

DEVELOPMENT MANAGEMENT COMMITTEE

21st May 2014

Present: Mrs G Hayward (Chair)

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

[Councillor O James arrived during consideration of Item 6(a) (Minute 8(a) refers)]

[Llanion Park, Pembroke Dock 10.00am – 11.50am]

1. Chairman's Announcements

The Chairman welcomed Councillor A Wilcox back to the National Park Authority and extended her best wishes to Councillor A Lee who had left the Authority and who would be greatly missed.

2. Apologies

Apologies for absence were received from Ms C Gwyther and Councillor S Hudson.

3. Disclosures of interest

There were no disclosures of interest.

4. Minutes

The minutes of the meeting held on the 16th April 2014 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on the 16th April 2014 be confirmed and signed.

NOTED.

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. 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/14/0113 <i>Minute 8(b) refers</i>	Change of use from fishmongers to small scale art gallery selling work from local artists and offering locally sourced and made snacks and hot/cold refreshments— Penniless Cove Hill, Tenby	Mr Crispin Cutting, Applicant
NP/14/0152 <i>Minute 8(c) refers</i>	Exception site for an affordable house (Outline) – Penberry, Little Haven	Mr Andrew Vaughan-Harries, Agent
NP/14/0155 <i>Minute 8(e) refers</i>	Renovations including replacement of existing porch with 2 storey extension and additional window on north elevation - 32 Atlantic Drive, Broad Haven	Mr Tom Baker - 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 68 applications were, therefore, reported for information and Members were informed that 15 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. 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

8. Report of Planning Applications

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/14/0101
APPLICANT: Messrs JA, RN and GJ Sollis
PROPOSAL: Cattle accommodation building
LOCATION: Ffynnonddofn Farm, Newport, Pembrokeshire, SA42
ONT

It was reported that Ffynnonddofn Farm was a well-established dairy unit located to the north east of the village of Newport. Planning approval was sought for a new cattle building to be located to the south west of the existing agricultural building and adjacent to the farm slurry pit, the structure would provide cattle housing and also include loafing areas and incorporate roof lights to provide natural daylight into the structures.

Officers reported that the proposed scheme had a scale, mass, form and detailed design which was considered to be acceptable in this instance. The design, appearance and location of the building would ensure that the special qualities of the National Park were maintained when viewed from the immediate and wider landscape. The proposal also ensured that the existing farming enterprises were retained and structures within the site ensured compliance with Health and Safety and welfare regulations. As such, the proposal was considered to be acceptable in principle.

This application was reported to the Development Management Committee as it was a major application in that the total new floor space to be created exceeded 1,000 square metres.

Officers also advised that since writing the report they had received a response from Natural Resources Wales who had no objection to the application.

One Member asked whether the Authority could insist on more landscaping to screen the development. Officers advised that additional landscaping would have to be carried out on land outside the application boundary, albeit within the control of the applicant. However this would be hard to justify as the existing boundary treatments to the farm yard would be maintained and Officers were satisfied that this would ensure that the



new structures will be partly screened from the immediate and wider landscape.

Members also queried the proposed outside lighting and were advised that there would be conditions imposed with regard to this.

[Councillor Owen James arrived during consideration of this application]

DECISION: That the application be delegated to the Head of Development Management to issue consent on receipt of satisfactory consultation responses. Any permission to be subject to conditions relating to time, compliance with plans, lighting and any others recommended by statutory consultees.

- (b) REFERENCE: NP/14/0113
APPLICANT: Mr C Cutting
PROPOSAL: Change of use from fishmongers to small scale art gallery selling work from local artists and offering locally sourced and made snacks and hot/cold refreshments such as cream teas.
LOCATION: Penniless Cove Hill, Tenby, Pembrokeshire, SA70 7BZ

Officers advised that planning permission was sought to change the use of No. 2 Penniless Cove, Tenby from retail fish premises to an art gallery with a small area selling snacks and hot and cold drinks. As the small arch premises were listed they would not be altered externally.

