

Item 6 - Report on Planning Applications

Application Ref: NP/13/0134

Application Type	Outline
Grid Ref:	SM86341838
Applicant	Mr J Owen
Agent	Kimpton Durham John Associates
Proposal	Outline application for 1 x 3 bedroom, 1.5 storey house, with consideration of access and layout (all other matters reserved).
Site Location	Plot between Cartref & Fernlea, Nolton Haven, Haverfordwest, Pembrokeshire, SA62 3NN
Case Officer	Julia Evans

Summary

This outline application proposes the erection of a detached one and a half storey dwelling, with consideration at this stage of access and layout only, on the plot of land between Cartref and Fernlea, Nolton Haven. The proposal has been carefully considered against all material considerations and the relevant national and local development plan policies. On balance the application is recommended for refusal for four reasons.

The first is that a one and a half storey dwelling has been proposed in an area of single storey dwellings, which is harmful to the special qualities of the National Park. The second is due to the limited public transport accessibility of this open market dwelling, which is contrary to Policy 7 of the Local Development Plan. The third reason is that the application has not been supported with sufficient information to ascertain the impact of the coal mining legacy on the proposed development. The fourth reason is that the applicant has not agreed to provide the proscribed level of commuted sum for affordable housing. As such the application is considered contrary to adopted development plan policy and harmful to the special qualities of the National Park, and is therefore recommended for refusal.

The application has been brought before the Development Management Committee because the Community Council has supported the application, which is contrary to the recommendation for refusal.

Consultee Response

Coal Authority: Concern

Nolton & Roch Community Council: Supporting

Dwr Cymru Welsh Water: Conditional Consent

MOD: No objection

PCC - Transportation & Environment: Conditional Consent

Item 6 - Report on Planning Applications

Public Response

The application has been advertised and neighbour notifications undertaken.

Two responses have been received making the following points:-

- The proposal would result in a loss of privacy to neighbouring properties;
- It will increase noise pollution;
- There should be no window or doors opening on the eastern side of the property;
- There should be no trade or commercial business run from the property, including large vans, caravans, camping, etc;
- There should be a planting scheme to the eastern side of the property to protect privacy;
- The height is contrary to previous planning permissions restricting it to a single storey dwelling;
- It would be higher than all the other properties in the immediate area; and;
- It would overshadow the solar panels of a neighbouring property.

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>

LDP Policy 01 - National Park Purposes and Duty

LDP Policy 07 - Countryside

LDP Policy 08 - Special Qualities

LDP Policy 29 - Sustainable Design

LDP Policy 30 - Amenity

LDP Policy 31 - Minimising Waste

LDP Policy 32 - Surface Water Drainage

LDP Policy 44 - Housing

LDP Policy 45 – Affordable housing

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 08 - Transport

PPW5 Chapter 09 - Housing

PPW5 Chapter 12 - Infrastructure and Services

PPW5 Chapter 13 - Minimising and Managing Environmental Risks and Pollution

Item 6 - Report on Planning Applications

SPG05 - Sustainable Design
 SPG06 - Landscape
 SPG08 - Affordable Housing
 SPG11 - Coal Works - Instability
 SPG12 - Parking
 TAN 02 - Planning and Affordable Housing
 TAN 05 - Nature Conservation and Planning
 TAN 06 - Planning for Sustainable Rural Communities
 TAN 12 - Design
 TAN 18 - Transport
 TAN 22 - Planning for Sustainable Buildings

Officer's Appraisal

Background

The site lies to the north of the public highway running to the village of Nolton Haven, and slopes gently downhill to the north towards a small stream that forms the northern border of the site. Over the stream is a bridge that leads to a paddock of mown grassland which rises up towards the north and the open countryside beyond. There are no boundary treatments separating the site from the highway, whilst the boundaries to the east and west are delineated by close boarded timber fencing. The site is currently a gap in a line of bungalows that run along the northern side of the highway.

