

Item 6 - Report on Planning Applications

Application Ref: NP/13/0032

Application Type	Full
Grid Ref:	SN13650058
Applicant Agent	Mr E J Williams, Pembrokeshire County Council
Proposal	Construction of pedestrian pier, bridge and pontoon perpendicular to the north side of the outer pier
Site Location	Outer Pier, Tenby Harbour, Tenby, Pembrokeshire, SA70 7BW
Case Officer	Andrew Richards

Summary

The application is reported to the Development Management Committee because of the significant public interest in the proposal.

Tenby outer harbour pier encloses the harbour area and is Grade II listed, located on the north east side of the harbour, a key element of the 'iconic' view of Tenby. It lies within the Conservation Area and is read in context with a large group of listed buildings. The application seeks approval to construct a pedestrian pier, bridge and tidal pontoon off the north side of the outer pier to provide improved access for fishing/day-trip boat users and visiting yachts.

The proposed scheme is considered to be unacceptable in terms of the impact on the setting of the listed pier and adjoining listed buildings, the impact on the character and amenity of the Conservation Area and have adverse impact on the privacy and amenity of adjacent residential dwellings within the harbour area. In addition to the above the lack of justification for the works including the alternative options and the lack of a detailed evaluation considered prior to this submission, together with the lack of information relating to a detailed construction method statement and report on the possible impact from the method of fixing to the adjacent properties and structures forms a further reason of objection to this proposal. As such, the proposal is not considered to comply with the policies of the Local Development Plan.

Consultee Response

Tenby Town Council : No comments received at time of report,

Countryside Council for Wales : No comments received at time of report.

Environment Agency : No comments received at time of report.

PCC Transportation & Environment: No comments received at time of report.

PCC Access Officer: No adverse comments raised.

Planning Ecologist: No comment received at time of report.

PCNPA Conservation Officer: Refuse for the following reasons:-

1. Whilst I see no objection to the demolition of the wall to facilitate access to the proposed pier, the latter in my view will have an adverse impact on the character and setting of the listed pier and the adjacent

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listed buildings in the harbour area. The proposed structure at some 75 metres along is large and intrusive within a relatively confined area.

2. Little justification has been provided for the proposal and insufficient assessment has been made of more sensitive options including e.g. a pontoon on the end of the pier, improvement of existing infrastructure, along with potential wider benefits such as the potential for removing the temporary low-water landing stage on the Castle Sands.
3. The proposal will have a major impact on the character of the Conservation Area (CA). Tenby Harbour is an 'iconic' view and is highly protected in terms of CA status, SAM (Castle Hill), SSSI and SAC. The proposal adds visual clutter to the scene, especially when viewed from the Norton - Northcliffe area, and from the Castle Hill. The beach area east of the pier is highlighted as important open space in the CA proposals (SPG) and the pier, along with some of the surrounding buildings are highlighted as 'landmark buildings'. The CA Proposals Document also highlights the key views, which include the harbour area.

PCNPA Policy Officer: No comments received at time of report.

Dyfed Archaeological Trust: No comments received at time of report.

Tenby Civic Society: No comments received at time of report.

It is noted that any subsequent responses will be reported verbally to members at committee.

Public Response

The application has been advertised by site notice, neighbour notification and newspaper advertisement. No responses have been received to date, but any subsequent responses will be reported at committee if available.

Policies considered

Please note that these policies can be viewed on the Policies page Pembrokehire Coast National Park website -

<http://www.pembrokeshirecoast.org.uk/default.asp?PID=549>

Circular 61/96 - Conservation Areas

LDP Policy 01 - National Park Purposes and Duty

LDP Policy 02 - Tenby Local Service and Tourism Centre

LDP Policy 08 - Special Qualities

LDP Policy 10 - Local Sites of Nature Conservation or Geological Interest

LDP Policy 11 - Protection of Biodiversity

LDP Policy 15 - Conservation of the Pembrokehire Coast National Park

LDP Policy 17 - Shore Based Facilities

LDP Policy 29 - Sustainable Design

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LDP Policy 30 - Amenity
 LDP Policy 34 - Flooding and Coastal Inundation
 LDP Policy 35 - Visitor Economy
 LDP Policy 53 - Impacts on traffic
 PPW5 Chapter 03 - Making and Enforcing Planning Decisions
 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 08 - Transport
 PPW5 Chapter 11 - Tourism, Sport and Recreation
 PPW5 Chapter 13 - Minimising and Managing Environmental Risks and Pollution
 SPG05 - Sustainable Design
 SPG06 - Landscape
 SPG17 - Conservation Area Proposals
 TAN 05 - Nature Conservation and Planning
 TAN 12 - Design
 TAN 13 - Tourism
 TAN 14 - Coastal Planning
 TAN 15 - Development and Flood Risk
 TAN 18 - Transport

Officer's Appraisal

The application is reported to the Development Management Committee because of the significant public interest in the proposal.

