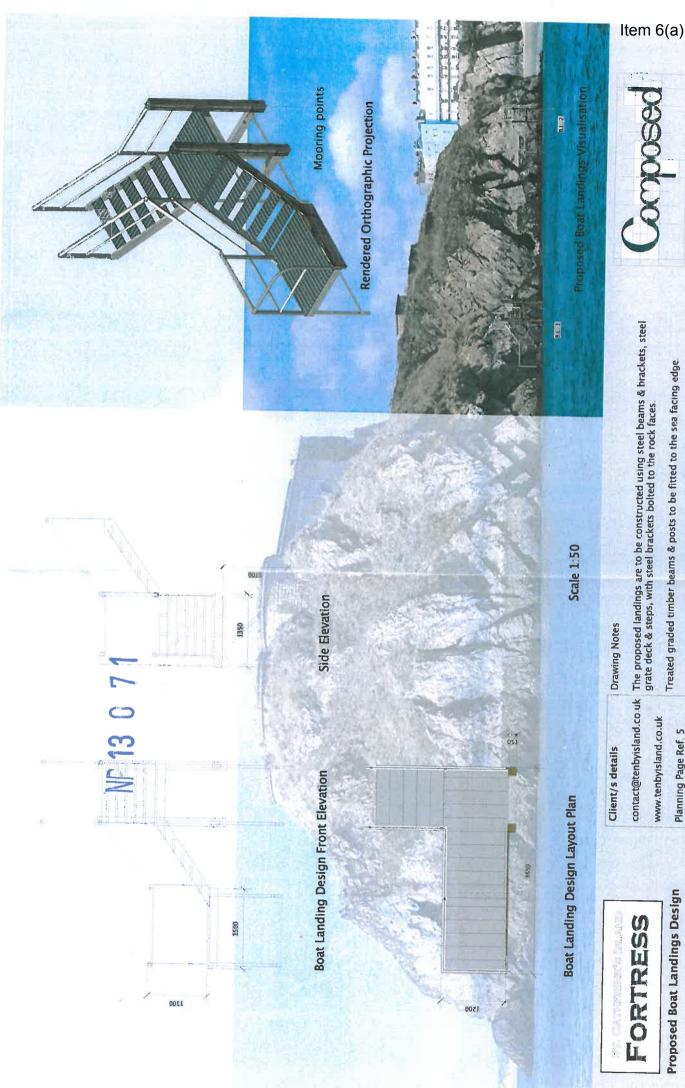
- 3. TAN 6 Planning for Sustainable Rural Communities states that one of the few circumstances in which isolated residential development in the open countryside may be justified is when accommodation is required to enable rural enterprise workers to live at or close to their place of work. New dwellings on new enterprises need to completely prove the case for a new dwelling, including whether any other existing accommodation, including potential conversions, is available as an alternative. Policy 7 of the Pembrokeshire Coast National Park Local Development Plan states that housing outside the identified Centres will only be permitted where it is essential for farming or forestry needs. The new dwelling has not been supported with any justification pursuant to the requirements of TAN 6 and is therefore contrary to national and local development plan policy.
- 4. Policies 8 and 15 of the Pembrokeshire Coast National Park Local Development Plan seek to protect the special qualities of the Pembrokeshire Coast National Park, and requires the protection of the historic environment. Policy 33 of the Pembrokeshire Coast National Park Local Development Plan supports the provision of renewable energy, subject to there being no overriding environment and amenity considerations. The application has proposed additions (i.e. the solar panels extensions, the roof-top shops and associated/stores and sheds) and a new dwelling which by view of their location, size, design, have a harmful impact on the protected and special archaeological architectural and historic interest of the Island and the Fort as a Scheduled Ancient Monument and Listed Building, the Tenby Conservation Area, and therefore the special qualities of the National Park. The proposal is therefore contrary to adopted development plan policy.











Architectural Heritage Design Specialists

Proposed boat landings to be sited at existing landing stages situated on the island.

www.tenbyisland.co.uk Planning Page Ref. 5

SCF-PA1-01/12 SCF-PA-PBLD01A

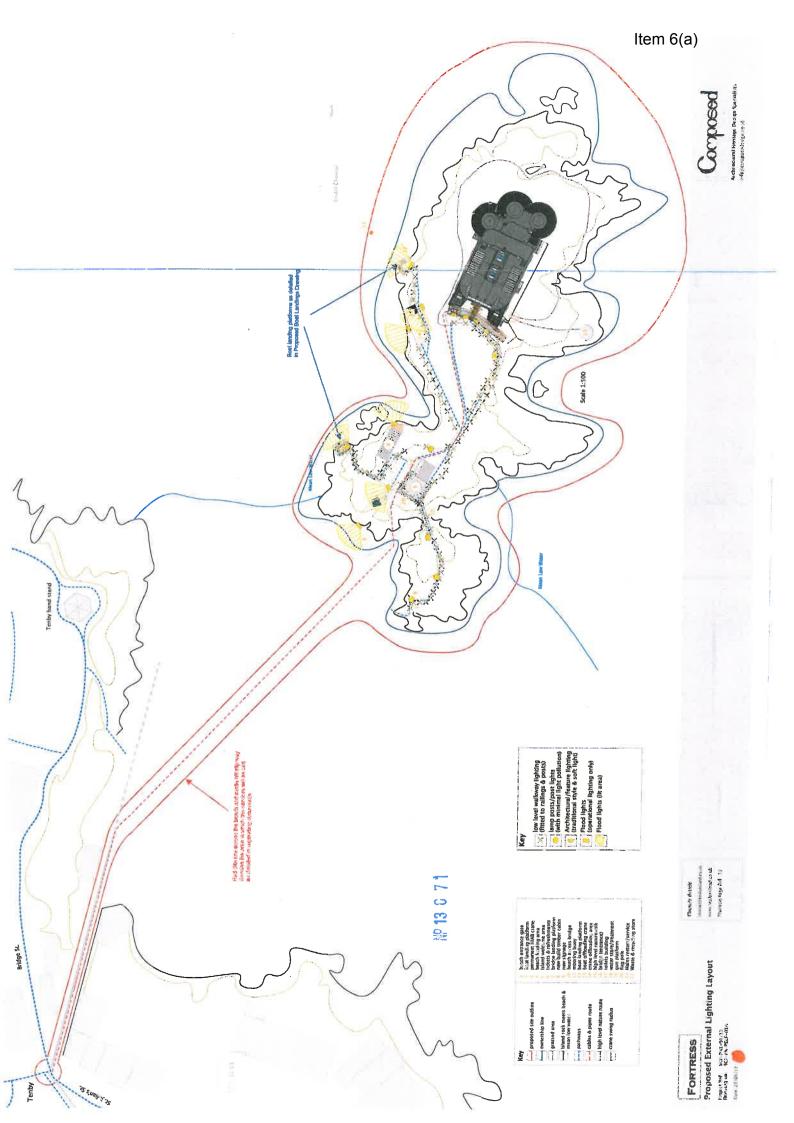
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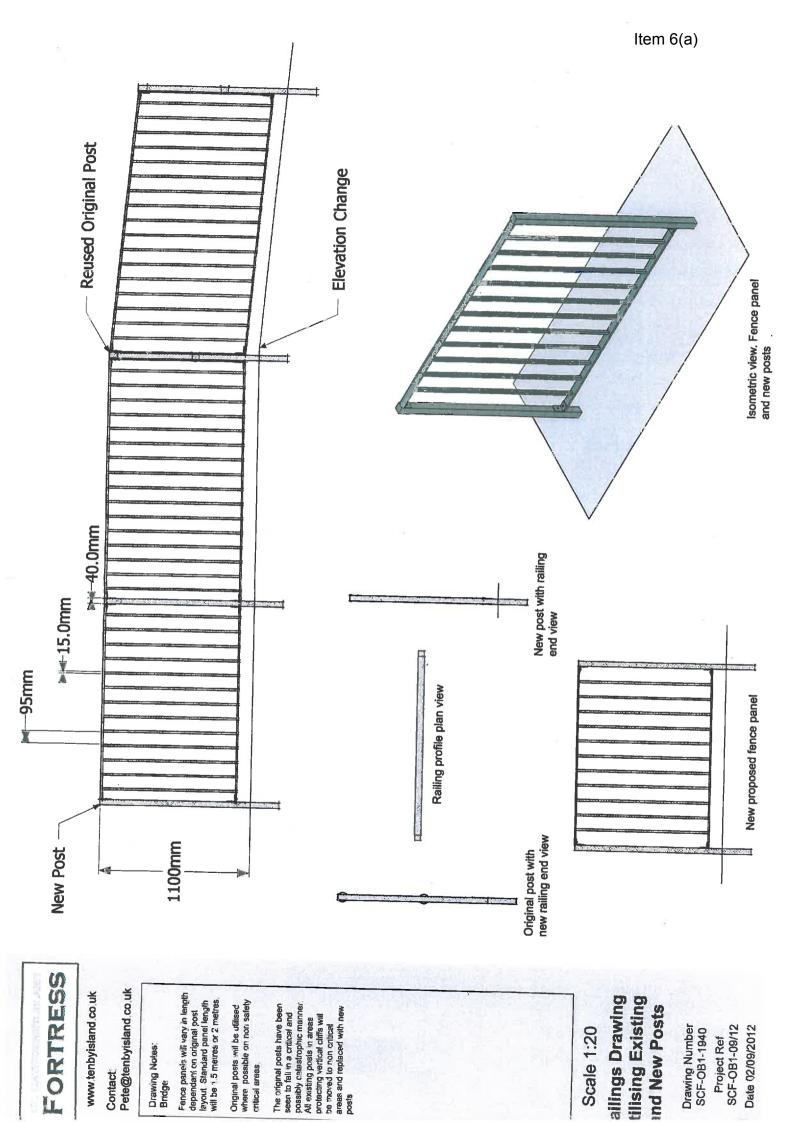
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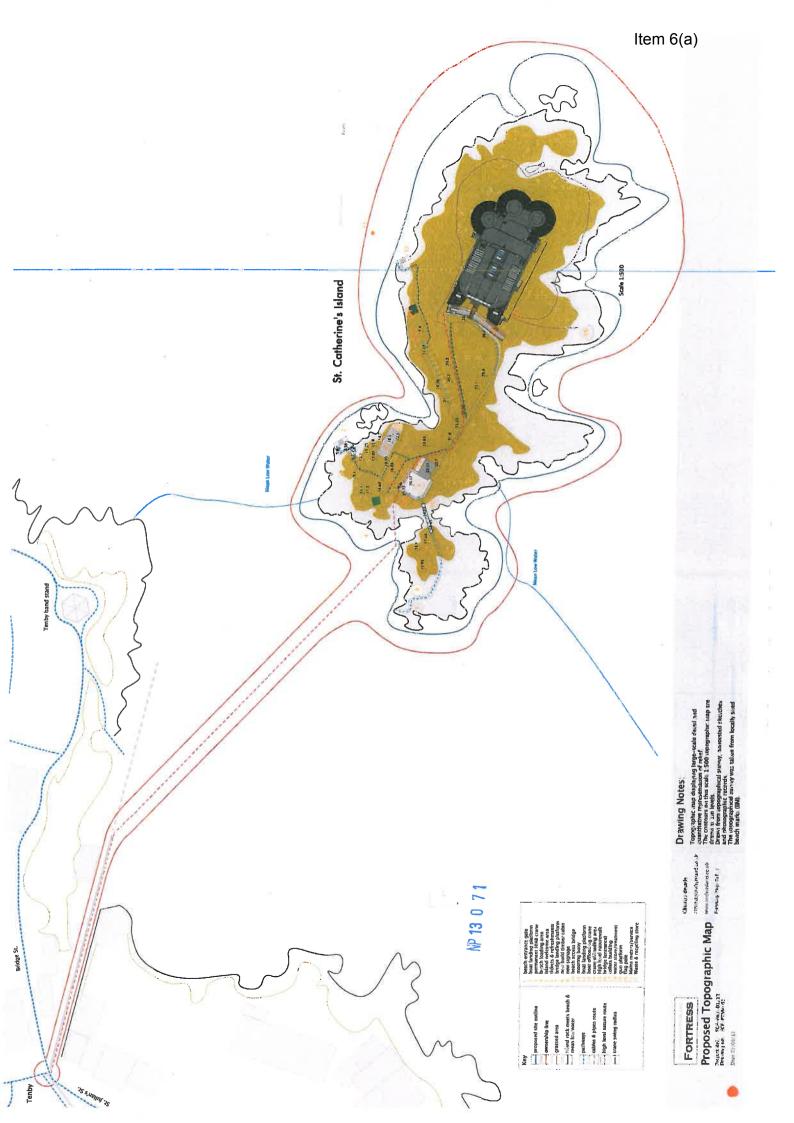
Proposed Boat Landings Design