Constraints

The site lies within the open countryside in a Coal Referral Area and Ministry of Defence (MoD) Safeguarding Zone.

Relevant Planning History

- NP08/157 – Dwelling (Outline) – Permission - 13th August 2008; and
- NP12/0466 - Outline application for a one-and-a-half storey house with consideration of access and layout (all other matters reserved) - Withdrawn 9th November 2012.

Current Proposal

This is an outline application for a one-and-a-half storey detached three bedroomed dwelling with consideration of access and layout only: all other matters are reserved. It is an identical submission to that which was withdrawn in November last year.

The proposed dwelling would be located approximately centrally on the plot, with its long axis orientated east-west. The proposed materials are smooth colourwashed render walls under a slate or tiled roof, with brown upvc doors

Item 6 - Report on Planning Applications

and windows. The dimensions of the dwelling have been specified in the Design and Access Statement and on illustrative drawings as follows:-

- Length – 10.5m;
- Depth – 7.5m to 10.0m;
- Height to ridge – 7.5m.

A new access would be created adjacent to the eastern boundary of the site, with a driveway leading to a parking and turning area to the rear (north) of the house. Along the boundary with the highway a low Pembrokeshire hedgebank would be constructed.

The application has been supported by the following information:-

- A Transport Statement;
- An Affordable Housing Statement;
- A Code for Sustainable Homes Pre-Assessment;
- A Design and Access Statement; and
- A Residential Coal Authority Mining Report.

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;
- Affordable housing matters;
- Sustainability matters;
- Highways and public rights of way matters;
- The water environment and drainage matters;
- Neighbouring amenity matters;
- Landscaping matters;
- Coal legacy matters; and
- Ministry of Defence Safeguarding matters.

Principle of the Development and impact on the special qualities of the National Park:

The site had an outline planning permission for one dwelling granted on it in 2008 under reference NP08/157. This expired in August 2011. With this permission, the development of the site for one detached dwelling was considered to be acceptable residential infill. In light of the plot being a gap within a line of bungalows forming ribbon development to the northern side of the highway, a condition was attached requiring it to be a single storey dwelling of traditional design and materials. Last year, under reference NP12/0466, a further outline application was submitted for a three bedroomed, one-and-a-half storey house. This application was withdrawn. The current application is an identical submission to the withdrawn scheme.

Policy 7 of the adopted Local Development Plan states that “Outside the identified Centres of the Local Development Plan area development will only be permitted where (a) it constitutes sensitive infilling of small gaps or minor extensions (ie rounding off) to isolated groups of dwellings. Priority will be given to meeting affordable housing needs. Release of land will depend on the character of the surroundings, the pattern of development in the area and

the accessibility to the Centres". Policies 8 and 15 seek to protect the special qualities of the National Park, including protecting the identity of the character of towns and villages from poor design and layout, and the landscape character of the Park.

It has been accepted by the Authority that the principle of the residential development of the site is acceptable pursuant to Policy 7. However, with this current outline proposal the dwelling would be one-and-a-half stories in height, and not single storey as conditionally required by the 2008 permission. The ribbon development along the northern side of the highway is a row of bungalows, with the site forming a gap in the built up frontage. The row of bungalows step downhill towards the north-west. The insertion of anything other than a single storey dwelling at this point would result in an incongruous and visually discordant anomaly in the street scene which would be harmful to the settlement characteristic and special qualities of the National Park. As a result this harmful impact of the proposal forms a reason for refusal.

Affordable housing matters:

Policy 7 of the Local Development Plan states that where residential development is acceptable, affordable housing provision will take priority. Policy 45 states that "To deliver affordable housing the National Park Authority will as part of the overall housing provision" require under caveat (d) "a commuted sum to help with the delivery of affordable housing on housing developments below the threshold of 2 units (ie on proposals for single residential units)." The application has been supported with an Affordable Housing Statement that states that the dwelling would be for the son of a local family who works in the village: it would a self-build unit. The applicant offers £100 per square metre for the commuted sum. The adopted Affordable Housing Supplementary Planning Guidance requires provision of £150 per square metre for all applications received after 1st October 2012. Although the applicant was written to requesting the correct commuted sum, no response has been received, and consequently this forms a further reason for refusal.

