

DEVELOPMENT MANAGEMENT COMMITTEE

22nd May 2013

Present: Mrs G Hayward (Chair)

Councillor JA Brinsden, Mr D Ellis, Councillor P Harries, Councillor M James, Councillor Mrs L Jenkins, Councillor R Kilmister, Councillor RM Lewis, Councillor PJ Morgan, Councillor R Owens, Councillor DWM Rees, Mr EA Sangster, Councillor AW Wilcox and Councillor M Williams.

(Ms C Gwyther joined the meeting during discussion of planning application NP/12/0479 – construction of dwelling and detached garage, Plot 3, Blockett Lane, Little Haven.)

(NPA Offices, Llanion Park, Pembroke Dock: 10.00a.m. – 11.40a.m.)

1. Apologies

Apologies for absence were received from Mr A Archer, Councillor Mrs A Lee and Mrs M Thomas.

2. Disclosures of interest

Councillor RM Lewis disclosed a personal and prejudicial interest in the under-mentioned planning application (*Minute 7 (d) below refers*) due to the fact that he was also a Cabinet Member with Pembrokeshire County Council. He withdrew from the meeting when the application was discussed.

NP/13/0093 – Construction of Civic Amenity and Recycling Centre, incorporating an internal access road, site access improvements, erection of a compactor shed, canopy shed and welfare office, provision of containers, skips and igloos, staff and visitor parking, weighbridge area and quarantine area, lighting and site signage, fencing and landscaping works.

3. Minutes

The minutes of the meeting held on the 17th April 2013 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on the 17th April 2013 be confirmed and signed.

NOTED.



4. Right to speak at Committee

The Chairman informed Members that due notification (prior to the stipulated deadline) had been received from interested parties who wished to exercise their right to speak at the meeting that day. In accordance with the decision of the National Park Authority of 7th December 2011, speakers would have 5 minutes to speak (*the interested parties are listed below against their respective application(s), and in the order in which they addressed the Committee*):

Reference number	Proposal	Speaker
NP/12/0479 <i>Minute 7(a) refers</i>	Construction of dwelling & detached garage – Plot 3 Blockett Lane, Little Haven, Haverfordwest	Mr S Sidford – Objector Mr A Vaughan-Harries - Agent
NP/13/0091 <i>Minute 7(c) refers</i>	Erection of a one & a half storey dwelling, associated access, parking and turning area – Land between Morwynt and Llyndale, Parrog Road, Newport	Ms L Rees - Applicant

5. Planning Applications received since the last meeting

The Director of Park Direction and Planning reminded Members of the protocol that had been introduced whereby “new” applications would now be reported to Committee for information. These “new” applications were ones that had been received since preparation of the previous agenda and were either to be dealt with under Officers’ delegated powers or at a subsequent meeting of the Development Management Committee. The details of these 54 applications were, therefore, reported for information and Members were informed that 19 were deemed to be invalid.

The Director referred in particular to planning application NP/13/0145, which sought permission to replace the flat roof of one of the units at Trewent Park, Freshwater East with a pitched roof including external cladding. She stated that planning officers were proactively working with the site freeholder to encourage leaseholders to submit planning applications for the works, which would make a positive improvement to the development. Swansea University was also undertaking work to analyse the merits of insulating the properties.

NOTED.



6. Members' Duties in Determining Applications

The Solicitor's report summarised the role of the Committee within the planning system and stated that planning decisions had to be made in accordance with statutory provisions and the adopted Local Development Plan unless material considerations indicated otherwise. It stressed that non-material considerations had to be disregarded when taking planning decisions and stated that personal circumstances were only very rarely material to planning decisions. Provided members applied the Planning Acts lawfully and in a fair and impartial manner they would also comply with the Authority's duties under the Human Rights Act 1998 insofar as it applies to planning decisions. It was also important that Members applied the guidance contained in the Authority's Planning Code of Good Practice while carrying out their statutory duties.

NOTED.

