

Item 6 - Report on Planning Applications

Application Ref: NP/13/0033

Application Type	Listed Building
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	Rob Scourfield

Delegated status

This application falls within the provisions of the listed building delegation Direction in favour of this Authority made by the Welsh Government on 25th July 2012. This application is before Members because of the significant public interest in the proposal.

Summary

Tenby Pier 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 amid a large group of listed buildings.

The proposal is to construct a pedestrian pier, bridge and tidal pontoon off the north side of the pier to provide improved access for fishing/day-trip boat users and visiting yachts. The proposal includes the demolition of a section of wall at the head of the steps alongside Laston House.

The proposed scheme is not considered to be in keeping with the character of the listed building, and its setting, and as such, the application is recommended for refusal.

A full consideration of listed building issues is contained within the accompanying application for planning permission (NP/13/0032).

Consultee Response

Tenby Town Council: No response received at the time of this report; any subsequent responses will be reported verbally to Members.

Public Response

The application has been appropriately advertised, and no responses have been received at the time of this report; any subsequent responses will be reported verbally to Members.

Policies Considered

As this application is for listed building consent, section 16 of the Planning (Listed Building and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest. There is, therefore, no statutory requirement to determine the application in accordance with the policies of the development plan.

Welsh Office Circular 61/96 (Historic Buildings and Conservation Areas) is a material consideration, with guidance provided by *Conservation Principles for the Sustainable Management of the Historic Environment of Wales* (Cadw, 2011).

Officers Appraisal

Background & Description

The pier is stone-built, extending north-west from Pier Hill. It was built in 1328 and rebuilt in 1842, retaining the medieval fabric as its core. Further repairs in 1872, 1887 (pier-head) and 1897. Large boulders visible low down on the seaward side of the pier probably survive from the medieval structure. Later repairs in the C20 included the rebuilding of the upper part of the steps alongside Laston House and the short length of wall at its head, all in shuttered concrete.

Tenby Harbour is an extremely sensitive and highly protected area. The pier is Grade II listed and lies within the Conservation Area, central to a tightly-knit group of listed buildings and close to a Scheduled Ancient Monument. The pier abuts a Site of Special Scientific Interest and a Special Area of Conservation.

The pier is a key part of the 'iconic' view of Tenby Harbour, visible alongside the Old and New Lifeboat Stations with the backdrop of pastel-painted houses and Castle Hill rising above.

A full consideration of planning issues is contained within the accompanying application for planning permission (NP/12/0032)

Relevant Planning History

NP/12/544 (construction of pedestrian pier, bridge and pontoon on the north side of the pier) was made by the same applicant and was subsequently withdrawn.

Current Proposal

The proposal includes:-

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1. The demolition of the short section of wall at the head of the beach steps alongside Laston House, at which point the pier is to be accessed.
2. A pedestrian pier with bridge and tidal pontoon is to be constructed off the landing of the steps mentioned above. The pier is some 45 metres long standing approximately 5.5. above beach level. The decking is supported off steel columns, the balustrades constructed of painted galvanized steel. The columns rise some 900 mm above balustrade level and contain bulkhead lights. The bridge section is 20 metres long, the latter resting on the pontoon, rising and falling with the tide. The balustrades have braced posts of painted galvanized steel with timber rails. The pontoon extends a further 10 metres, fitted with a navigation warning light. The total length is 75 metres, the structure being approximately parallel to the old lifeboat slip.

In terms of the provisions of Circular 61/96 (Historic Buildings and Conservation Areas), the following issues are relevant:-

i. *General listed building control.*

The proposed use in itself is considered broadly appropriate in the context of a working harbour, but must be balanced against the likely impact on the historic building and on its setting, as required under the provisions of paragraph 68 of the circular. In terms of the likely impact on the historic pier, the proposed demolition of the C20 concrete wall is not considered to have a detrimental impact on its character. The wall is a relatively minor structure and is of little architectural or historic merit. As such, under the provisions of paragraph 67 of the Circular, there is no objection to this element of the proposal. In terms of the proposed pier, bridge and pontoon, the proposal is ultimately reversible and such structures are typical in the context of improvements to the infrastructure of harbours where justified; however, other concerns outweigh this as set out below.

Paragraph 69 of Circular 61/96 advises that 'applicants for listed building consent must be able to justify their proposals'. Summary details are provided of the various locations considered within previous consultants' reports for a low water landing stage in Tenby. However, the options are not sufficiently evaluated to justify the proposed siting of the pontoon or (in terms of paragraph 70 of the Circular) whether the proposal brings 'substantial benefits to the community in terms of economic regeneration of the area or the enhancement of its environment'. Whilst it is acknowledged that there will be improved access for disabled people over a longer tidal period, the tidal pontoon still has its limitations, as stated within the Design and Access Report. In terms of the enhancement of the environment, the proposal will not result in the removal of the existing (privately operated) unsightly wheeled low-water landing stage on the Castle Beach, which is unfortunate. In addition, potential improvements to existing

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infrastructure (steps, railings etc) which could have less impact than the proposal have not been addressed.

ii. *The setting of the listed building and surrounding listed buildings.*

This is a material consideration under the provisions of paragraph 11. The setting of the listed pier comprises the iconic 'calendar' view of Tenby Harbour, where the majority of the surrounding buildings are listed, including the buildings adjacent to the proposed development, Laston House and the Old Lifeboat Station, along with those on Castle Hill above. The proposal is regarded as having an undesirable impact of the setting of the pier, its adjacent listed buildings and the wider setting of the harbour area. This is evident in the photographic views provided by the applicant, which show the proposed pier superimposed. The proposed structure at 75 metres in length and approximately 5.5 metres above beach level is of significant scale 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. In addition, the majority of Castle Hill comprises a Scheduled Ancient Monument, the setting of which is a material planning consideration (see paragraph 10 of the Circular). No method statement has been submitted as to the potential impact of construction works on the surrounding listed buildings, notably the Laston House complex.

iii. *Impact on the Conservation Area.*

The whole of the harbour area lies within the Conservation Area. Visual material has been included with the application to determine how prominent the proposed structure would be from near and more distant views. When viewed from the Croft and Northcliffe areas, the proposed pier structure appears highly visible, with less impact only from closer views from Crackwell Street, from where the structure is hidden behind the Old Lifeboat Station. The application makes no reference to the Tenby Conservation Area Proposals Document, which is supplementary planning guidance to the Local Development Plan. This 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 prominently visible, especially when viewed from the Norton, Croft, Northcliffe to the north, and Castle Hill to the south.

By virtue of Section 69 of the 1990 Planning (Listed Buildings and Conservation Areas Act), a Conservation Area is 'of special architectural or historic interest, the character of which it is desirable to preserve or enhance'. This proposal is regarded as neither preserving or enhancing the character of Tenby Conservation Area.

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The application has also been assessed against Cadw's Conservation Principles as follows:-

1. Evidential value. The proposal - for which there is no precedent on site - is ultimately reversible.
2. Historical value. The area of wall to be removed is a later addition of little architectural/historic merit. No other historic features are affected.
3. Aesthetic value. The proposal is considered to have a detrimental impact on the character and setting of the listed pier, its adjacent listed buildings and the character of the Conservation Area.
4. Communal value. 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.

It is considered that the impact of the proposal on the aesthetic and communal values of the pier outweigh evidential and historical considerations in this case.

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 the lack of justification of the works. As such, it does not comply with the requirements of Circular 61/96 and the application is recommended for refusal.

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

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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 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

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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 neighbouring 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.