Policy 7 of the Local Development Plan also requires an assessment of the accessibility of a proposal. Public transport provision to the hamlet is limited as it is only served by the Puffin Shuttle. This service operates 7 days a week during the summer with 3 return journeys a day in the summer, but during the rest of the year it goes down to twice a week. As a result this falls well below the threshold of 5 return journeys per day required by Pembrokeshire County Council to provide a realistic alternative to the private car for permanent residential use. With this level of public transport provision the site could be acceptable for use as a holiday let, or, as required by Government Guidance, the level of accessibility would be sufficient to support an application for an affordable dwelling. Neither of these situations is being proposed by the application. Consequently, the proposal is not considered acceptable for an open market dwelling due to its dependence on the private car. The proposal is therefore contrary to policy and this forms a further reason for refusal.

Item 6 - Report on Planning Applications

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 application has been supported by a Code for Sustainable Homes Pre-Assessment Report. This states that the dwelling will meet a Code Level 3 rating. Subject to standard conditioning requiring compliance with these levels, the proposal is acceptable in terms of the sustainable requirements of national and local Policy requirements. It is noted, however, that the proposed door and window materials would be upvc. Although this is a level of detail that could be with in any reserved matters application, it is felt that a conditional requirement for the use of traditional materials would provide a more sustainable and visually acceptable material.

Highways and Public Rights of Way Matters:

Policies 52 and 53 of the Local Development Plan refer to traffic impacts of proposed development. The submitted information shows the creation of a new site access with associated driveway and turning areas along the eastern side of the site. The application has been supported with a Transport Statement that states that the development will result in an estimated 2 private car trips per day, 2 pedestrian ones, and 1 bike trip to the site.

The Highways Authority has been consulted on the application and have raised no objection to the proposal subject to conditions concerning access arrangements, visibility splays, and on-site parking and turning provision.

The Water Environment 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 a soakaway. Welsh Water were consulted on the application and have raised no objection to the proposal subject to conditional requirements for arrangements for foul and surface water drainage, and protection of the public sewer running across the site.

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. The site is flanked by bungalows, with the nearest neighbouring property being to the east of the proposed dwelling, and approximately 7 metres away from it. The previous outline permission in 2008 considered that subject to the proposed dwelling being single storey and designed so as to minimise overlooking and overshadowing, that the development of the site for a single dwelling would be acceptable. Objections have been received from neighbouring properties in that the development of the site would result in a loss of privacy and increased noise, that it should not be used for commercial uses, and that it

would overshadow neighbouring properties. However, in view of the precedent established by the 2008 permission, plus the option of minimising amenity impacts through design, it is not felt that the loss of amenity is sufficient to warrant a refusal. As regards the commercial matters that the neighbour is concerned with, the application is for a dwelling. If any other uses occurred at the site without planning permission, then these matters would need to be dealt with through enforcement procedures.

Landscaping:

Although landscaping is a reserved matter, the application has been supported with a layout drawing that shows the retention of the existing boundary treatments and provision of a Pembrokeshire hedgebank to the roadside boundary of the site. The site is currently mown grass, with shrubs and trees along the stream side. Subject to conditions controlling hard and soft landscaping, and tree protection, no objection is raised to the proposal.

Coal Legacy Matters:

The site lies in a Coal Referral Area, whereby Planning Policy Wales confirms that the responsibility for determining the extent and effects of unstable ground remain with the developer, and that the responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and / or landowner (paragraphs 13.8.3 and 13.9.2 respectively). The Coal Authority is a statutory consultee for development within defined coal mining areas, and there is a duty on the National Park Authority to consider ground stability issues when determining applications within these areas.