7. Report on planning applications

The Committee considered the detailed reports on planning applications before Members that day, together with any updates reported verbally at the meeting and recorded below. The Committee determined the applications as follows (*the decision reached on each follows the details of the relevant application*):

- (a) REFERENCE: NP/12/0479
APPLICANT: Mr & Mrs T Thomas
PROPOSAL: Construction of dwelling & detached garage
LOCATION: Plot 3, Blockett Lane, Little Haven, Haverfordwest

Members were reminded that this, together with three related applications, had been the subject of a site inspection carried out by the Committee in January 2013. At the subsequent meeting of the Committee held on 23rd January, it was reported that it had been found through a land registry search, that the ownership certificates for the four applications submitted at that time might be incorrect and the legal advice was that the determination of the applications should not proceed until the situation had been clarified. Since that time further legal advice had ascertained that the certificates in respect of Plot 3 were correct and as such this particular application could be determined at this time.

Permission was therefore sought for a detached two-storey dwelling, detached garage and a new access and internal estate distributor road providing vehicular access to the remainder of the site. The dwelling was of a design which officers considered to be visually incongruous, located in a very prominent and visible location; they were also concerned at the succession of accesses that would be created and the resultant loss of



hedgerow. Both of these were considered harmful to the special qualities of the National Park and formed the first and second reasons for refusal.

The third reason for refusal was due to the lack of provision for affordable housing. The Authority's policy required 50% affordable housing to meet an identified need in developments of 2 or more residential units. Even though this application was for a single dwelling, it was considered to form part of a larger site, and the policy therefore applied; this was to ensure that sites were not broken up into smaller parcels in order to avoid the requirement for on site affordable housing. As such the proposal to provide a commuted sum was not acceptable and the proposal was contrary to adopted Local Development Plan policy.

It was also reported that the Highway Authority had objected to the application on the grounds that it would result in an unnecessary proliferation of vehicular access points onto a country road where visibility was restricted, 2-way traffic was required to share the single lane and where there was no refuge for vulnerable road users. This formed the fourth reason for refusal.

Mr S Sidford addressed the Committee on behalf of Mr Mark Chapman who owned a neighbouring property and who objected to the application. Mr Sidford informed Members that he was a Director of a firm of Architects who had designed Mr Chapman's house in close cooperation with the National Park Authority and based on the criteria of one and a half storey height. This application was for a much larger property. He felt it was incongruous to the setting and out of keeping with the guidelines of National Park planning. He referred to the solar panels on the south of the building and believed that these would cause considerable glare to the neighbouring property. He also objected to the removal of 50 metres of hedgerow which would be required for the new access. On the basis of these issues he believed that the application was not in keeping with the design parameters of the National Park Authority.

The applicant's agent, Mr A Vaughan-Harries, then addressed the Committee. He confirmed that the plots were in the separate ownership of the applicant and his daughters. He also confirmed that this land had been sub-divided some years before the National Park Authority's Local Development Plan had been adopted. He stated that he stood by the design of the property; he felt it was interesting and quirky and that it was wrong to simply repeat standard design. He felt that there would be considerable highways improvements and was surprised to see that Pembrokeshire County Council Highways Department had concerns as it had supported a previous application. He confirmed that an Affordable Housing Contribution had been offered. He requested Members to grant permission.



The Chair asked for clarification from the Solicitor on ownership of the site. The Solicitor advised that the site had a valid Ownership Certificate which identified the owner. There was therefore nothing to prevent the application being determined. The Chair reminded Members that this application should be determined on the basis of planning matters alone.

The Director of Park Direction and Planning advised that the issue was whether the site should be dealt with as 'stand alone' or whether it should be considered a part of a larger site.

Members felt that in addition to the affordable housing issue, due to the Highways issues and the aesthetics of the design the application should be refused.

