

DEVELOPMENT MANAGEMENT COMMITTEE

20th February 2013

(Llanion Park, Pembroke Dock 10.00am – 11.55am)

Present: Mrs G Hayward (Chair)

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

[Ms C Gwyther arrived during consideration of NP/12/0547 Land East of Cleggars Park, Lamphey]

1. Apologies

There were no apologies for absence.

2. Disclosures of interest

The following Member(s)/Officer(s) disclosed an interest in the application(s) and/or matter(s) referred to below:

Application and Reference	Member(s)/Officer(s)	Action taken
<i>Minutes 8(e) and (f) below</i> NP/13/0032 and NP/13/0033 Construction of pedestrian pier, bridge and pontoon perpendicular to the north side of the outer pier, Outer Pier, Tenby Harbour, Tenby	Councillor M Williams	Refrained from voting as he had been granted a dispensation by the Standards Committee to speak but not vote on matters relating to Tenby Harbour

3. Minutes

The minutes of the meeting held on the 23rd January 2013 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on the 23rd January 2013 be confirmed and signed.

NOTED.



4. Matters Arising

a) Planning Applications Received since the last meeting

One of the Members sought clarification on the procedure to be followed should he wish an application to come before the Committee for consideration. The Head of Development Management explained that the procedure required Members to put the request in writing within 21 days of the receipt of a valid application, giving sound planning reasons why it should be considered by the Committee. The Member also recalled that there was to be a meeting regarding the cumulative impact of turbines being held in March, and it was requested that the date of this meeting be circulated to all Members.

5. 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. She added that, following the decision of the National Park Authority at its meeting held on the 7th December 2011, speakers on planning applications received after the 1st January 2012 would have 5 minutes to speak:

Reference number	Proposal	Speaker
NP/12/0547 <i>Minute 8(a) refers</i>	Proposed new access road to service new residential development situated east of Cleggars Park, Land east of Cleggars Park, Lamphey	Mr John MacDonald, Objector Mr Phillip Baxter, Agent
NP/13/0032 <i>Minute 8(e) refers</i>	Construction of pedestrian pier, bridge and pontoon perpendicular to the north side of the outer pier – Outer Pier, Tenby Harbour	Mr Tim O'Donovan, Objector Mr Martin White, Applicant

6. Planning Applications received since the last meeting

The Head of Development Management 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 34 applications were, therefore, reported for information and Members were informed that 14 were deemed to be invalid.



NOTED

7. 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. Members also had to consider the Human Rights Act 1998 and provided they would have complied with their statutory duties under the Planning Acts lawfully and in a fair and impartial manner they would thereby have acted in accordance with the Human Rights Act. 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.

It was **RESOLVED** that the report of the Solicitor be noted.

8. Report of the Head of Development Management

The Committee considered the detailed reports of the Head of Development Management, together with any updates reported verbally on the day 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/12/0547
APPLICANT: Charles Church Ltd
PROPOSAL: Proposed new access road to service new residential development situated east of Cleggars Park
LOCATION: Land East of Cleggars Park, Lamphey

Members were reminded that this application had been deferred at the previous meeting of the Committee so that comments could be sought from Pembrokeshire County Council Highways Department. The proposed access would serve the allocated residential development to the south which had been granted planning permission subject to planning obligations by Pembrokeshire County Council as it was outside of the National Park. Since the last meeting, the Highway Authority had confirmed that it had no objection to the application, subject to the provision of a footway, visibility splays and an extension of the 30mph zone to incorporate the extended splays. The agent had confirmed that all works would be within the boundary of the highway or another landowner. Mr Bengier from the Highways Department was present at the meeting to answer any questions from Members.



Officers considered that on balance the application would not harm the special qualities of the National Park, nor raise any other material planning concerns. It was therefore recommended for approval, subject to conditions.

The first speaker was Mr John MacDonald, who explained that he lived at Cleggar Farm and owned the field next to the site. He was concerned that if he were to cut down the boundary hedge, as may become necessary through proper hedgerow management, the screening required by any permission would become his responsibility. He believed that the Highway Authority was in a difficult position with regard to the footpath as retention of the hedgebank meant that the footpath would have to be located in the road, leading to narrowing. He did not think that the solution to the dilemma should be left to the Highway Authority to sort out, but should be agreed with the applicants before the application was determined as highway safety was of concern to the general public.