The existing use of the property was retail which could open for public use without the benefit of further planning permission and as such there would be no significant change in circumstances to those currently existing with no unacceptable risk to pedestrian safety.

Officers considered the proposal to be acceptable having regard to the relevant policies set out in Planning Policy Wales (2014), Technical Advice Notes and the Local Development Plan; and all other material considerations. The application was therefore recommended for approval, subject to conditions restricting tables, chairs, fittings etc. within the highway and prior agreement of any advertisements on site.

Members were advised that the application was being reported to the Development Management Committee for consideration as the recommendation for approval was contrary to the views expressed by Tenby Town Council. The Town Council recommended refusal in respect of pedestrian safety due to the narrowness of the vehicular access road to



the working harbour which would cause conflict with people accessing and egressing the premises.

Members were also advised that two further comments had been received stating that there were already too many cafes in Tenby and also that it was not an appropriate use of a Listed Building.

Mr Crispin Cutting (Applicant) then addressed Committee. He advised Members that this was a Grade II Listed 19th Century property. It was the only arch that had commercial use as the majority were derelict. He advised that no permanent alterations were required to the property as the majority of cooking would take place elsewhere and water would be brought in. The aim was that alongside opening as a café local arts and crafts would be promoted. He felt that the proposal would not impact adversely on the local area but would enhance the harbour area whilst preserving a listed building and providing employment to the area.

Members queried whether under the Local Development Plan consent should only be issued in this area for marine related use however the Head of Development Management advised that the Development Plan allowed for uses to be harbour related and not simply marine related and the proposed use was accordingly acceptable.

Members addressed the issue of the complaint regarding too many cafes in Tenby stating that this was not a planning matter but a commercial matter.

One Member felt that outside seating should not be allowed as the area could become extremely congested. It was also felt that signage should be restricted. The Head of Development Management advised that there were already restrictions in place regarding signage and also advised Members that whilst there would be a small spill of tables outside this should be no more than 300mm outside the door.

DECISION: That the application be approved subject to conditions relating to time for implementation, compliance with the approved plans, controlling signage and not allowing objects and fixtures in the highway.



- (c) REFERENCE: NP/14/0152
APPLICANT: Mr & Mrs G Davies
PROPOSAL: Exception site for an affordable house (Outline) –
LOCATION: Penberry, Little Haven, Haverfordwest, Pembrokeshire,
SA62 3UH

Officers reported that this site was located outside the centre boundary of Little Haven as identified in the Local Development Plan and positioned between a National Park owned car park and two existing dwelling houses served off Blockett Lane.

The application was submitted following a previous refusal for an almost identical scheme proposing an exception site of an affordable house (outline) within the garden of Penberry, Little Haven (NP/13/0038). The application was refused by the Authority under delegated powers on 21st March 2013. The considerations of the application remained the same although the applicant had indicated that the revised application incorporated a possible single storey dwelling with only glazed windows on the west elevation, additional planting and/or a timber fence on the western boundary and removal of the static caravan.

Officers advised that in 2008 the suitability of the site for residential purposes had been considered as part of the Local Development Plan process although it was ruled out on the basis of the development intruding into the distinctive steep and wooded valley sides which gave a strong sense of place to the village and would be damaging to the special qualities of the National Park. Furthermore it was considered that there was no appropriate means of access into the site. The Authority also dealt with a pre-application enquiry for the site in 2011 advising that the principle of development of the site for two affordable housing units would not be acceptable.

This application had been reported to the Development Management Committee following a request from a member of the Authority.

Mr Andrew Vaughan-Harries addressed Committee. He advised Members that this was not a pristine site – it was a brownfield site which housed a caravan and a boat. Should the applicants choose they could replace the caravan with a larger model without the need for planning permission although this was not what they chose to do.

He advised that his clients felt there was a need in the community for affordable housing. He felt that the issue of whether this was infill or rounding off was a matter of opinion as both points could be argued.