DECISION: That the application be refused for the following reasons:

- 1. Policies 8, 15, 29 and 30 of the Pembrokeshire Coast National Park Local Development Plan seek to protect and enhance the pattern and diversity of the landscape and the identity and character of villages, prevent development that fails to harmonise with or enhance the landform and landscape character of the National Park, and that is insensitively and unsympathetically sited within the landscape and visually intrusive. The proposed dwelling, due to its design and materials, its size and proportions, and its prominent and elevated location, forms a visually intrusive addition to the area that is harmful to the special qualities of the National Park and contrary to Adopted Development Plan Policy.**
- 2. Policies 8, 15, 29 and 30 of the Pembrokeshire Coast National Park Local Development Plan seek to protect and enhance the pattern and diversity of the landscape, prevent development that fails to harmonise with or enhance the landform and landscape character of the National Park, that fails to incorporate important traditional features, and that is insensitively and unsympathetically sited within the landscape and visually intrusive. The proposed access for the dwelling, the resulting loss of existing hedgerow, and the cumulative impact of existing and other proposed accesses in the near vicinity, results in the loss of a traditional landscape feature and the rural character of the area, and is therefore insensitively and unsympathetically sited within the landscape. The proposal is considered to be harmful to the special qualities of the National Park and contrary to Adopted Development Plan Policy.**
- 3. Policies 7 and 45 of the Pembrokeshire Coast National Park Local Development Plan require the provision of 50% affordable**



housing to meet the identified need in developments of 2 or more units. Footnote 145 of the Local Development Plan states that where a planning application is received for a site below the affordable housing threshold but which is part of a larger site which is above the threshold then affordable housing will be expected. The application forms part of a large site on which 50% provision of affordable housing will be sought. As neither this application nor the others submitted on the remainder of this large site proposes the required two affordable dwellings the proposal is considered contrary to Adopted Development Plan Policy.

4. Policies 52 and 53 of the Pembrokeshire Coast National Park Local Development Plan relate to sustainable transport and the impacts of traffic and seek to ensure that proposals are resisted which cause significant concerns about potential transport impacts and where access has an unacceptable impact on road safety or cause environmental damage. This application would result in an unnecessary proliferation of vehicular access points onto the country road at a location where visibility is restricted, two way traffic is required to share the single lane and there is no refuge for vulnerable road users. The proposal is therefore considered contrary to Adopted development plan policy.

[Ms C Gwyther abstained from voting on the above item as she had joined the meeting part way through discussions and had not heard the planning officer's or the objector's comments.]

- (b) REFERENCE: NP/13/0071
APPLICANT: Mr P Prosser
PROPOSAL: Change of use of fort to visitor attraction with gift, food and drink retail. Change of use of generator house to ticket & 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.
LOCATION: St Catherine's Island & Fort, Castle Beach, Tenby

Members were reminded that St Catherine's Island lay to the south east of Castle Sands, Tenby, and linked to the mainland at low tide. A Victorian Fort lay to the eastern half of the island which was decommissioned in 1906 and used as a dwelling in 1914, regaining its military uses during the Second World War. Its last use was as a zoo



from 1968 to 1979, and since that time it had been vacant and was in a deteriorating condition. The fort was listed Grade II* and scheduled as an Ancient Monument.

The Island also contained another building, to its western end, which housed the generators. This building was also listed, and was the subject of a listed building application considered by the Committee at its previous meeting in April 2013.

It was reported that this was an important application involving a highly protected island and buildings in one of the most prominent and iconic locations within the National Park. It was not possible for Members to visit the island due to Health and Safety considerations and the logistics of accessing the Island. However officers suggested that they inspect the Island from the mainland and watch a short video prepared by the applicant, prior to the application being considered at a future meeting of the Development Management Committee.

Members felt strongly that they should visit the Island to undertake a site visit and would be prepared to do so at their own risk. The Director of Park Direction and Planning pointed out that there were many health and safety issues involved in visiting this site including having to scramble over rocks to get to the building, floors in the building were not sound and it was extremely dark inside. For these reasons she considered that it would not be possible to visit the Island but would be preferable for Members to view the site from the mainland.

The Solicitor advised Members that the health and safety issues had to be taken very seriously.

Members however still considered that a visit to the Island would be beneficial. They were advised that as a site visit was scheduled for 3rd June it may not be possible to get all the health and safety issues sorted in that time for them to access the island. There was also an issue regarding tides as the Island was not always accessible. It was decided to provisionally plan a site visit for 3rd June but only if all matters could be sorted in time.