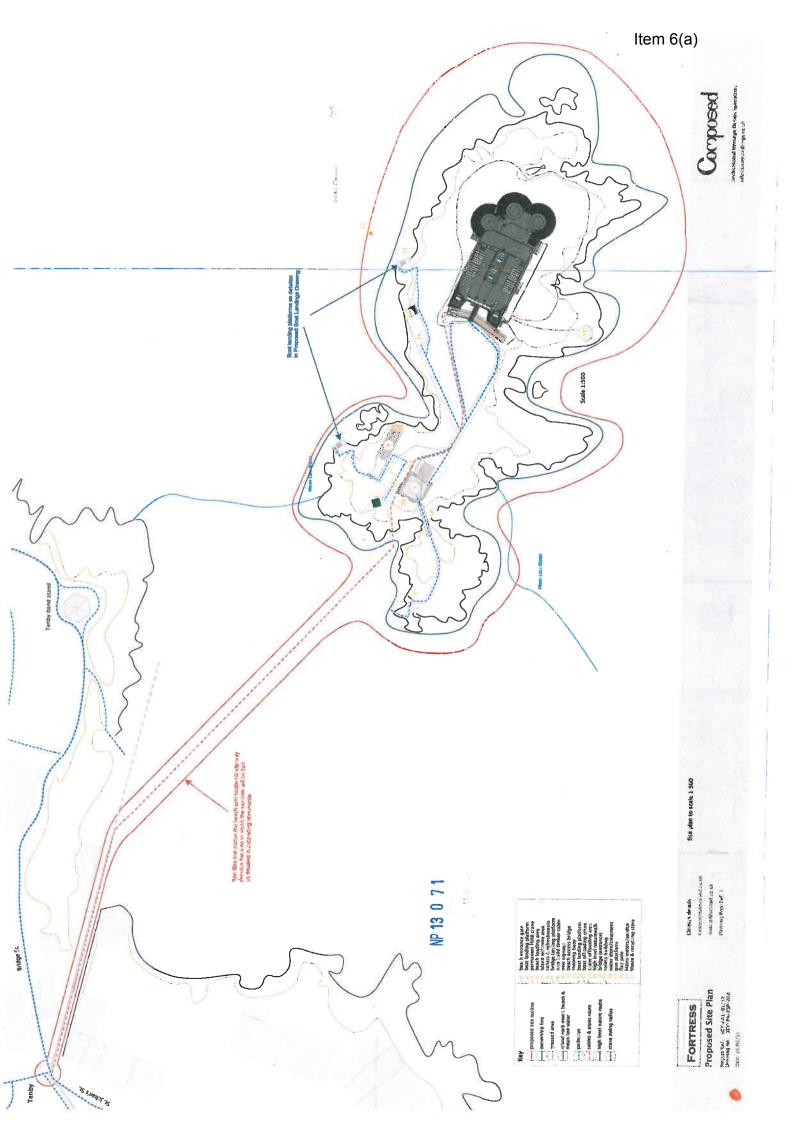
Existing concrete steps acting as access to & from the moorings require renovation, & new/replacement railings to be fitted to existing staircases & pathways.

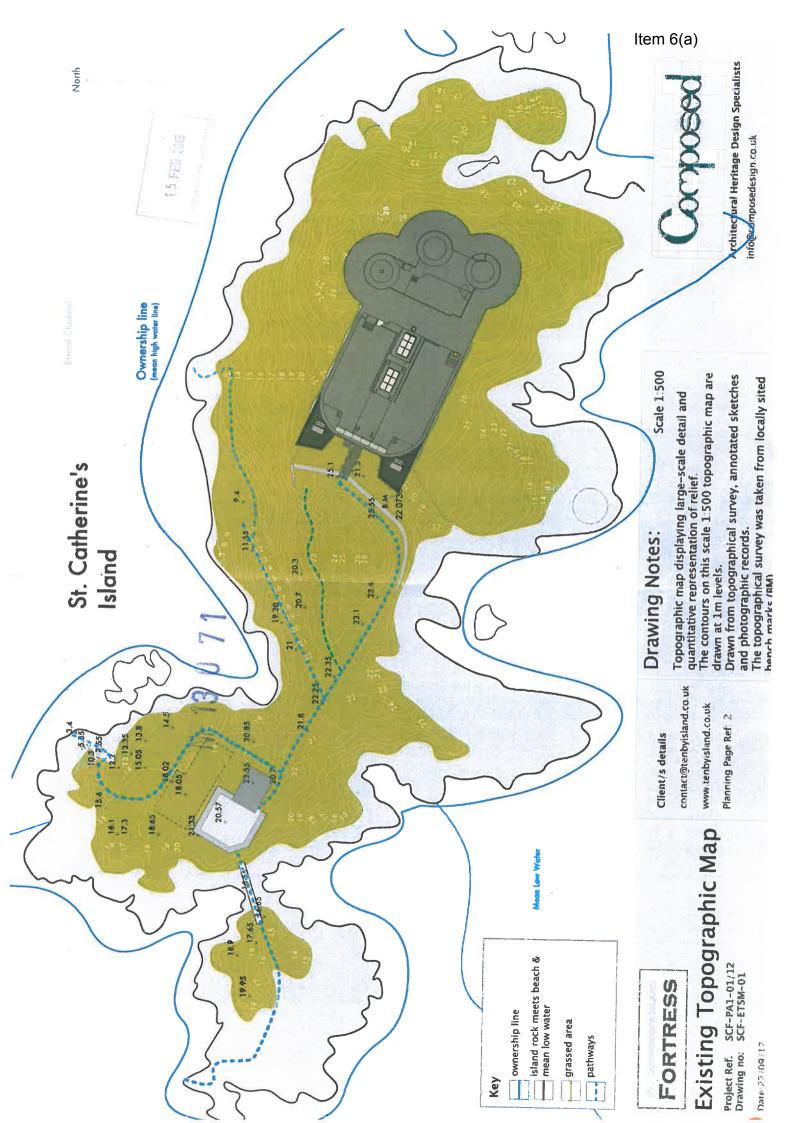
Treated graded timber beams & posts to be fitted to the sea facing edge.