He reminded Members that this was purely an outline application and the property could be changed to single storey to avoid the problem of overlooking.

He reiterated that the Head of Highways had no concerns with regard to access to the site so this should not be an issue.

He believed that a site visit would be beneficial in determining this application.

Members queried the fact that there had been some levelling of the site to put the caravan in place and asked whether this would have required planning permission. The Principal Officer (Development Management & Enforcement) advised that the work had already gained immunity from enforcement when it came to the attention of the Authority.

A debate on the merits of the application ensued with some members feeling that the application should be rejected as the location was unsuitable and also that there would be loss of amenity and privacy to neighbouring properties. Other Members felt that as there was already a caravan on the site it would be preferable to replace this with affordable housing rather than the occupiers siting a larger caravan on the site.

Members felt that owing to the considerable debate on this matter it would be advisable to conduct a site visit before deciding on this application.

DECISION: That the application be deferred for a site visit to be carried out.

- (d) REFERENCE: NP/14/0153
APPLICANT: Ms S Jenkins
PROPOSAL: Demolish existing double garage and replace with new two storey dwelling and associated parking
LOCATION: 19 Lady Park, Tenby, Pembrokeshire, SA70 8JJ

Officers reported that the development site was located within Lady Park, an existing residential area on the outskirts of Tenby. The existing site comprised a double garage and part of formal front garden to 19 Lady Park. Parking provision for the host property was currently provided within the double garage as the single garage attached to the dwelling had been converted into additional accommodation. Planning approval was sought for the demolition of the single storey double garage structure and its replacement with a new two storey dwelling and associated parking. The new dwelling would provide “upside down” living accommodation with two bedrooms, study and wet rooms provided on the



ground floor and living, dining and kitchen facilities provided on the first floor level.

This proposed scheme had a scale, mass, form and detailed design which was considered to be acceptable in this instance and created a new dwelling with the living accommodation reversed so as to have the main living area at first floor level. The new dwelling would occupy the former plot 20 within the residential estate of Lady Park and would maintain the street frontage and also provide adequate parking for the existing and new dwellings. The design would ensure the amenity and privacy of neighbours was maintained and protected along with the special qualities of the National Park when viewed from the immediate and wider landscape. As such, the proposed development could be supported subject to appropriate conditions.

Officers advised members that a Unilateral Undertaking relating to Affordable Housing had been received that morning but had not yet been checked.

Officers also advised that the National Park Authority's Tree Officer was happy with the protection measures which were to be put in place for trees during construction.

The application was reported to the Development Management Committee as the views of the Tenby Town Council were contrary to the recommendation of officers. Whilst they welcomed the increased size of the plot and the increased parking provision they felt that the frontage could be set back slightly and would welcome the inclusion of a conventional front wall which would be in tune with the frontages of the rest of the street.

Members required confirmation that the large glazed area would be recessed and officers confirmed this.

DECISION: That the application be delegated to the Head of Development Management to issue consent subject to the Unilateral Undertaking received that morning being to officer's satisfaction and subject to conditions relating to timing of works, in accordance with plans, samples of materials to be agreed, removal of permitted development rights, foul and surface water discharge, parking provision for both dwellings and code for sustainable homes requirements.



- (e) REFERENCE: NP/14/0155
APPLICANT: Mr T Baker
PROPOSAL: Renovations including replacement of existing porch with two storey extension and additional window on north elevation
LOCATION: 32 Atlantic Drive, Broad Haven, Haverfordwest

Officers advised that Planning Permission was sought for the renovation and extension to the dwelling known as 32 Atlantic Drive which formed part of a row of three terraced properties within the residential cul de sac known as Atlantic Drive in Broad Haven. The proposal comprised the replacement of a single glazed porch with a two storey extension and the insertion of an additional upper floor window to the north elevation of the main dwelling. Whilst two storey extensions to the front of properties were not generally encouraged, in this instance the proposed extension was considered to improve the inherent appearance of the dwelling. The proposed extension was considered to be of an acceptable scale, which allowed the extension to be read as a subservient element to the main dwelling. Furthermore the proposed extension would have no detrimental impact on the uniform character of the street or on the amenity of the adjoining occupiers.