[Ms C Gwyther arrived at this juncture]

Mr Phillip Baxter, the Agent, then spoke. He explained that the application was for construction of a new access to facilitate the application recently approved by Pembrokeshire County Council. This site had been allocated in the JUDP and it had always been anticipated that it would be accessed from land to the north. The principle of an access at this location was therefore firmly established. The access had been designed to minimise the effect on the National Park by its siting close to existing properties and the provision of planting within the application site. Discussions had been undertaken with the Highway Authority, and its recommendations – to extend the footways and the 30mph limit - had been taken into account in preparing the application. A financial contribution would also be made in respect of the footpath, however this was not a requirement of the application before the Committee.

Mr Baxter pointed out that since the previous meeting, the observations of the Highway Authority had been received, and that he had provided information regarding land ownership which showed that the required visibility splays could be achieved without reliance on third parties and that other work was within the public highway. He therefore endorsed the officer recommendation and stated that were permission to be granted, it would provide an excellent opportunity for Charles Church to gain a presence in Pembrokeshire and expand their portfolio, to the economic benefit of the locality.

Members then proceeded to discuss the application.



Concern was expressed at how conditions could be enforced if third parties were unwilling to agree, and the Head of Development Management explained that if the conditions could not be met, the development could not go ahead. She made it clear that on the information provided there was no requirement for any agreement with the adjoining landowner Mr MacDonald. Members also raised concerns about the narrowing of the highway which would result from the creation of a footpath. In response, Mr Bengier from the Highway Department explained that there were no plans to narrow the road as the footway would be located within the existing highway verge. Negotiations on the footway to the east, which was not a requirement of this application, would take place at a later date with a contribution being made from the housing site.

Further questions were then asked of Mr Bengier regarding the moving of the 30mph limit signs so as to include the site entrance within the 'townscape' as opposed to the rural environment. Mr Bengier replied that if the visibility spays for rural areas were applied, 120m of hedgerow would be lost which would have a greater impact on the National Park. It was therefore more appropriate to extend the 30mph limit which would result in the requirement for reduced visibility splays

Members were also confused about the use of the JUDP when this Authority had an adopted Local Development Plan, as well as being concerned about the responsibility for landscaping and the amenity of the property 'Pennyroyal'. In response, the Head of Development Management explained that the housing site was within the jurisdiction of Pembrokeshire County Council which was still using the JUDP for determining applications. The access, however, was within the National Park where the Local Development Plan applied. With regard to landscaping, this would be on land within the application site, and therefore the responsibility of the applicant and this could be enforced by conditions. Additional screening would also be provided to the south and west of the site. Pennyroyal too was within the land shown on the plan as within the applicant's ownership. In future occupiers of Pennyroyal would be aware of the development and planting was proposed along the boundary to provide a screen.

Finally Members asked about street lighting and other urban paraphernalia. Officers replied that there probably would be a need for lighting, but this would be an extension of what already existed. A condition could be applied requiring any street lighting to be agreed with the Authority. Mr Bengier added that the new streetlights provided a more targeted light and generated less light pollution.



DECISION: That the application be approved subject to conditions relating to standard implementation periods, accordance with approved drawings, requirement for planning permission for the residential development, footpath, extension of the 30mph speed limit, visibility splay details, site construction arrangements, landscaping, lighting details, surface water drainage arrangements, pollution prevention measures, chemical storage arrangements and surface and land drainage.

[Cllr R Owens and Ms C Gwyther abstained from voting.]

- (b) REFERENCE: NP/12/0550
APPLICANT: St Ishmaels Garden Centre
PROPOSAL: Demolition of existing redundant glasshouses & associated buildings, replacement of existing garden centre buildings, plus siting of 18 timber clad lodges for holiday purposes in a landscaped setting and provision of picnic and ecological improvement areas
LOCATION: St Ishmaels Nursery, St Ishmaels

The officer's report explained that this was a major application within the National Park, and due to the scale and nature of the proposal, it was considered that it would be helpful for Members to view the site prior to a full report being brought to the Committee for consideration.