Background/History

Tenby outer harbour pier encloses the harbour area and is Grade II listed, located on the north east side of the harbour reading alongside the Old and New Lifeboat Stations with the backdrop of pastel-painted houses and Castle Hill rising above. The harbour pier is a key part of the 'iconic' view of Tenby Harbour. It lies within the Conservation Area (CA) and is read in context with a large group of listed buildings. The site also falls within a Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI) and a C2 flood zone. Adjacent to the site there are several listed buildings and a Scheduled Ancient Monument (SAM).

Two applications for planning and listed building consent was made by the same applicant and was subsequently withdrawn last year under planning references NP/12/0497 & NP/12/0544 respectively. The current application is for a similar proposal.

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Constraints

Special Area of Conservation – Carmarthen Bay and Estuaries (SAC)
 Site of Special Scientific Interest – Tenby Cliffs and St. Catherine's Island (SSSI)
 Technical Advice Note 15 – C2 zone
 LDP Designation
 Biodiversity Issue
 Ancient Monument – within 50m
 LDP Centre – affordable housing provision and minimum density
 Conservation Area

Current Proposal

The application seeks approval to construct a pedestrian pier, bridge and tidal pontoon off the north side of the outer pier to provide improved access for fishing/day-trip boat users and visiting yachts. The pedestrian pier will extend out some 45 metres off the landing of the steps from the harbour pier standing 5.5 metres above the beach level. The decking is supported off steel columns which rise above the balustrade level by some 900 mm and contain bulkhead lights. The bridge section is 20 metres long and connects the pedestrian pier to the tidal pontoon which extends a further 10 metres and is fitted with a navigation warning light. The total length is approximately 75 metres, the structure being approximately parallel to the old lifeboat slip.

The proposal also includes the demolition of a section of wall at the head of the steps alongside Laston House to allow access onto the proposed pier, this aspect together with the physical connection to the listed harbour pier also requires Listed Building Consent and an application for Listed Building Consent appears elsewhere on this agenda under reference NP/13/0033.

Key Issues

The application raises the following planning matters:-

- Policy and Principle of Development
- Impact on the Conservation Area
- Impact on Designated Landscapes
- Access, Siting and Sustainable Design
- Amenity and Privacy
- Biodiversity
- Flooding and Surface Water Discharge
- Other Material Considerations

Policy and Principle of Development:

The site lies within Tenby Local Service and Tourism Centre and the proposed pedestrian pier, bridge and tidal pontoon is acceptable in principle being related to the harbour recreational and tourism activities attributed to

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the harbour area. It should be noted that the site lies outside of the designated harbour in the Local Development Plan (LDP) but due to its proposed use it is a reasonable addition to the activities in the harbour area. Any proposal must however demonstrate that it would be appropriately sited and designed and have no adverse effect on the Conservation Area, wider area or Listed Buildings in the locality.

Access, Siting and Sustainable Design:

The 'working' part of the pier is its head at the north-west end, where fishing and day-trip boats embark at high tide. The proposed location of the pedestrian pier, bridge and pontoon is at the 'quiet' residential end of the pier, where typical activities include fishing and enjoying the views. At low tide, the beach area is a favoured sheltered spot during the summer months. The proposal will alter the existing communal value of the area by introducing more intense public use and introducing a structure within the open beach area.

Officers see no objection to the demolition of the section of wall to facilitate access to the proposed pier given that this element is a later addition to the listed structure. However it is considered that the pier will have an adverse impact on the character and setting of the listed pier and the adjacent listed buildings in the harbour area. The proposed structure at some 75 metres in length and approximately 5.5 metres above beach level is considered to be large and intrusive within a relatively confined area. The proposed appearance follows a modern pier design supported off steel columns and would create visual clutter, adding a third 'jetty' to the grouping of the old and new lifeboat stations when viewed from the north front of Tenby, and as such, is not considered to be acceptable in respect of its siting and design. No detailed information has been provided in the form of a construction method statement for the fixing of the pier and pontoon to the adjacent listed pier or the beach.

Impact on the Conservation Area:

The whole of the harbour area lies within the Conservation Area. Three images have been submitted which indicate visualisations of how the proposed pier will be viewed from Crackwell Street and two viewing points along The Croft. These images have assisted officers in forming their view that the proposal will create visual clutter and they confirm how prominent the proposed structure would be from near and more distant views.