The application has been supported with a Residential Coal Authority Mining Report, which has been considered by The Coal Authority. After having considered the Report they are of the opinion that it does not adequately address and assess the impact of the coal mining legacy on the proposed development. As the applicant has only submitted the Mining Report not a Risk Assessment Report, the Authority considers that there is insufficient information to determine the application to ascertain what if any risk there is and therefore objects to it. This therefore forms a further reason for refusal.

Ministry of Defence Safeguarding Matters:

The site lies within a Ministry of Defence Safeguarding Zone, and the MoD have been consulted to ascertain their views of the proposal. They have raised no objections to the proposal.

Conclusion

This outline application proposes the erection of a detached one and a half storey dwelling, with consideration at this stage of access and layout only, on the plot of land between Cartref and Fernlea, Nolton Haven. The proposal has been carefully considered against all material considerations and the relevant national and local development plan policies. On balance the application is recommended for refusal for four reasons.

Item 6 - Report on Planning Applications

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Recommendation

Refuse.

Reasons

1. Policy 7 of the Pembrokeshire Coast Local Development Plan states that development will only be permitted where it constitutes sensitive infilling to isolated groups of dwellings, and that the release of land will depend on the character of the surroundings and the pattern of development in the area. Policies 8, 15, 29 and 30 of the Local Development Plan seek to protect and enhance the pattern and diversity of the landscape, the identity of towns and villages, and prevent development that is insensitively and unsympathetically sited within the landscape and visually intrusive. The proposed dwelling, by reason of its height and one-and-a-half-storey character in a location within the hamlet where all other properties are single storey, is considered to be visually intrusive and unacceptable infilling that is harmful to the character of the hamlet and the special qualities of the National Park. The proposal is therefore considered contrary to adopted Development Plan policy.
2. Policy 7 of the Pembrokeshire Coast National Park Local Development Plan states that that development will only be permitted where it constitutes sensitive infilling to isolated groups of dwellings, and that the release of land will depend on the character of the surroundings and the pattern of development in the area. Priority will be given to meet affordable housing needs, and the release of land will depend on the character of the surroundings, the pattern of development in the area and the accessibility to the Centres. There is insufficient year-round public transport provision to provide an alternative to the private car for an open market dwelling. This lack of accessibility and the resulting reliance on the private car means that the proposal is contrary to Policy 7 of the adopted Development Plan.
3. Planning Policy Wales (Chapter 13) states that the responsibility and subsequent liability for safe development in areas of unstable ground rests with the developer and landowner. Adopted Supplementary Planning Guidance for the Land Instability - Former Coal Workings requires the submission of a Coal Mining Risk Assessment Report for development within Coal Mining Referral Areas. The application lies within a Coal Mining Referral

Item 6 - Report on Planning Applications

Area and has not been supported with a Coal Mining Risk Assessment Report. Consequently the impact of the coal mining legacy on the proposed development cannot be assessed including whether any mitigation measures are necessary to address any issues of land instability. The proposal is therefore considered contrary to adopted Development Plan policy.

4. Policies 7 and 45 state that a commuted sum will be sought for the delivery of affordable housing on housing developments below the threshold of 2 units (i.e. on proposals for single residential units). The adopted Affordable Housing Supplementary Planning Guidance states that a figure of £150 per square metre is required. The proposal fails to provide the required level of commuted sum, and is therefore contrary to adopted development plan policy and its supporting Supplementary Planning Guidance.

1 CONTRACTOR IS RESPONSIBLE FOR ALL SETTING OUT AND MUST CHECK DIMENSIONS ON SITE BEFORE WORK IS PUT IN HAND
NP 13 1 34
2 ADVICE TO BE IMMEDIATELY NOTIFIED OF SUSPECTED OMBRONS ON DISCREPANCIES