DECISION: That, subject to the resolution of the Health & Safety issues between the applicant and the Authority's Head of Park Direction and Planning, that Members proceed with a site visit on 3rd June, 2013 or the nearest possible date thereafter.



- (c) REFERENCE: NP/13/0091
APPLICANT: Ms Lynette Rees
PROPOSAL: The erection of a one & a half storey dwelling, associated access, parking and turning area
LOCATION: Land between Morwynt and Llyndale, Parrog Road, Newport

The above-mentioned application sought full planning permission for a detached one and a half-storey dwelling, with new vehicular access and turning space, on land lying within the Newport Conservation Area. Officers considered that the proposed dwelling would result in the loss of the spacious semi-rural character of the Conservation Area by filling in a gap within the loose-knit pattern of houses and their gardens along the western side of Parrog Road. This loss would be emphasised by the removal of a large amount of the existing hedge bank that bordered the site in order to achieve visibility splays. This, plus the associated provision of a parking and turning area, would substantially change the semi-rural character of the area. The application stated that the existing hedgerows and hedgebanks would be retained, and although an arboricultural report had been submitted, it did not provide clear evidence that this was actually achievable on site, and the full extent of the harm of the proposal could therefore not be assessed.

Officers were also concerned that the proposed dwelling did not reflect the character of the traditional buildings within the Conservation Area in either its design or layout. In addition the property to the rear had an extant permission for a stable block which would be parallel to the proposed dwelling with a separation of approximately 3 metres. The combination of the two would erode the open character of the Conservation Area, and as a result was considered to harm the special qualities of the National Park and neither enhance the character or appearance of the Conservation Area. The proximity of the two properties could also lead to direct overlooking between them and the proposed stables would overshadow the proposed dwelling, leading to poor levels of amenity for occupiers.

Members were reminded that the Authority's policy on affordable housing required payment of a commuted sum on proposals for single residential units to help with the delivery of affordable housing. The applicant had not concluded any agreement for the commuted sum within the application, or indicated that she intended to provide one. The lack of agreement to provide the required commuted sum for affordable housing was therefore contrary to the adopted Local Development Plan.

Finally it was reported that the Highway Authority had considered the application and was concerned that the site did not have a sight line



looking south towards oncoming traffic. This sight line would cross third party land, where a portion of the wall would need removing or lowering. In such circumstances it was open to the Authority to impose a 'Grampian' Condition requiring the works to be carried out on third party land. No offer had been made in this respect, and in the light of other issues, this had not been pursued. As a result, at this time the visibility splays could not be satisfactorily constructed within the curtilage of the site.

The application had been considered against national and local planning policy and raised significant objections that could not be overcome by planning conditions. On balance the application was recommended for refusal for the reasons set out in the report.

Ms Lynette Rees, Applicant, then addressed the Committee. She quoted the Authority's Conservation Officer whose comments were included in the report before Members that day and who stated that the dwelling was "akin to a modern dormer bungalow" and did "not reflect the character of the traditional buildings within the Conservation Area"; neither did it "stand alone' as an innovative and contemporary design". The applicant stated that the property was not intended to "stand alone" and a letter in support had been received stating that the design was welcomed and it was felt that it would lie comfortably alongside the two low level properties.

She felt that Officers were overly concerned about the elevated position of the site. However she considered it could be lowered down within the plot and would still be lower than the adjacent property. She felt that the distances between the existing and proposed dwellings were sufficient to protect the amenity of the neighbouring houses.

She went on to say that the Authority's Tree Officer had attended the site and suggested that the Cypress Trees might be better replaced by native species which would also greatly improve the visibility as this was a concern to the Highway Authority. She added that the existing hedges would be retained.

With regard to Affordable Housing – the applicant stated that she was willing to pay a commuted sum for affordable housing, but the issue was the amount to be paid and she was still in discussion with Officers on this matter.

Members enquired about the footprint of the building as it was stated by the applicant to cover about one third of the plot although Members felt that it was greater than this. The Planning Officer agreed that, with the inclusion of the cycle shed, she considered it was closer to a half.