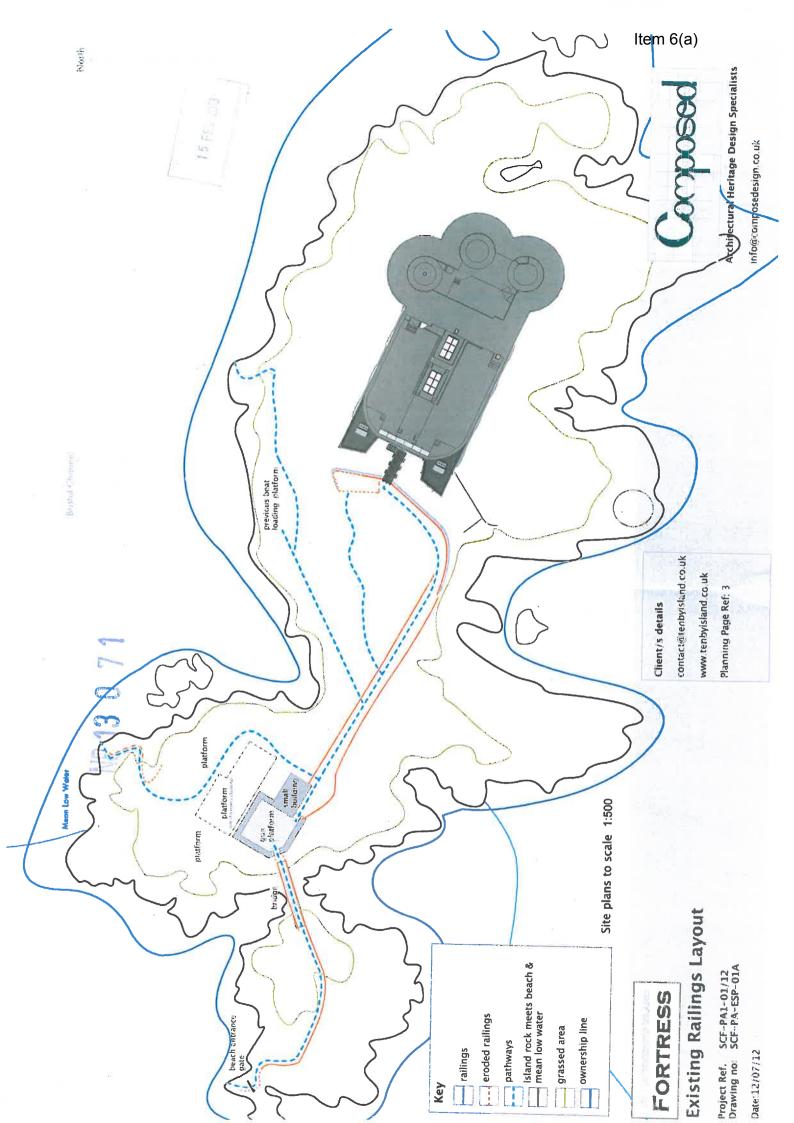


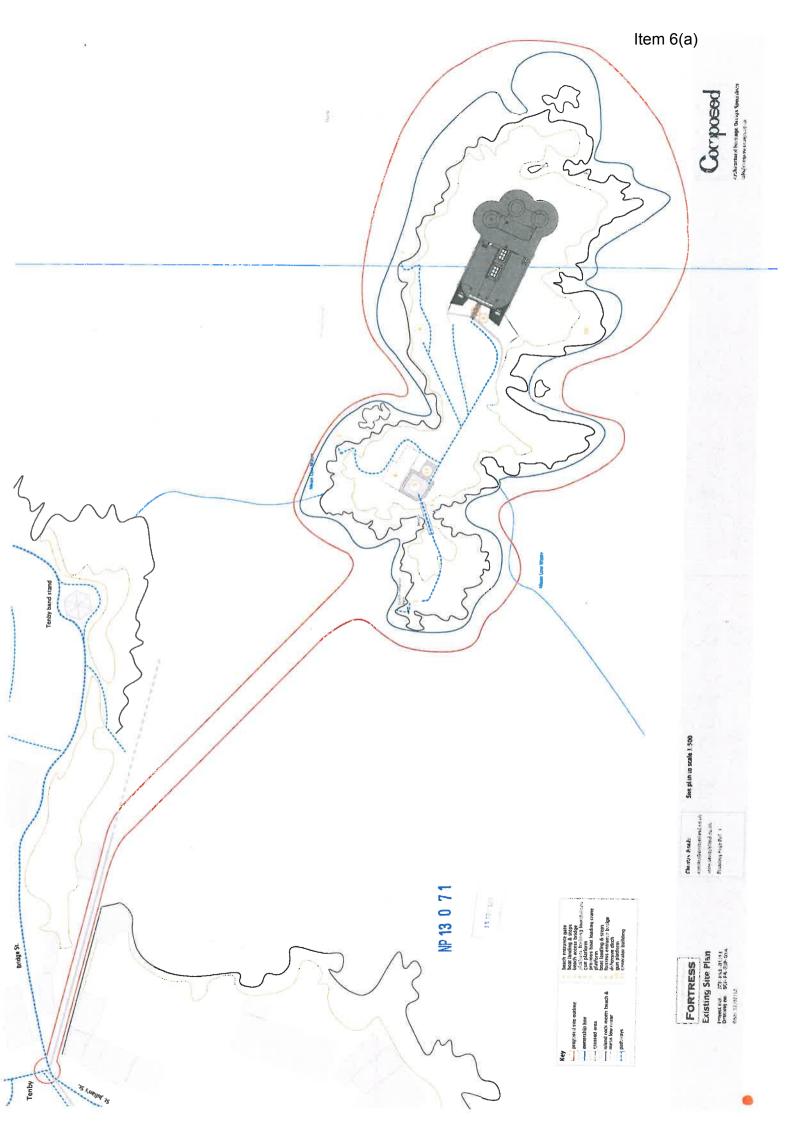


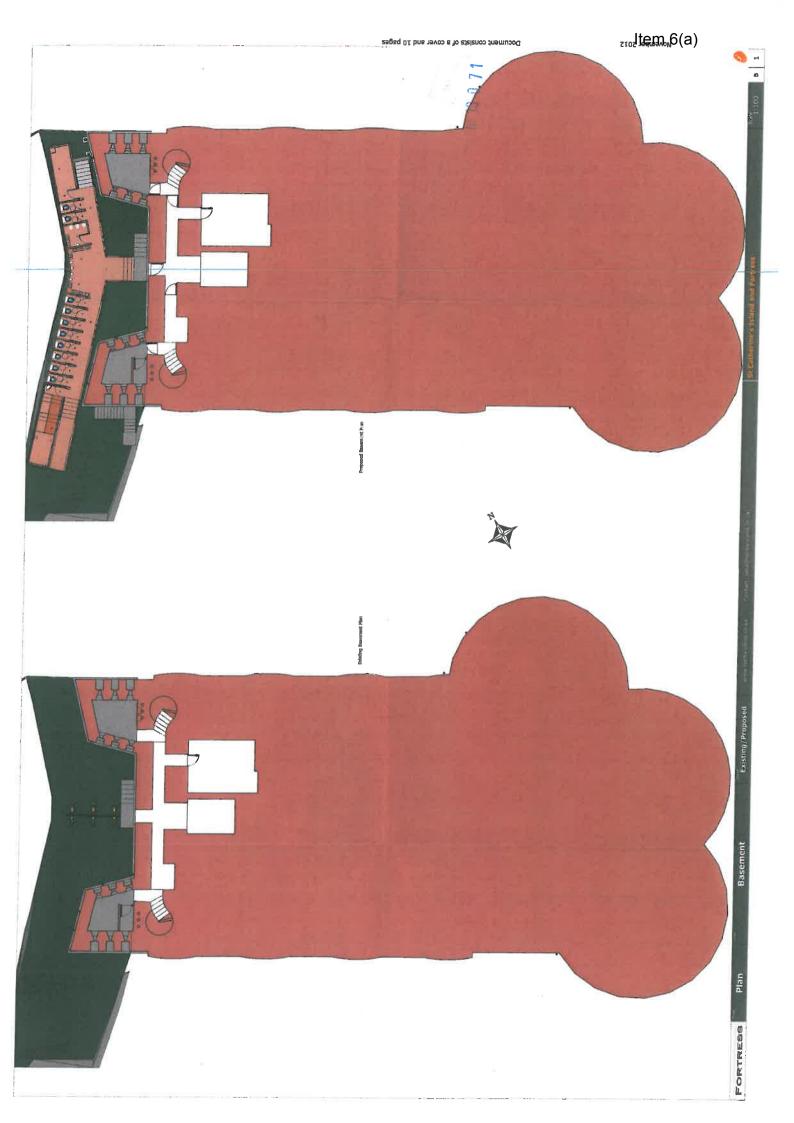


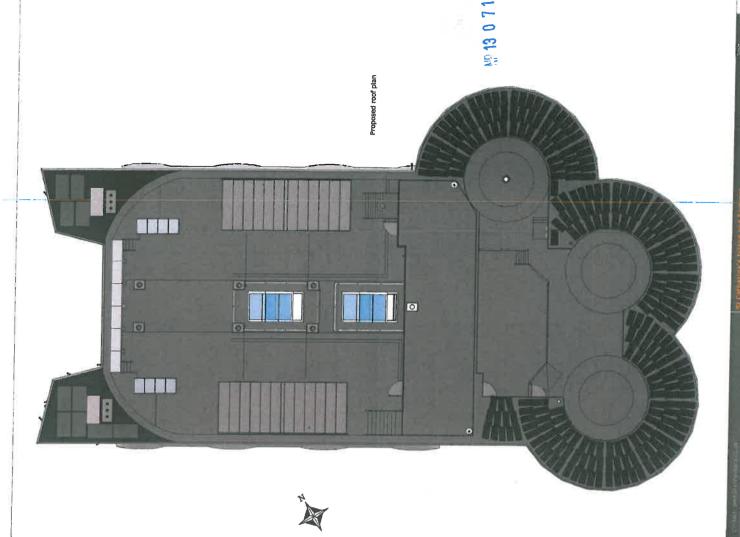


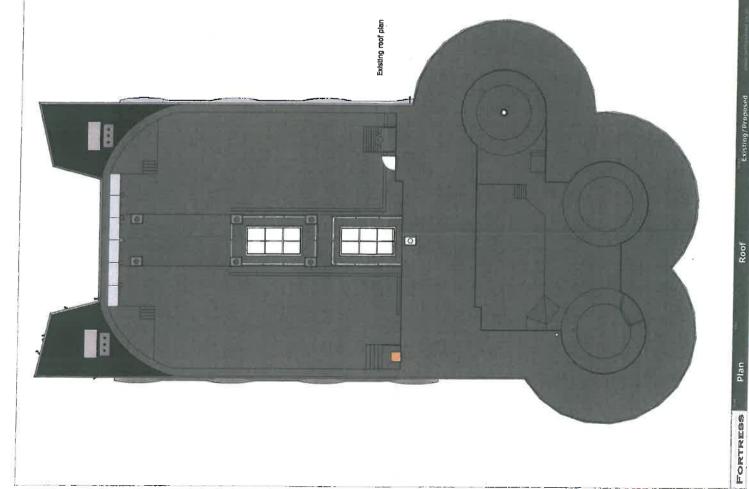


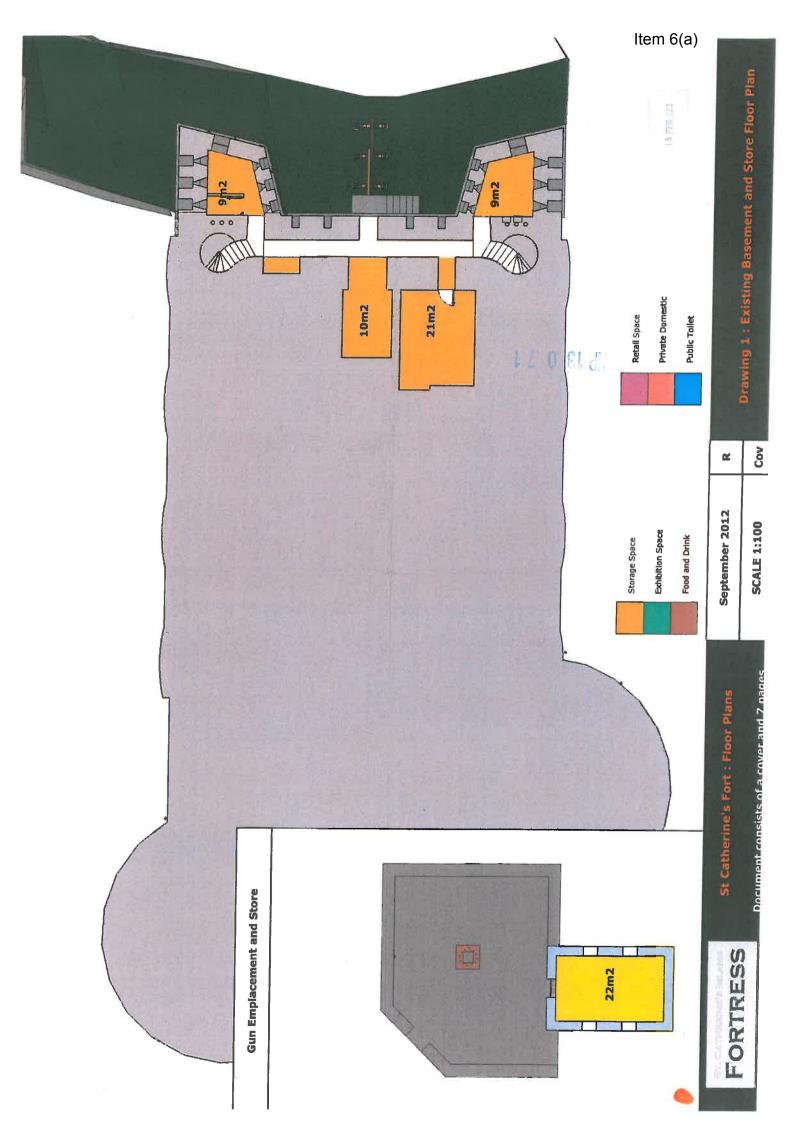


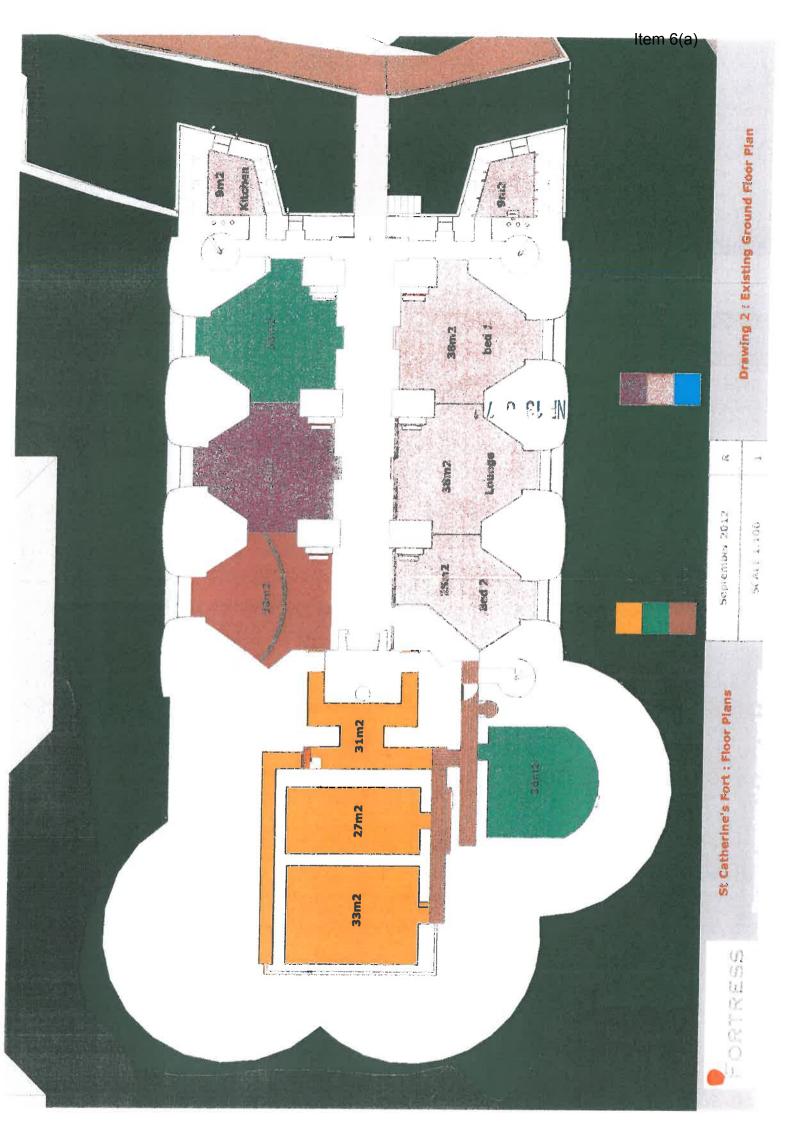