REVISIONS	DATE
A) SCALE APPLIED	09/12



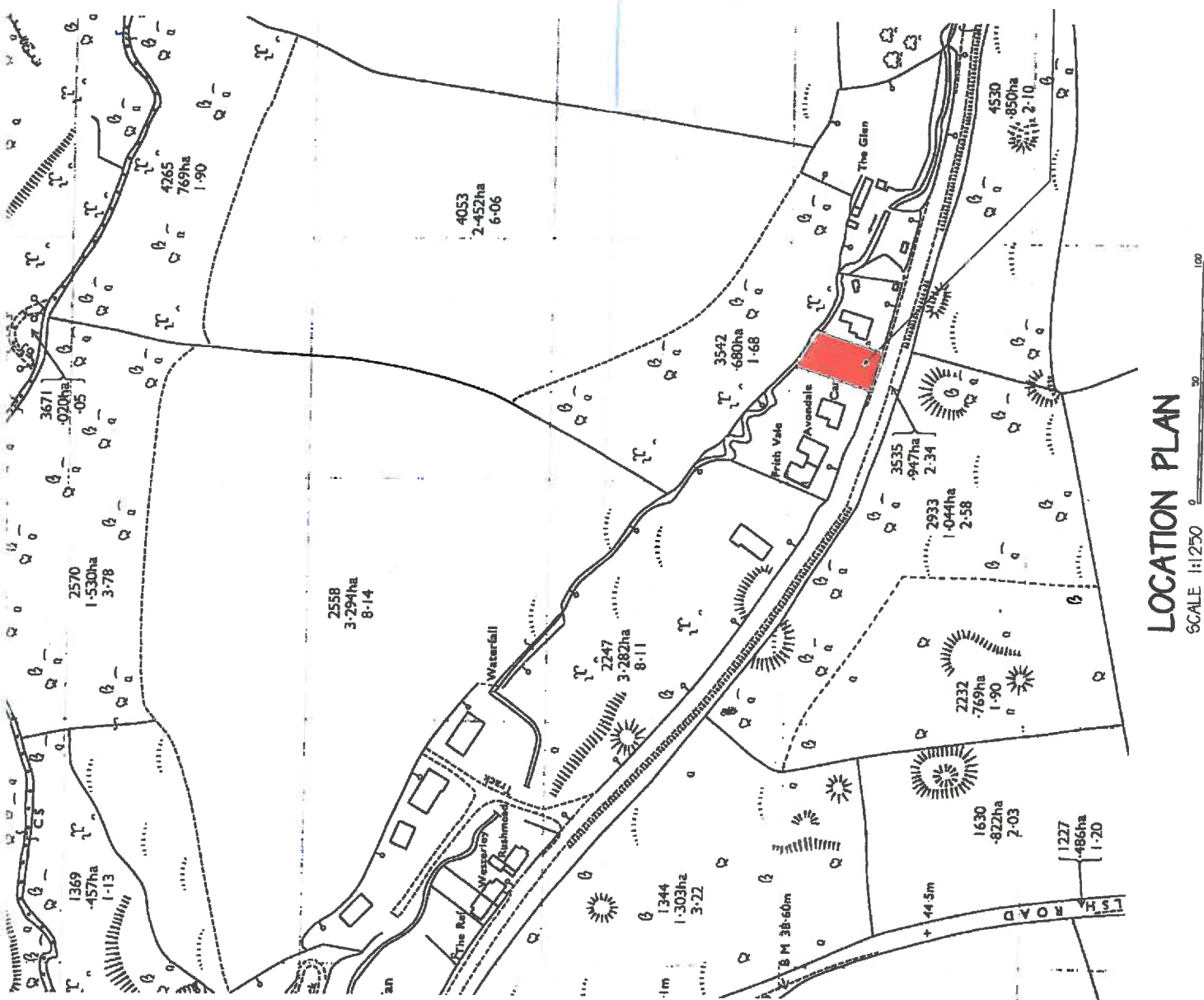
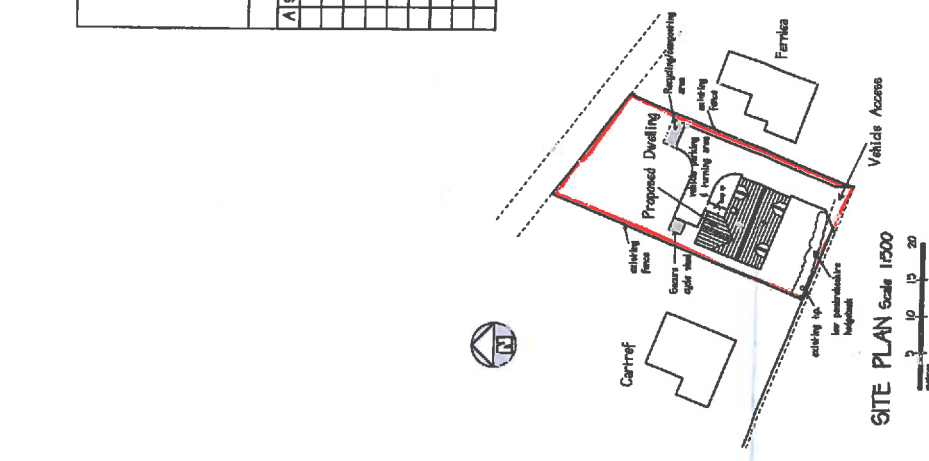
**PROPOSED PLOT BETWEEN
CARTREF & FERNLEA,
NOLTON HAVEN,
HAVERFORDWEST,
PEMBROKESHIRE.**