The application makes no reference to the Conservation Area Proposals Document which highlights the beach area as important open space and the pier (along with its surrounding buildings including the Old Lifeboat Station, Castle, Albert Memorial and the houses on Castle Square/Pier Hill/St Catherine's Terrace) as landmark buildings. As indicated above, the view of Tenby Harbour is one of the best-known in Europe and the proposed structure would be a prominent feature, especially when viewed from the Norton, Croft, Northcliffe to the north and Castle Hill to the south.

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Conservation Areas are area selected because 'of special architectural or historic interest, the character of which it is desirable to preserve or enhance'. This proposal is regarded as neither preserving nor enhancing the character of Tenby Conservation Area due to the proposal's scale, form, siting and design for the reasons set out above.

Impact on Designated Landscapes:

The site is located within a SSSI and SAC and the Countryside Council for Wales (CCW) together with the Environment Agency (EA) has been consulted as part of the application process. No formal consultation response has been received at time of report. The applicant has also submitted a copy of a Marine and Coastal Access Licence obtained from Welsh Government and written consent from Countryside Council for Wales, together with a copy of the previous consultation response on NP/12/0497 from the Environment Agency Wales.

Amenity and Privacy:

No letters of concern/objection have been received at time of report, however officers have concerns on the adverse impact on privacy and amenity to the adjacent residential dwellings within the harbour area from the proposed pier structure.

It is felt that the proposed pier in such close proximity to the adjacent residential properties will have an adverse impact on the privacy and amenity of the properties through the congregation of people queuing for boats at the access point to the proposed pier. In addition the level of the pier footway at 5.5 metres would allow direct overlooking into the amenity areas and existing fenestration on the rear of these properties which are considered to currently enjoy a high level of uninterrupted quiet amenity and privacy.

Concerns are also raised about the piling into the bedrock and the possible impact on the adjacent properties and structures, no report/statement has been provided to cover this aspect by the applicant.

Biodiversity:

As mentioned above CCW and EA have both been consulted along with the Authority's Planning Ecologist and no formal consultation responses have been received at time of report. As such no view has been formed on the possible impact on biodiversity from the proposal and a further verbal report on this aspect will be given at the committee.

Flooding and Surface Water Discharge:

The site is located within a C2 flood zone and the applicant in his covering letter has stated that a flood risk assessment is not required to support the application. Nevertheless, the EA have been consulted as part of the

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application process to confirm this view. Surface water will discharge directly to the sea and to the beach at low tide.

Other Material Considerations:

The proposal will alter the existing communal value of the area by intensifying public use and introducing a new structure within the open beach area. The supporting information in the design and access statement indicates several other options that have previously been considered to provide a low level landing facility in Tenby.

It is noted that the options shown do not include the recent pre-application enquiry for a floating pontoon/landing stage off the north end of the outer pier which is also referred to in the submitted application forms. However, the options included are not sufficiently evaluated to justify the current proposal to site the pontoon at this location. Also the information does not indicate if this proposal will bring significant benefits to the community in terms of economic regeneration of the area or enhancement of its environment, improvement of existing infrastructure, along with potential wider benefits such as the potential for removing the temporary low-water landing stage on the Castle Sands.

In addition, little justification has been provided for the proposal and the statements submitted in support of the proposal highlight that the proposed structure will only increase the tidal window for boat access by some two hours each side of high tide.

Whilst this provision will enable access by less able people, it will not though be fully accessible to disabled people at all times due to the change in gradient on the access bridge with the rise and fall of the tide.

Overall it is not considered that there are any overriding material considerations that would outweigh the objections to this proposal as set out above.

Conclusion

The proposed scheme is considered to be unacceptable in terms of the impact on the setting of the listed pier and adjoining listed buildings, the impact on the character and amenity of the Conservation Area and have adverse impact on the privacy and amenity of adjacent residential dwellings within the harbour area.

In addition to the above the lack of justification for the works including the lack of a detailed evaluation of alternative options considered and the lack of information on construction methods statement and impact of fixing the works to the adjacent properties and structures form further reasons for objection to this proposal. As such, the proposal is not considered to comply with the policies of the Local Development Plan.

Recommendation

That the application be refused on the following grounds and that officers be delegated authority to include any additional reasons for refusal following the close of the consultation period and the receipt of consultee responses if necessary.