DECISION: That the officers' recommendation that the application be deferred to allow the Committee to carry out a site inspection be accepted.



- (c) REFERENCE: NP/12/0589
APPLICANT: Mr M Evans
PROPOSAL: Construction of single-storey pitched roof extension over part of existing flat roof at second floor level for use with existing residential apartments
LOCATION: Sun Inn, 24 High Street, Tenby
- (d) REFERENCE: NP/12/0590 (Listed Building)
APPLICANT: Mr M Evans
PROPOSAL: Construction of single-storey pitched roof extension over part of existing flat roof at second floor level for use with existing residential apartments
LOCATION: Sun Inn, 24 High Street, Tenby

It was reported that application NP/12/0589 was a full planning application for the construction of a single storey extension over an existing area of flat roof at second floor level. The proposal would enlarge one of the apartments approved under planning application NP/12/0110 to bring the Sun Inn back into use with a mix of commercial and residential uses. Officers considered the extension to be small, simple in design, lightweight in structure and would not affect the historic fabric of the building. It was therefore recommended for approval.

As The Sun Inn was Grade II listed, a listed building application NP/12/0590 had also been submitted. This application fell within the provisions of the listed building delegation awarded to the Authority by the Welsh Government on 25th July 2012 which meant that no referral to Cadw was required. The Building Conservation Officer considered that the proposed scheme was in keeping with the character of the listed building and its setting in terms of design and form. The listed building application could therefore also be supported, subject to conditions.

The application was before the Committee for determination as one of the Directors of the applicant company is a former Member of the Authority.

One Member noted that the application was retrospective as he had visited Tenby the previous day and observed that most of the work was complete. However having seen the work, he did not believe that the glazed French doors were in keeping.

Officers replied that it had only recently come to light that a start had been made, but that the start had been made following the submission of the listed building application. The Building Conservation Officer replied that the application could be conditioned to secure a more traditional design for the French doors.



The Member also drew attention to a glass door shown on the drawings at ground floor level on the south elevation of the property which faced onto an historic alleyway. He asked that this door be replaced with one constructed of wide wooden planks, which would be in keeping with the listed character of the building. Although this was not part of the application, the Building Conservation Officer agreed to look into the matter and approach the applicant about it

With regard to the now retrospective nature of the works, the Head of Development Management commented that this was regrettable, as unauthorised works to any listed building is a serious criminal offence. A letter would be sent to the applicant and their agent pointing this out and expressing the Authority's disapproval that work had been undertaken prior to listed building consent being granted

DECISION: That

- a) Full planning permission be granted to NP/12/0589 subject to conditions relating to time, compliance with plans and requiring full details of all fenestration and doors.**
- b) NP/12/0590 be recommended for Listed Building consent, subject to conditions relating to timing, compliance with plans and requiring full details of all fenestration and doors.**
- c) A letter be sent to the agent expressing the Authority's concern regarding unauthorised works to a listed building.**

Due to the receipt of additional responses from both statutory consultees and members of the public, supplementary reports had been prepared in relation to the following applications NP/13/0032 and NP/12/0033. Members were therefore given 5 minutes in which to read the reports.

- (e) REFERENCE: NP/13/0032
APPLICANT: Mr EJ Williams, Pembrokeshire County Council
PROPOSAL: Construction of pedestrian pier, bridge and pontoon perpendicular to the north side of the outer pier
LOCATION: Outer Pier, Tenby Harbour, Tenby
- (f) REFERENCE: NP/13/0033 (Listed Building)
APPLICANT: Mr EJ Williams, Pembrokeshire County Council
PROPOSAL: Construction of pedestrian pier, bridge and pontoon perpendicular to the north side of the outer pier
LOCATION: Outer Pier, Tenby Harbour, Tenby

It was reported that Tenby outer pier enclosed the harbour area and was Grade II listed. Located on the north east side of the harbour it formed a key element of the 'iconic' view of Tenby and lay within the Conservation Area. The application NP/13/0032 sought 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.

Officers considered that the proposed scheme was 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 would also have an 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 insufficient evaluation of the alternative options prior to the submission of the application, 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 formed a further reason for refusal. As such the proposal was not considered to comply with the policies of the Local Development Plan and was recommended for refusal.