Members did not dislike the modest cottage style of the proposed dwelling and were concerned that the application should not be rejected purely on the basis of the dispute over the commuted sum, which was a matter that could be resolved by negotiation. They were also concerned regarding the Highways issue but felt that this could be dealt with by way of the Grampian Condition.

Officers advised that if Members were to approve the application then conditions should be added to include time period; approval of decision drawings; materials (walls and roof); sample panel; landscaping; tree protection; Grampian Condition concerning access; Archaeological Watching Brief; Code III; Permeable materials for hard surfacing; foul and surface water drainage arrangements; removal of permitted development rights – extensions and openings; details of the shed; lighting condition – external; and a unilateral agreement for Affordable Housing provision.

DECISION: It was resolved that planning permission be granted subject to and including the conditions outlined by the Planning Officer at the meeting and the approval, within 3 months, by the Head of Development Management of a Unilateral Agreement for an affordable housing commuted contribution.

[Councillor RM Lewis left the meeting while the following item was discussed.]

- (d) REFERENCE: NP/13/0093
APPLICANT: Mr I Westley, Pembrokeshire County Council
PROPOSAL: Construction of Civic Amenity & Recycling Centre, incorporating an internal access road, site access improvements, erection of a compactor shed, canopy shed & welfare office, provision of containers, skips & igloos, staff & visitor parking, weighbridge area and quarantine area, lighting & site signage, fencing & landscaping works
LOCATION: Land adjoining Brooklands, Saundersfoot

It was reported that the above-mentioned scheme involved the provision of a range of waste management facilities to be contained within a central operating area and served by a public access road directly from the A478 which abutted the south boundary of the application site. The purpose of the site was to provide a facility for the collection of municipal refuse and its segregation into that which was suitable for recycling and that which would be disposed to landfill.

The application involved a range of material planning considerations and due to its proposed siting and the level of public concern received to date,



officers considered that it would be helpful for Members to undertake a site visit prior to consideration of the application at a future meeting of the Committee.

Members enquired whether it would be possible to view the site from Brookland's Home. Officers agreed to ask for the owner's consent.

DECISION: That Members of the Development Management Committee inspect the site before consideration of the application at a future meeting.

- (e) REFERENCE: NP/13/0128
APPLICANT: Mr & Mrs W Vaughan
PROPOSAL: Proposed single-storey rear extension
LOCATION: 13, The Glebe, Tenby

Planning permission was sought for the erection of a single-storey lean-to extension to the rear of the host dwelling and a porch on its front. Members were reminded that a similar application at this property had been refused at the meeting of the Committee in September 2012. However the current application differed from that which had been refused.

The application was before the Committee as Tenby Town Council was concerned that the extension would affect the privacy and amenity of the neighbouring property, contrary to officers' opinion. A full consideration of these issues was given in the report before Members, which concluded that there would not be a detrimental impact on the amenity of this property as a result of the proposal.

Therefore Officers considered that the proposed extension and porch were of an appropriate form of development and were acceptable in terms of scale, siting and design, as well as amenity and other issues. As such it was considered to comply with the Local Development Plan and national planning policy and was recommended for approval subject to conditions.

Members were concerned about the impact the extension may have on the adjoining property however Officers confirmed that the structure would be set-in from the boundary by approximately half a metre.

DECISION: That Planning Permission be granted subject to appropriate conditions.



8. Appeals

The Director of Park Direction and Planning reported on 12 appeals (against planning decisions made by the Authority) that were currently lodged with the Welsh Government, and detailed which stage of the appeal process had been reached to date in every case.

She advised Members that the Planning Inspectorate had concluded its findings on the sites in Porthclais; Yr Efail, Pontiago; Taskers Garden, West Williamston and Haroldston Hill, Broad Haven and these would be reported in full at the next Development Management Committee meeting.

NOTED.

9. Delegated applications/notifications

41 applications/notifications had been dealt with since the last meeting under the delegated powers scheme that had been adopted by the Committee, the details of which were reported for Members' information. Of the 41, it was reported that 5 applications had been refused, 1 cancelled, 7 withdrawn and 2 for which a scoping opinion had been issued. The remaining 26 applications had been approved.

NOTED.