**PROPOSED GITE &
LOCATION PLAN**

29 MAR 2008

**KIMPTON DURHAM JOHN ASSOCIATES
ARCHITECTS & URBAN PLANNING CONSULTANTS
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HAVERFORDWEST, PEMBROKESHIRE, SA61 3JG, UK
Tel: (01437) 767088 Fax: (01437) 768830**

SCALE: A6 SHOWN DRAWN: **1801/02 A**
DATE: APR. 2008 DRAWN: A.J.D.



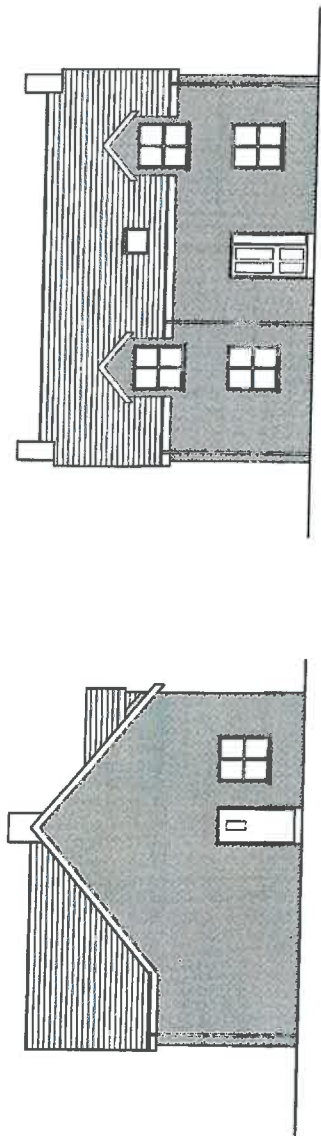
PROPOSED GITE

SCALE 1:1250

1 CONTRACTOR IS RESPONSIBLE FOR ALL SETTING OUT WORK AND DIMENSIONS ON SITE BEFORE WORK IS PUT IN HAND

2 SUBJECT TO BE IMMEDIATELY NOTIFIED OF SUSPECTED DIMENSIONS OR DISCREPANCIES

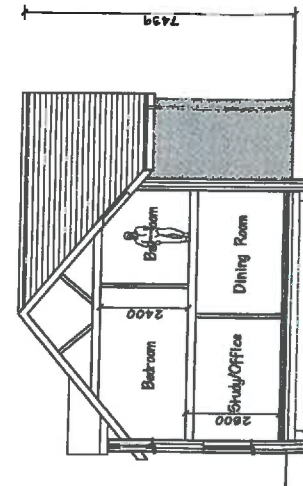
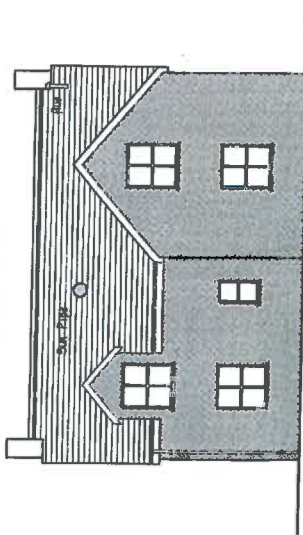
REVISIONS	DATE
A SCALE APPLIED & ILLUSTRATIVE ELEVATIONS	04/12