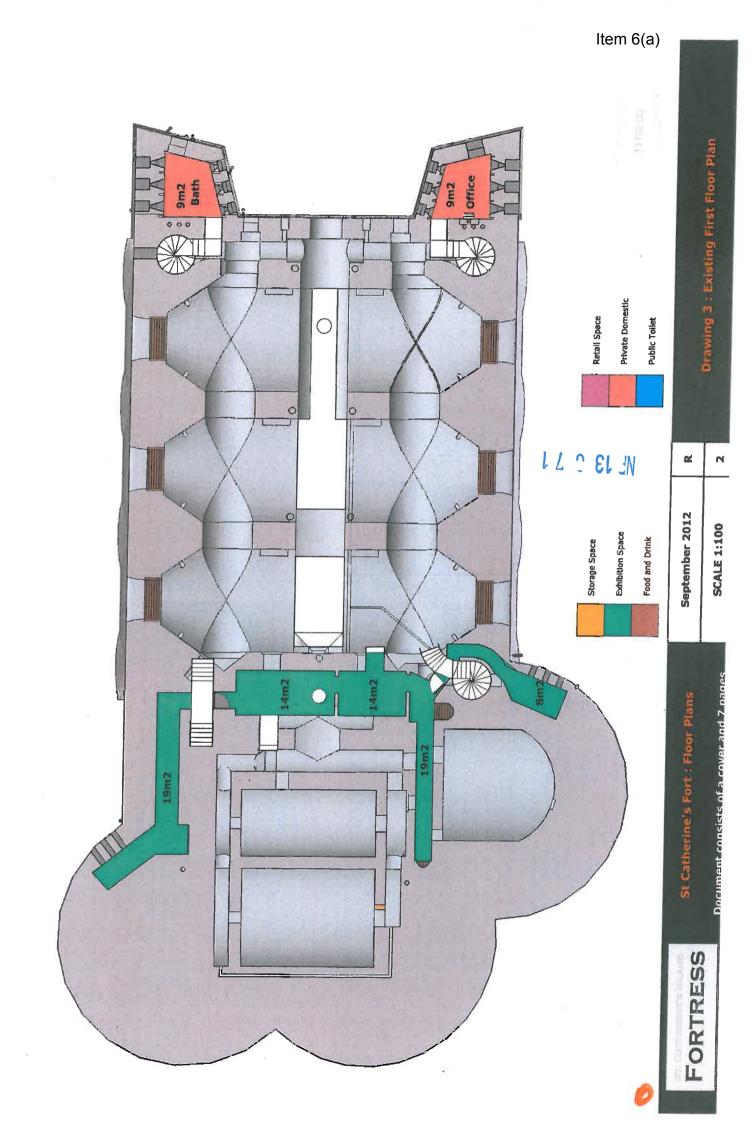


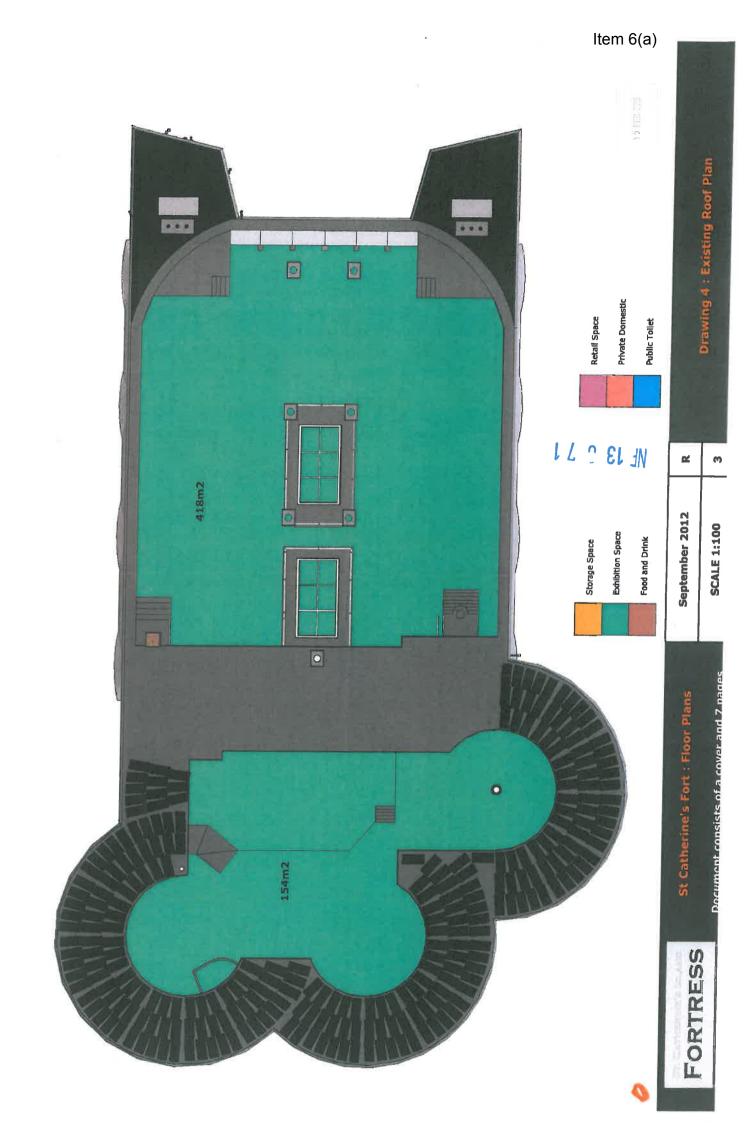


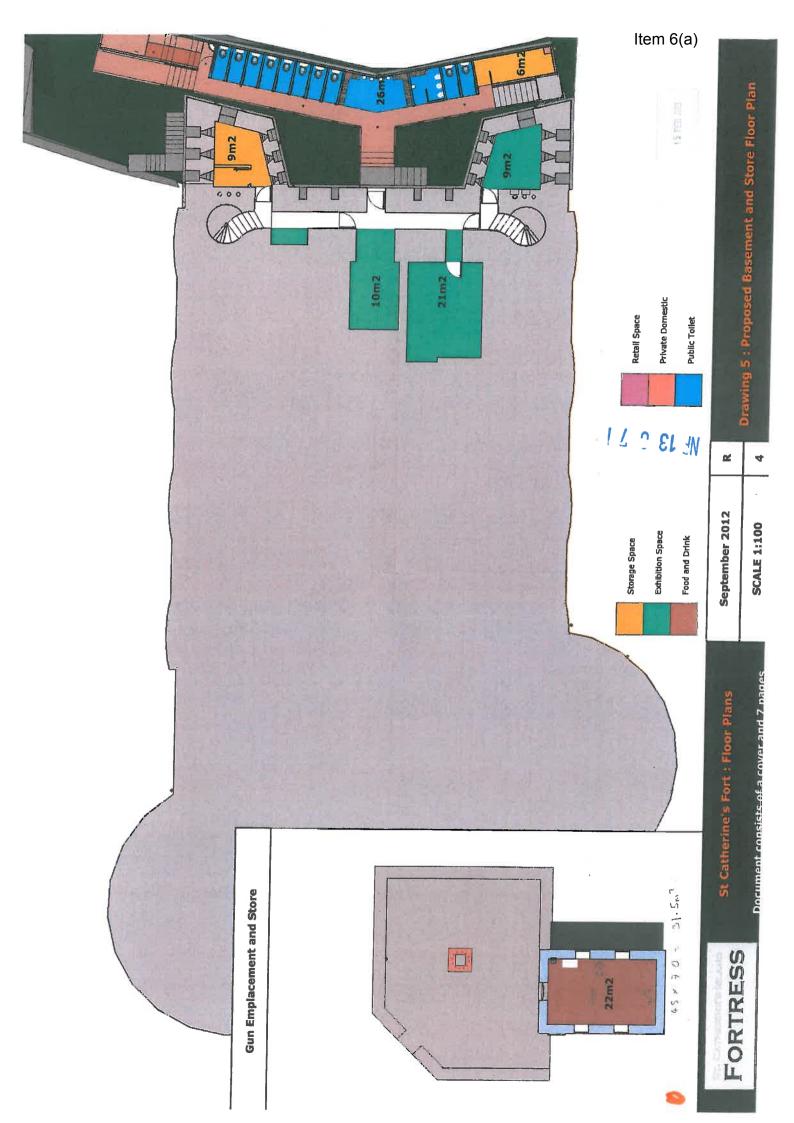


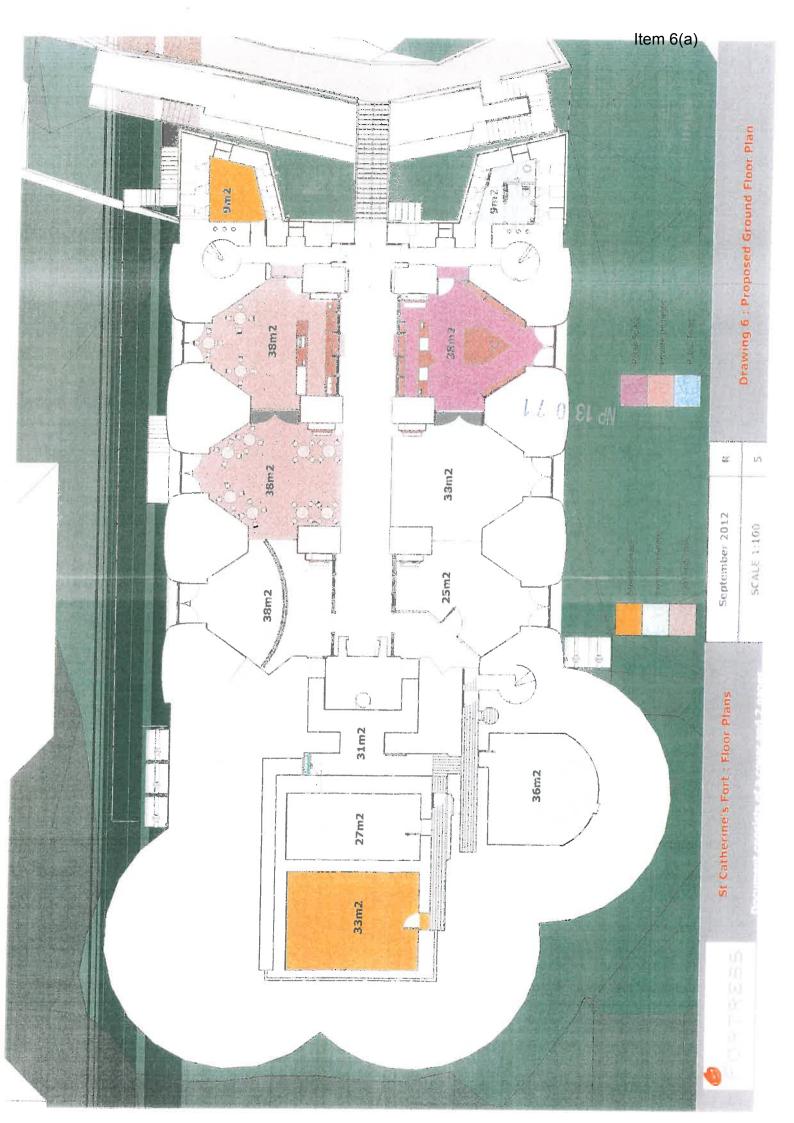


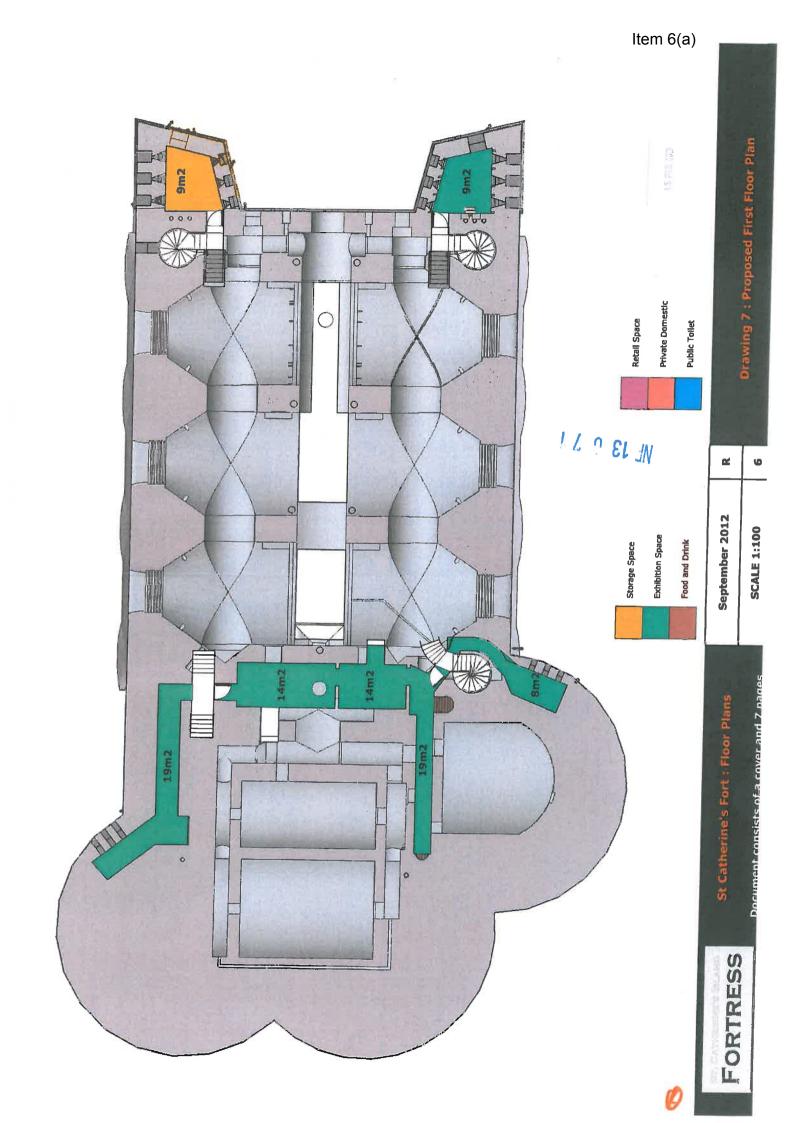


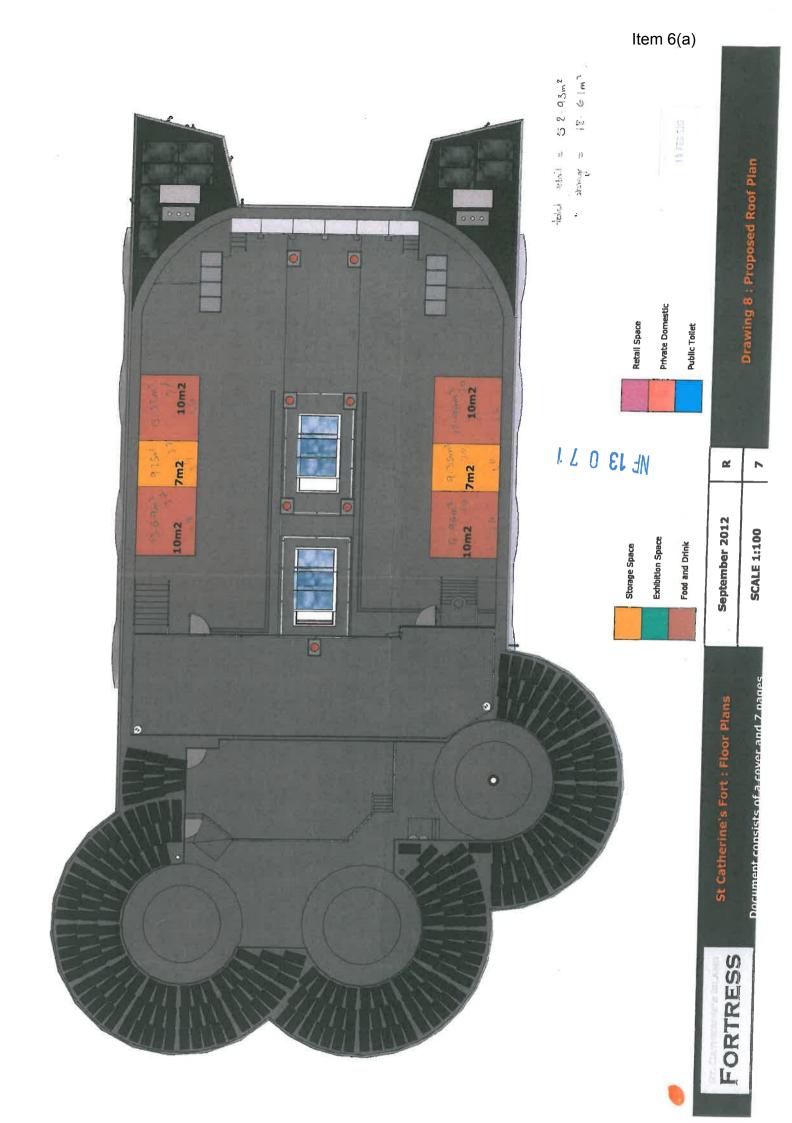


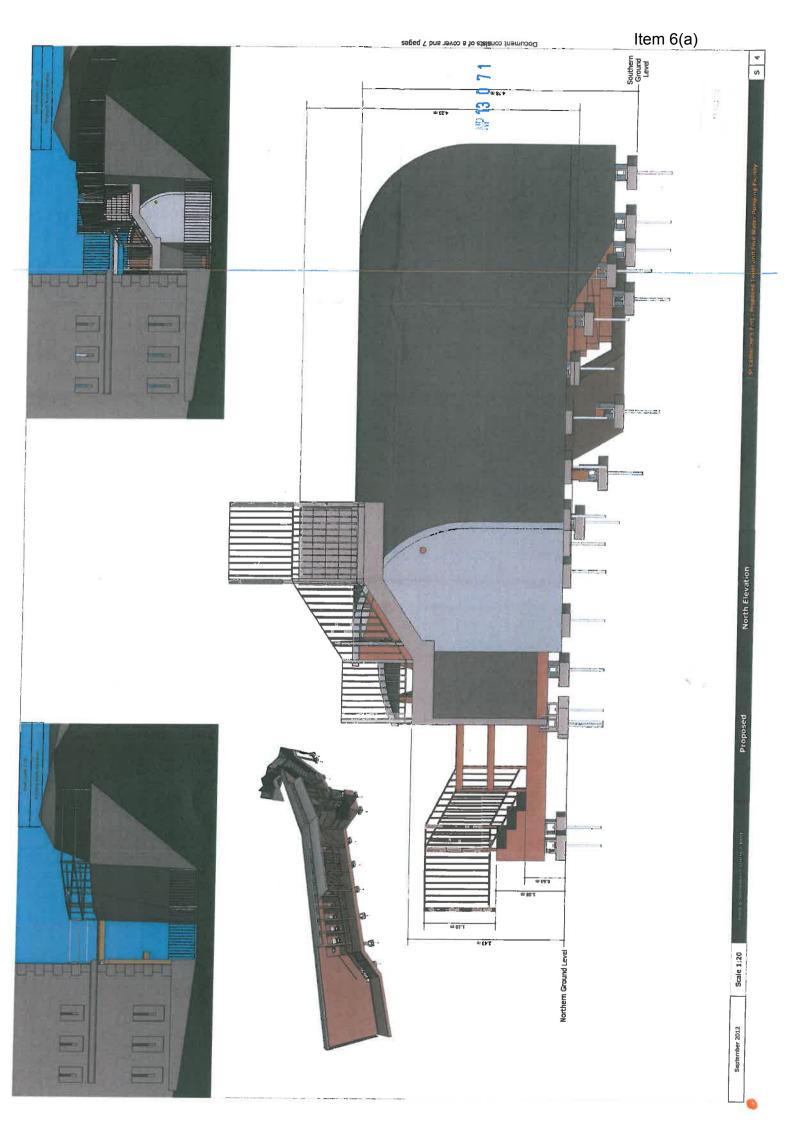


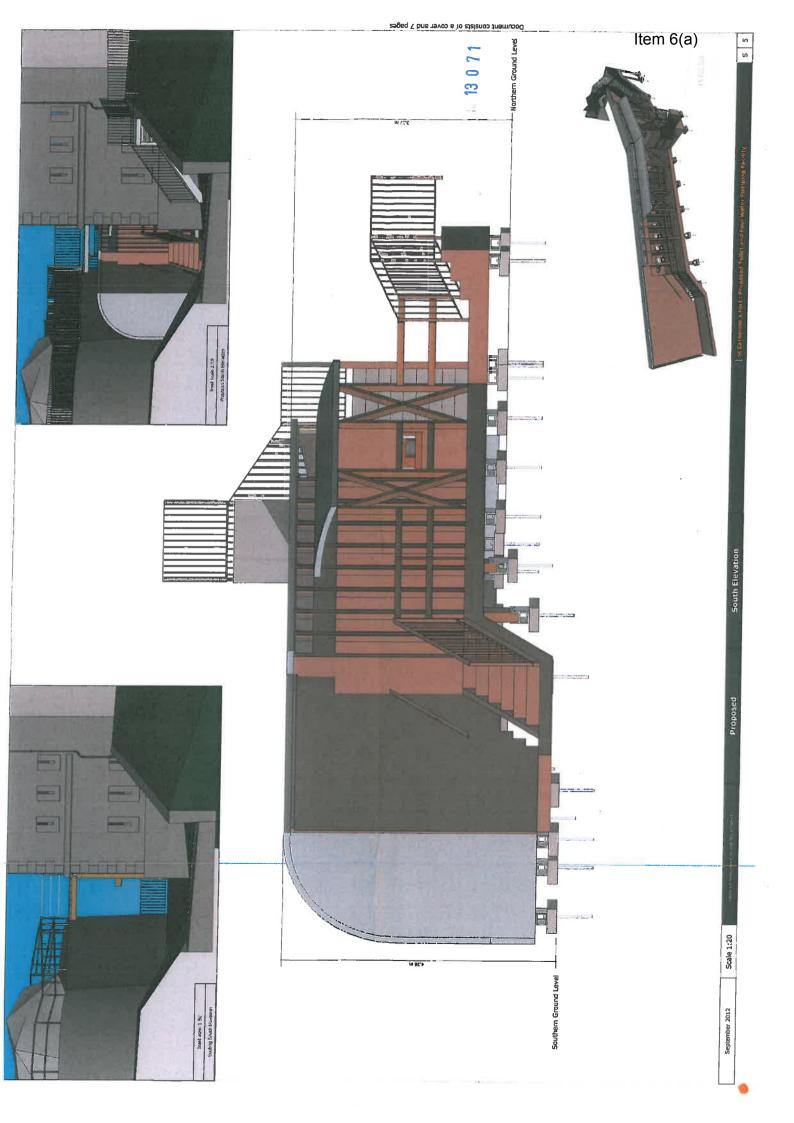