Likewise the listed building application NP/13/0033 was not considered to be in keeping with the character of the listed building and was also recommended for refusal.

It was reported at the meeting that while Tenby Town Council had recommended approval, Tenby Civic Society had recommended refusal, and Dyfed Archaeological Trust had recommended that Cadw be consulted, however no response had been received from it at the date of the meeting. Should the application be refused, Officers were also seeking delegation to include any other reasons for refusal suggested by Cadw.

Eleven public responses had been received expressing a range of concerns including the impact on the character of the area and the amenity of neighbouring properties; the fact that the pontoon would only allow access to the water for an additional 2 hours either side of the high tide; and also the means of construction of the structure and removal of the flood defence wall. Officers agreed that while the principle of a pontoon in association with Tenby harbour was acceptable, a more permanent and better solution could be achieved.

There were two speakers on this application, the first of whom was Mr Tim O' Donovan. Mr O'Donovan had prepared his own slides to explain his points, and these were displayed whilst he spoke. He began by cautioning the Committee that this structure was a "Trojan horse", as he believed there were plans to eventually extend the structure so that it was 237m long. He believed that the structure would cause a 'cluttered appearance', something he had had to avoid in developing his own



property at the Old Lifeboat Station. He described the plans as 'mad and bad'. The jetty in the current application did not reach out to the low tide mark and would only allow access from the pier to be extended by an hour either side of high tide, allowing for the fact that the beach rose and fell. He had originally been led to believe that the proposed facility would provide access for disabled people, however having looked at the plans this showed that the final element of the structure sloped down eight times steeper than recommended under disability legislation. Mr O'Donovan was particularly concerned about removal of part of the sea defence wall. The steps adjoining Laston House had been blocked up because the sea swept up the steps and over the pier during rough weather. Anyone or anything on the pier in such conditions risked being swept into the harbour. Also the mooring of the pontoon was of concern and he believed it could be washed against his property in a storm. He concluded by saying there was no need for the pontoon to be located as proposed as deep water could easily be found around the corner, off the Castle Beach. The structure would be buffeted by the wind and waves and would ruin the view of Tenby.

The applicant, Mr Martin White, Head of Regeneration at Pembrokeshire County Council, then addressed the Committee. He stressed that the proposals would bring economic benefits to the local community as additional time would be given to allow visitors to embark and disembark from boats, as the harbour emptied at low water. He said that the project would be funded under the Coastal Centres of Excellence Programme, which aimed to improve the experience for visitors to the area. The aim therefore was to increase visitors and create new jobs. Thirteen businesses currently operated out of the harbour e.g. fishing and wildlife trips as well as those taking visitors to Caldey Island, and the proposal would allow them greater time for operation of their businesses. He explained that this was a tried and tested design, with examples currently operating at various points within the Daugleddau. Various options for the location of the structure had been considered, however in order to extend the time for embarkation and disembarkation, the pontoon had to be perpendicular to the pier wall. Turning to the design, Mr White said this was as sympathetic as possible and not obtrusive and that in views from the town, the eye would be drawn to the larger lifeboat stations. The structure was robust and designed for its location, however it was anticipated that it would be removed in winter months. The proposal provided the best solution to allow both local businesses and visiting yachts to maximise use of the harbour.

Councillor M Williams explained that he had a mooring in Tenby Harbour, however the Standards Committee had granted him a dispensation to speak, but not vote, on matters relating to Tenby Harbour. He was vehemently against the application, being concerned over the demolition



of the wall which he believe would lead to flooding of properties on the harbour; the robustness of the structure for the proposed location, and the cost of its removal in winter – noting that severe storms often occurred during the summer months; as well as the impact on the Conservation Area, listed buildings and the view of the town. He did not believe that the gain of an additional 1 hour 40 minutes deep water access would be sustained as the bay was becoming shallower due to siltation. He acknowledged that a low water landing stage was needed but this should be located on the Castle beach and that proper prior consultation was necessary.

Other Members agreed, pointing out that were permission granted the views of the harbour would be adversely affected by the lighting – both pedestrian and navigational – that would be required. The proposals would damage rather than improve the social and economic wellbeing of the community by becoming a detriment to the tourist base. They believed that other options should be explored, particularly for locations where there was access to deep water.