Reasons include:-

1. The proposed development would have an unacceptable impact on the character and setting of the listed pier, which is a key part of the 'iconic' view of Tenby Harbour. The proposed pedestrian pier is a large and intrusive feature, dislocated from the 'working' end of the pier, and would be prominently visible. As such, the proposal does not have special regard to the desirability of preserving the pier or its setting or any features of architectural or historic interest which it possesses. As such, the proposal is considered to be contrary to Policies 1 – National Park Purpose and Duty, criterion (e) of Policy - 2 Tenby Local and Service Centre (Tier 2) (Strategy Policy), criteria (b & d) of Policy 8 - Special Qualities, criteria (a, b, c & d) of Policy 15 – Conservation of the Pembrokeshire Coast National Park, criteria (a, c & j) of Policy 29 – Sustainable Design and criteria (a, b, c & d) of Policy 30 – Amenity.
2. The proposed development would have an unacceptable impact on the setting of the adjacent listed buildings. The majority of the buildings in the harbour area are listed and the coastal sweep and rising mass of Castle Hill are critical to their setting. The proposed pedestrian pier, which projects some 75 metres off the historic pier is of significant scale and introduces visual clutter, particularly affecting the setting of the adjacent Laston House and Old Lifeboat Station, as well as the listed buildings on Castle Hill above. As such, the proposal is considered to be contrary to Policies 1 – National Park Purpose and Duty, criterion (e) of Policy - 2 Tenby Local and Service Centre (Tier 2) (Strategy Policy), criteria (b & d) of Policy 8 - Special Qualities, criteria (a, b, c & d) of Policy 15 – Conservation of the Pembrokeshire Coast National Park, criteria (a, c & j) of Policy 29 – Sustainable Design and criteria (a, b, c & d) of Policy 30 – Amenity.
3. Insufficient justification has been made for the proposal. No detailed evaluation has been provided of alternative, less sensitive locations for a pedestrian pier/pontoon or improving existing infrastructure. The proposal does not address the effects of construction (pile-driving) on the adjacent listed buildings. Whilst there is an element of public benefit in improving access to boats, this is not considered sufficient so as to outweigh the impact on the character of the listed pier and is therefore contrary to Policies 1 – National Park Purpose and Duty, criterion (e) of Policy - 2 Tenby Local and Service Centre (Tier 2) (Strategy Policy), criteria (b & d) of Policy 8 - Special Qualities, criteria (a, b, c & d) of Policy 15 – Conservation of the Pembrokeshire Coast

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National Park, criteria (a, c & j) of Policy 29 – Sustainable Design and criteria (a, b, c & d) of Policy 30 – Amenity.

4. The proposed development would have an unacceptable impact on the character and appearance of the Conservation Area as identified in the Tenby Conservation Area Proposals (adopted October 2011 as supplementary planning guidance to the Local Development Plan). It is also regarded as having a detrimental impact on preserving or enhancing the character or appearance of the Conservation Area.

The beach area to the east of the pier comprises 'important open space', and the pier along with surrounding buildings including the Old Lifeboat Station, the Castle, Albert Memorial and the houses on Castle Square/Pier Hill/St Catherine's Terrace are identified as 'landmark buildings'. The proposed pedestrian pier would be prominently visible in this context, especially from the Norton – Northcliffe area, and Castle Hill and the proposal is considered contrary to Policies 1 – National Park Purpose and Duty, criterion (e) of Policy - 2 Tenby Local and Service Centre (Tier 2) (Strategy Policy), criteria (b & d) of Policy 8 - Special Qualities, criteria (a, b, c & d) of Policy 15 – Conservation of the Pembrokeshire Coast National Park, criteria (a, c & j) of Policy 29 – Sustainable Design and criteria (a, b, c & d) of Policy 30 – Amenity.

5. The proposed development by virtue of its scale, siting, form and design and its relationship with adjoining properties, would result in the development and its concentrated use by the public having a detrimental impact on the amenities and privacy of neighboring residential properties which the National Park Authority has a statutory duty to conserve and enhance. The proposal is therefore contrary to Policies 1 – National Park Purpose and Duty, criteria (a, b & c) of Policy 15 – Conservation of the Pembrokeshire Coast National Park, criterion (c) of Policy 29 – Sustainable Design and criteria (a, b, c & d) of Policy 30 – Amenity.

17 JAN 2012

17 JAN 2012



PEMBROKESHIRE COUNTY COUNCIL
CYNGOR SIR PENRO

Location Plan
PROPOSED LUNTSCHA TINSBY HARBOUR

LOCATION PLAN

Scale	1:500
Date	17 JAN 2012
Sheet	05/13/02
Project	NP/13/0032



10 JAN 2015

PEMBROKESHIRE COUNTY COUNCIL
CYNIGOR SIR
PENYFFRO

PROPOSED PAVING
TOILET, BATHHOUSE

SITE PLAN

NP 13 032