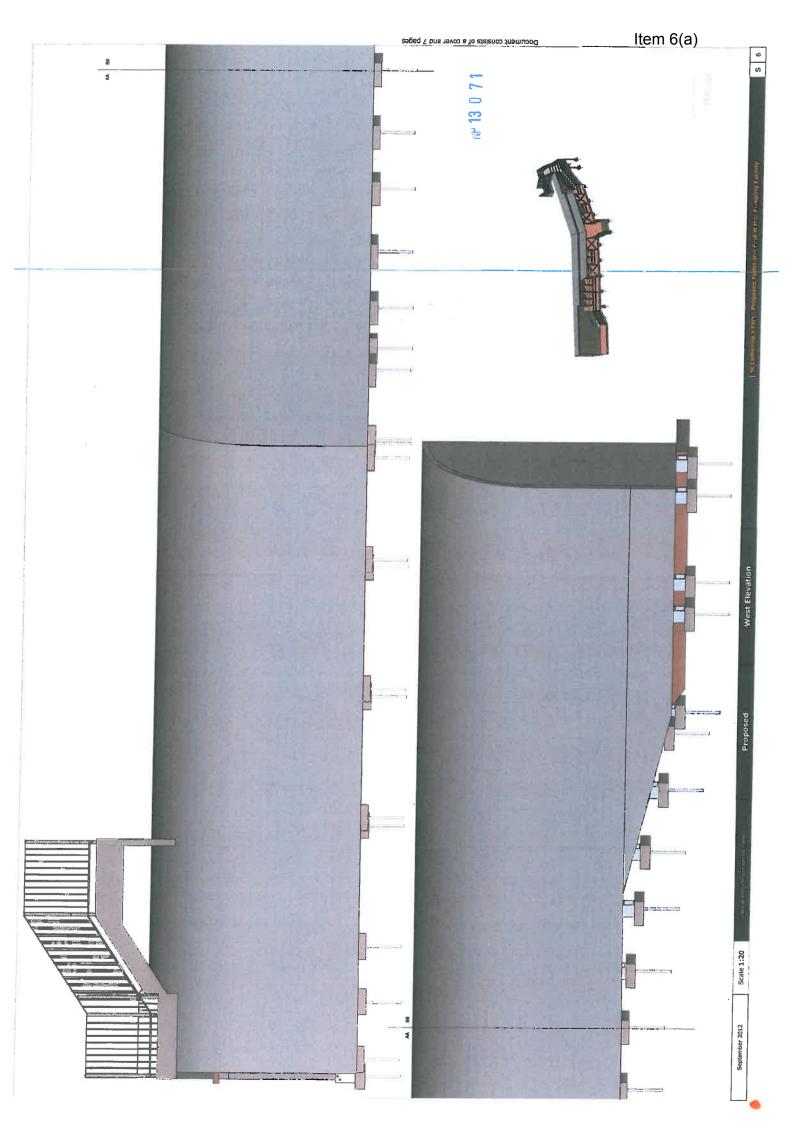


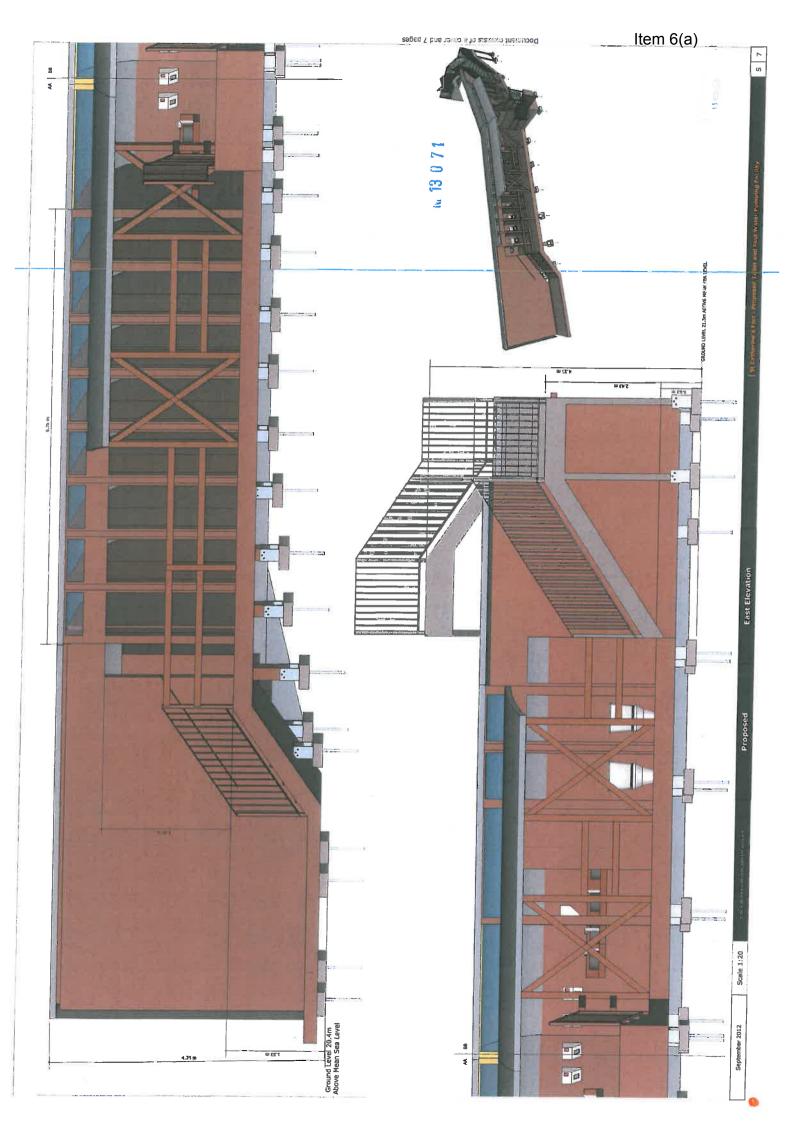


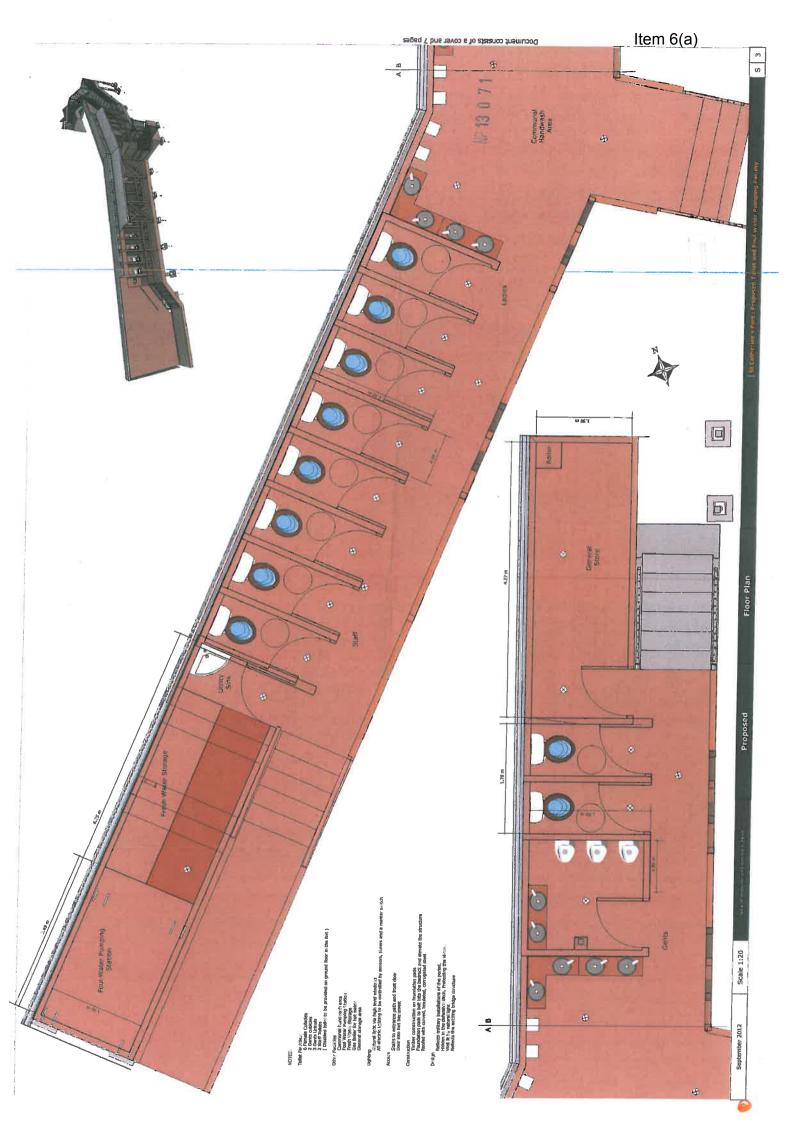


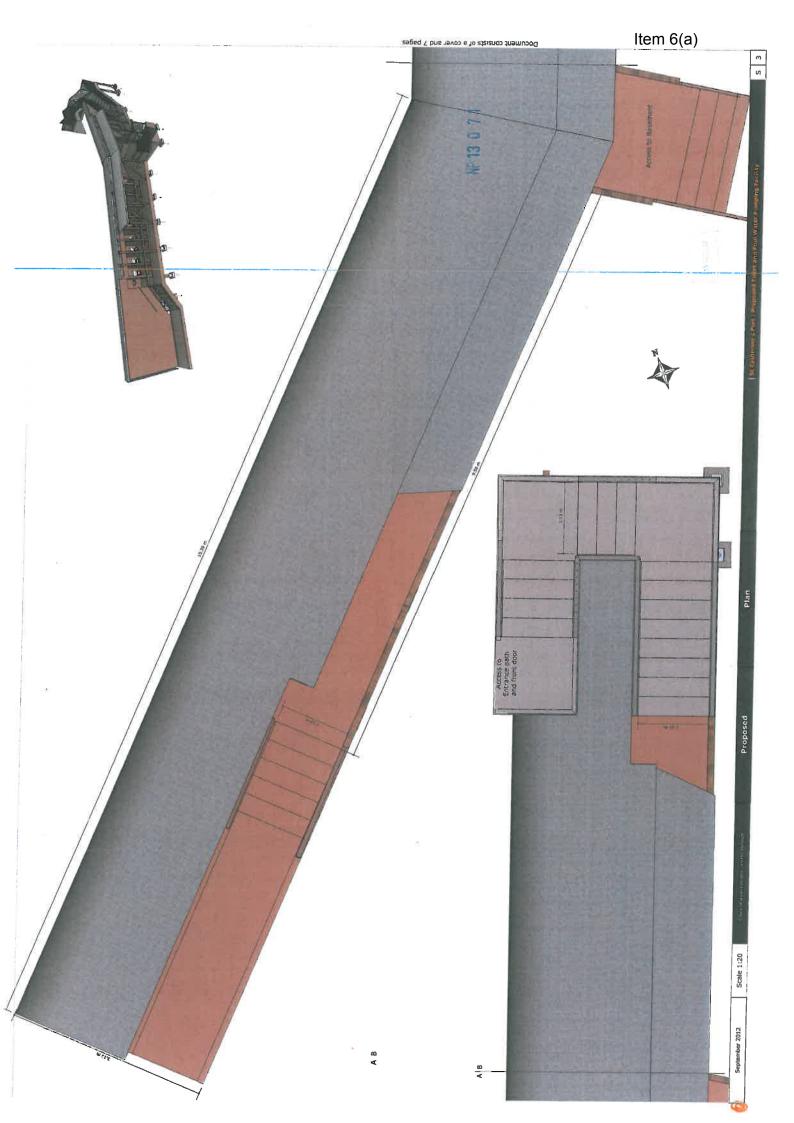


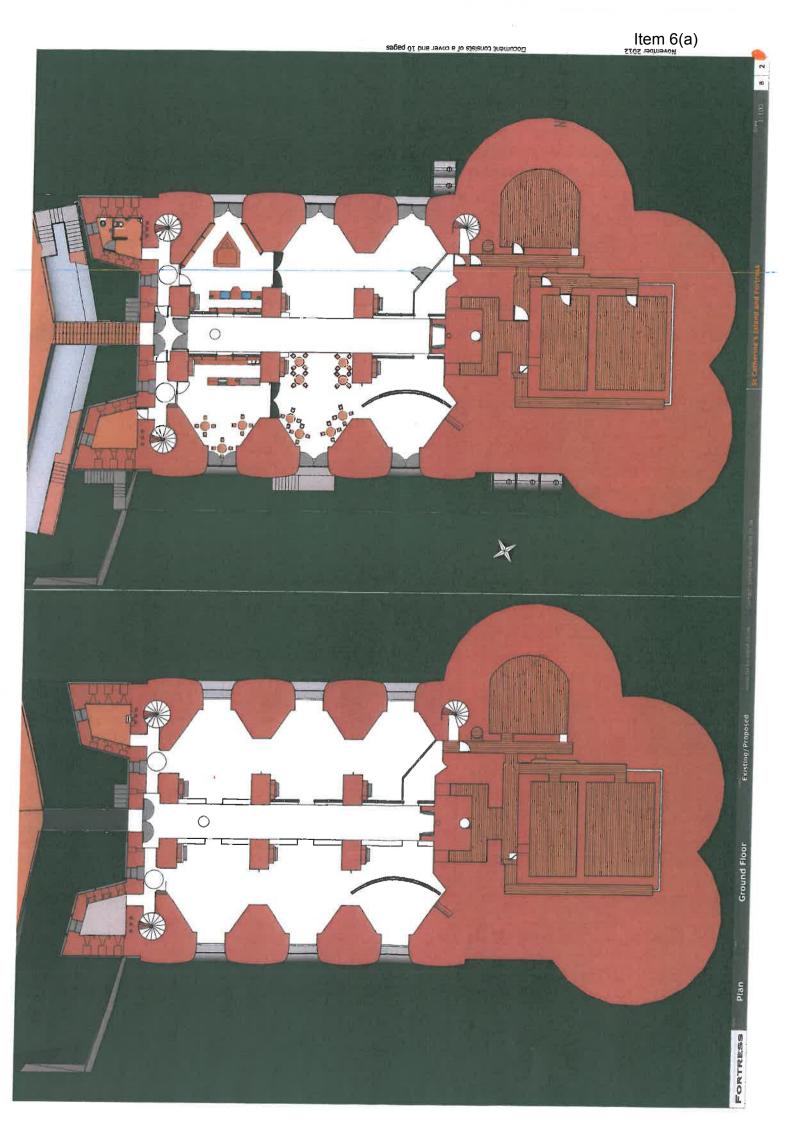


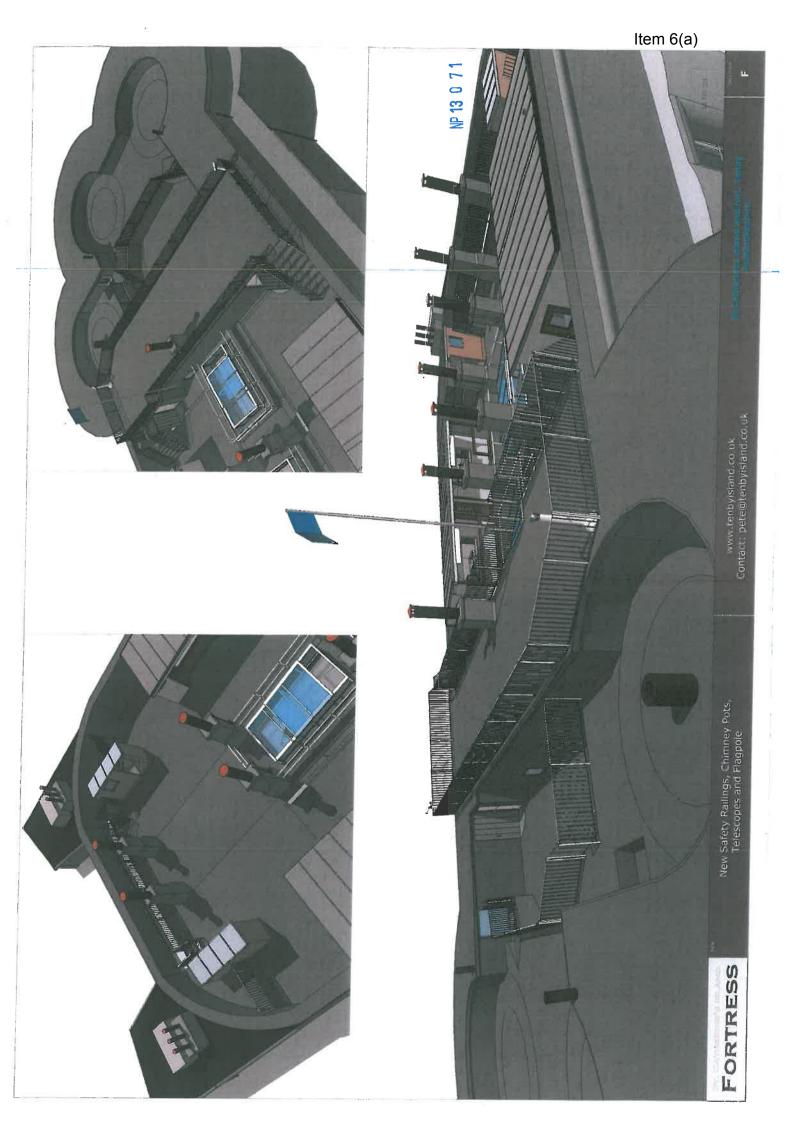


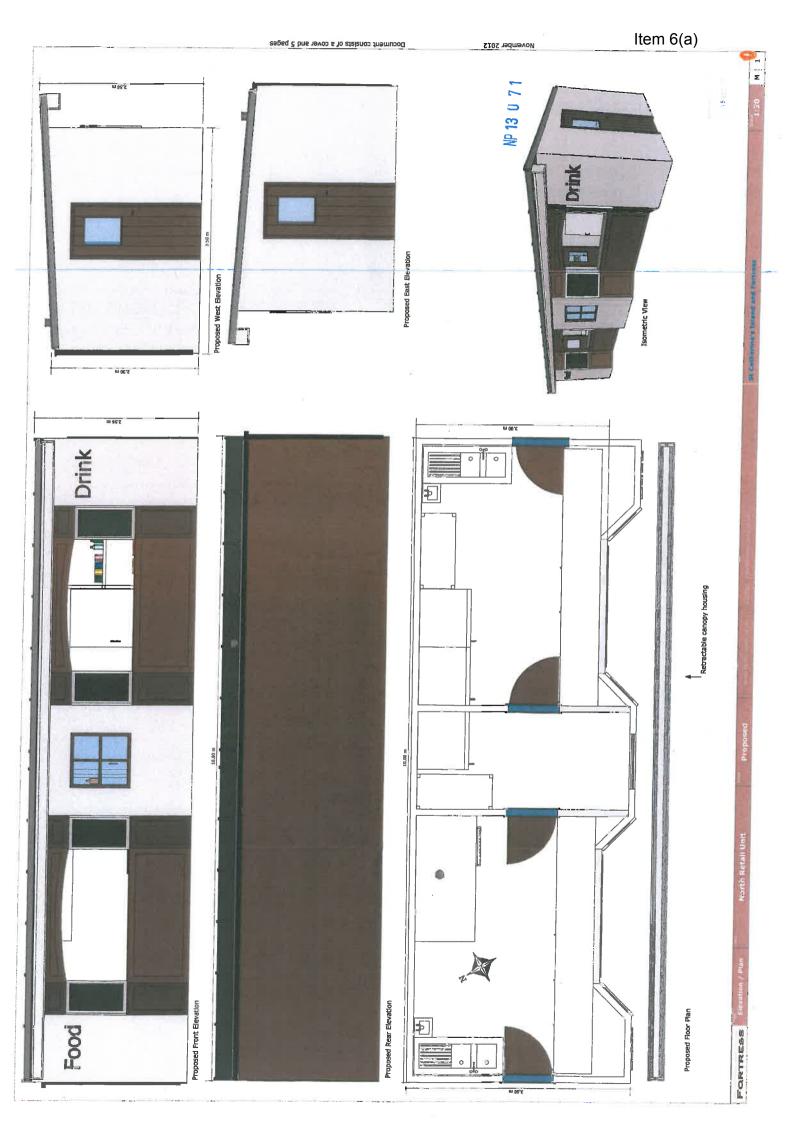