DECISION: That:

a) The planning application NP/13/0032 be refused for the following reasons:

- 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 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.

b) The listed building application NP/13/0033 be refused for the following reasons:

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 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 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.

- c) Officers be granted delegated authority to include any additional reasons for refusal on either or both applications following the receipt of comments from Cadw.**

Councillors RM Lewis and M Williams abstained from voting on the above-mentioned application.

- (g) REFERENCE: NP/13/0036
APPLICANT: Mr Alan Gold
PROPOSAL: Demolition of extension and garage and construction of two-storey extension
LOCATION: 34, Upper Hill Park, Tenby

It was reported that planning permission was sought for the demolition of an extension at this semi-detached property and erection of a two-storey side extension to accommodate a garage and additional living space. The application was before the Committee as the applicant was related to a member of the Authority's staff.

Officers did not consider that the proposal would have a detrimental impact in terms of visual amenity, being subordinate to the host dwelling and having external finishes in keeping with the existing. Neighbouring amenity and privacy was not considered to be harmed as a result of the proposal as its siting and lack of overlooking windows would ensure the amenity and privacy of neighbouring properties was maintained. It was reported at the meeting that although the consultation period had not expired, no objections had been received. It was therefore recommended that the application be delegated to the Head of Development Management to issue planning permission subject to no objections being received from outstanding consultees or third parties.

DECISION: That the application be delegated to the Head of Development Management to issue planning permission subject to no objections being received from outstanding consultees or third parties. Permission to be subject to conditions relating to timing, compliance with plans and retention of garage for parking only.

9. Appeals

The Head of Development Management reported on 7 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.

The Head of Development Management also thanked those Members who had attended the appeal against the refusal of permission for a low impact dwelling at Binchurn Farm, Trefin the previous week and the Chairman added that she felt it was helpful that Members had attended to show support for the officers. She asked that details of the time and location of each appeal be e-mailed to Members to give them the opportunity to attend on future occasions.

The Chairman of the Authority said he had attended the hearing and congratulated the Head of Development Management and her staff for the professional way the hearing had been handled.

NOTED.

10. Royal Gate House Redevelopment – Renegotiation of details of Section 106 Agreements

Members were reminded of the three linked planning permissions that had been approved by the Committee in March 2011 subject to the applicant entering into legal agreements to secure planning obligations and affordable housing. The decision notices had been issued in July 2011 following the completion of the legal agreements. Affordable housing provision had been agreed at 12 units, to be delivered on the former Delphi site. With no provision for social housing grant, the units were to be sold to the Registered Social Landlord (Housing Association) for 42% of the Welsh Government's ACG (acceptable cost guidelines) for social rented housing.

Since planning permission had been granted, the developer had encountered difficulties in raising finance for the affordable housing element.. Officers considered that there were 2 options: to reduce the level of affordable housing or to increase the level of grant funding available to the scheme through the social housing grant administered by Welsh Government and Pembrokeshire County Council, if available.

Given the affordable housing shortage in the Tenby area, reducing the level of affordable housing was not favoured. The developer had therefore approached Pembrokeshire County Council as Housing Authority to find out whether it would be able to support his scheme with an injection of Social Housing Grant. The Head of Housing at Pembrokeshire County Council had been able to support this request and had confirmed to the Authority that the Council prioritise it with an allocation of Social Housing Grant in the 2014/15 budget.



Officers therefore recommended that the Authority approved an amendment to the details of the section 106 agreement to allow the disposal of the units to the housing association to be at 95% of the acceptable cost guidelines, which would take account of the receipt social housing by the housing association to acquire the units from the developer . There were no financial costs to the Authority in doing this and the number of affordable housing units to be provided would remain at 12.

Most Members felt this to be a positive move, demonstrating the degree of flexibility within the Authority's policies for providing affordable housing, however some reservation was expressed that public money was being used to provide the affordable units, rather than private funding.

It was **RESOLVED** that officers be authorised to conclude the revision to the section 106 Agreement to amend the price at which units are to be transferred to 95% of acceptable cost guidelines.

11. Delegated applications/notifications

Twenty 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 20, it was reported that 5 applications had been refused and 1 withdrawn. Members asked about a number of these applications, and their questions were answered by officers.

NOTED.