B FRONT DOOR MOVED TO FRONT & STAIRS ADDED	02/12



NORTH WEST ELEVATION

SOUTH WEST ELEVATION

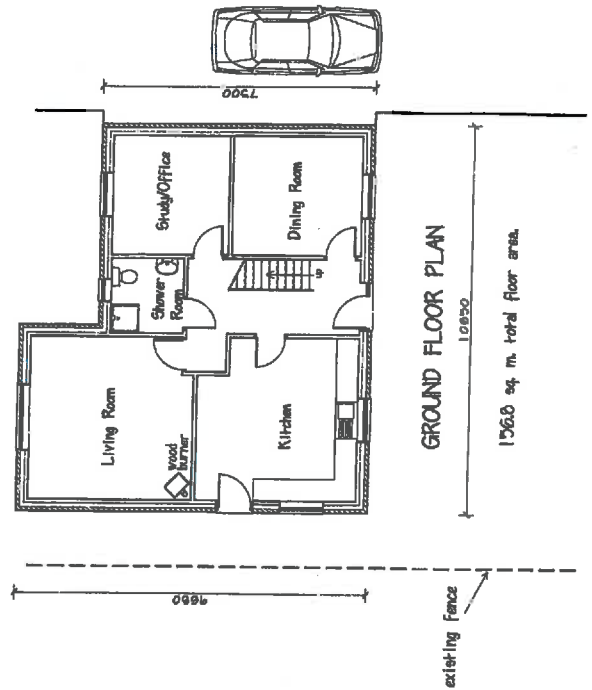
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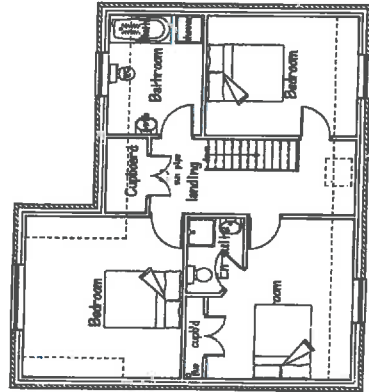
SECTIONAL ELEVATION

NORTH EAST ELEVATION

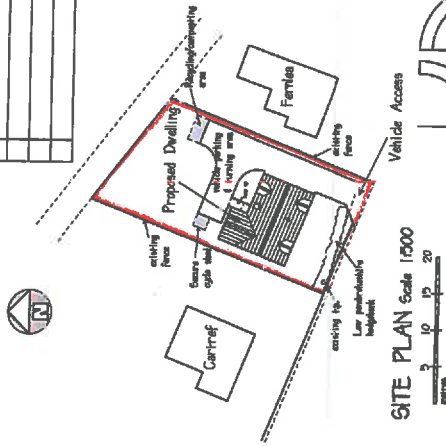
5114 9597



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SITE PLAN Scale 1:500

NP 13 1 34



PROPOSED PLOT BETWEEN:
**CARTREF & FERNLEA,
 NOLTON HAVEN,
 HAVERFORDWEST,
 PEMBROKESHIRE.**

PROPOSED PLANS
 & ELEVATIONS

26 MAR 2008
 (Professional Stamp)

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SCALE	1:100
DATE	APR. 2008
DRAWN	A.J.D.
REV.	1801/01 B