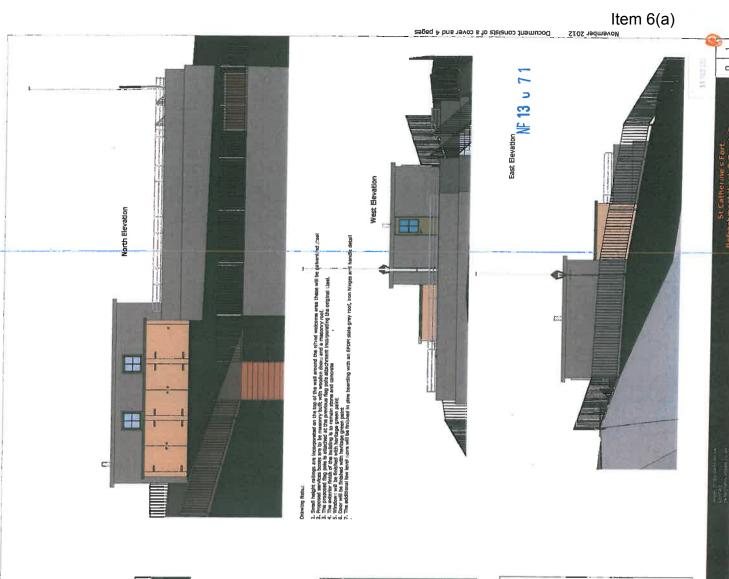


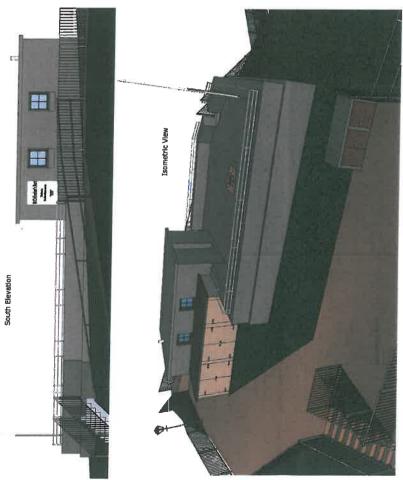






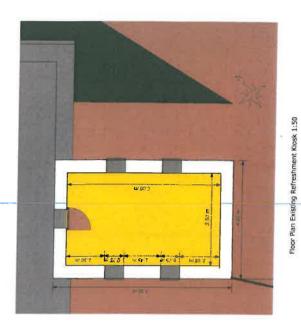
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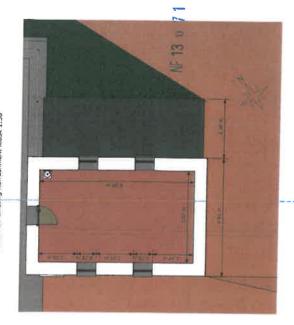


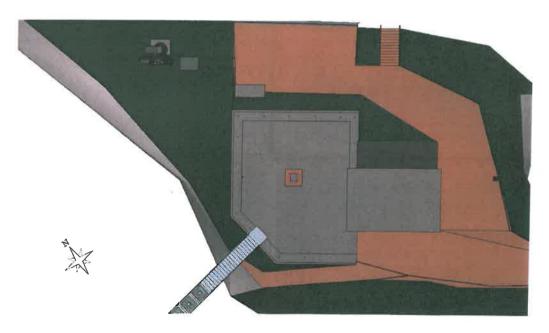


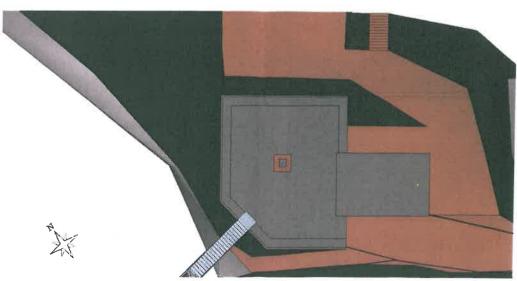
Floor Plan Proposed Refreshment Klosk 1:50

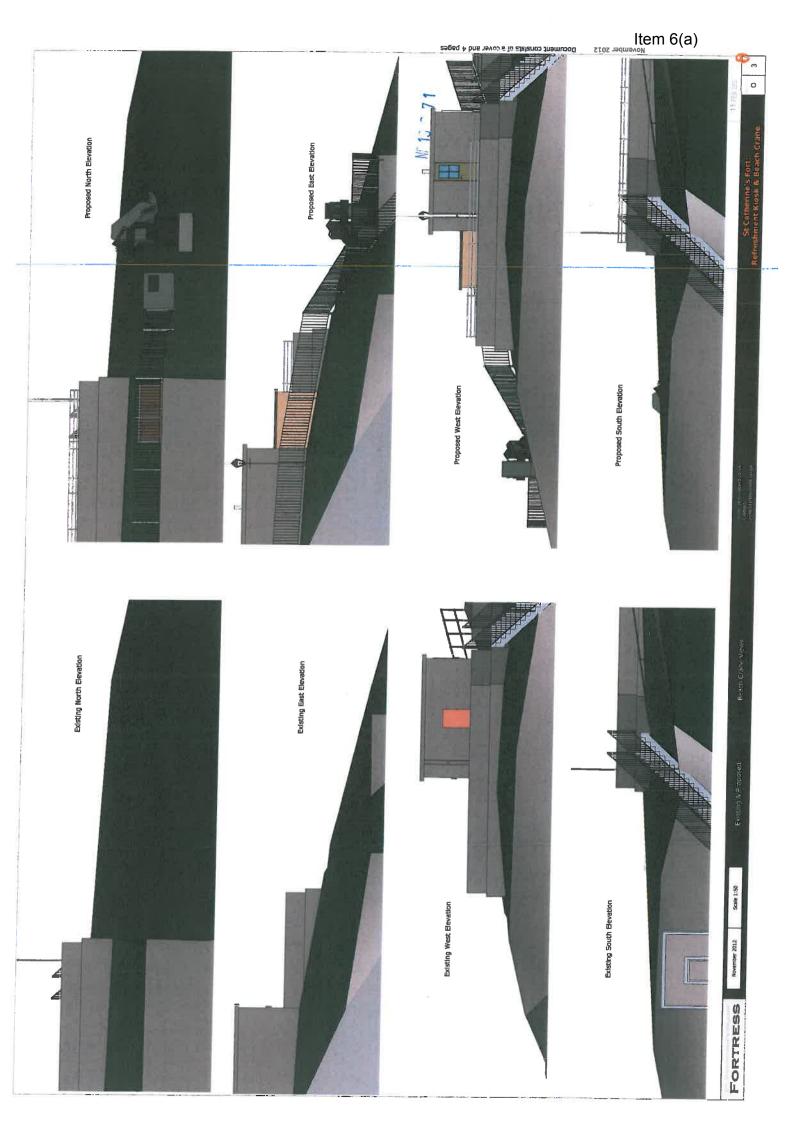
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Existing West elevation

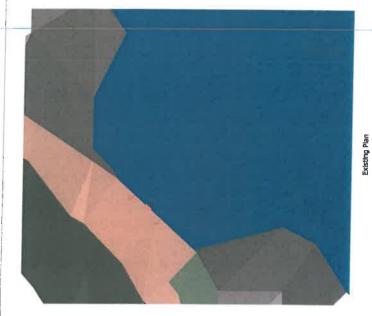
South Elevation

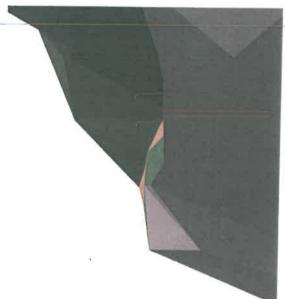


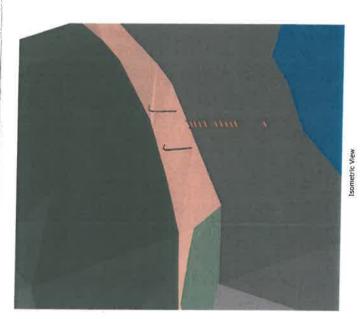
Existing North Elevation

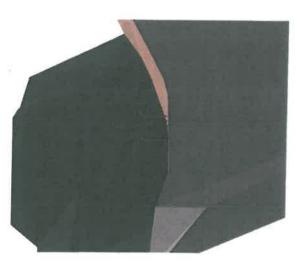
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Catherins's Fort

Proposed West Elevation

South Elevation

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November 2012

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