The application was reported to the development Management Committee as the officer's recommendation was contrary to the recommendation of the Havens Community Council.

The applicant Mr Tom Baker addressed committee. He advised that the property had been in his wife's family for some years and they now lived there with their young family. The porch was in a very poor state of repair. Windows needed replacing urgently and also the wall ties were rusted and required replacing.

The aim of the work was to provide a porch which was much more energy efficient and could be used all year round. They would also create an extra room upstairs. Re-rendering the property and re-doing wall ties would have a huge improvement on the look of the property. He had been advised by Officers that the original extension planned was too large and he had re-submitted a smaller plan. He consulted with neighbours before submitting the application and they had no problems with the design.

Mr Baker understood that there had been an objection from the Community Council stating that the extension was intrusive and out of character however he advised that properties in the area all had very different frontages and this one would not be out of character with the area.



Members agreed with the applicant that this would not be out of character with other properties in the area.

One member requested that the triangular window in the gable be omitted and officers advised that the applicant had already agreed to remove this from the design if it was an issue.

DECISION: That the application be approved subject to conditions relating to the standard time of five years, and that the development was to be undertaken strictly in accordance with the deposited plans together with a condition relating to the removal of the triangular window from the gable.

- (f) REFERENCE: NP/14/0176
APPLICANT: Mr J Edwards
PROPOSAL: Construction of 2 storey 4 bed dwelling and detached garage/store together with a 2 storey 3 bed (LCHO Affordable dwelling) & associated landscaping & highway drainage
LOCATION: Rosemont, Broadway, Haverfordwest, Pembrokeshire, SA62 3HX

Members were advised that Broadway lay about 1 km east of Broad Haven and was close to the boundary of the National Park. It consisted of a number of dispersed dwellings and a commercial garage.

Officers advised that full planning permission was sought for the development of the site in Broadway with two dwellings, one of which was offered as an affordable home for low cost home ownership.

It was considered that the application failed to comply with the adopted LDP as the site did not comprise an infill or rounding off opportunity. Notwithstanding this view, the extant planning permission for two dwellings on the site formed a compelling material consideration to justify the granting of permission in this instance. The detailed layout and design were considered to be acceptable, and subject to no objections being received from the statutory consultees, and subject to the completion of a Unilateral Undertaking in respect of affordable housing, it was recommended that this proposal be approved subject to conditions.

Members were firstly advised that the drawings attached to the Agenda were the incorrect set of drawings and the correct set had been furnished to them at the meeting. They were given a few minutes to look through the correct set of drawings before debating the application.



Members were also advised that since writing the report a response had been received from the Community Council and a signed Unilateral Undertaking had also been received that morning but officers had not had a chance to peruse this yet.

Members were of the opinion that the design was acceptable and would not cause sufficient harm to justify refusal. One member stated that he would prefer if windows were of a painted woodwork finish rather than uPVC. The Head of Development Management, although agreeing in principle, stated that the National Park Authority would struggle to defend enforcing a condition on this matter in this location having regard to the material used in nearby properties.

DECISION: That subject to no objections being received from statutory consultees the application be approved subject to the receipt of a satisfactory Unilateral Undertaking and subject to conditions relating to time for implementation, compliance with plans, landscaping, details of fenestration to be agreed, highway matters and any other conditions recommended by statutory consultees.

- (g) REFERENCE: NP/14/0184
APPLICANT: Mr G Peters
PROPOSAL: A 'Solar Hamlet' comprised of 2 detached & 4 semi-detached Ty Solar type houses
LOCATION: Land adjacent to Glanrhyd House, Glanrhyd, Nevern, Newport, Pembrokeshire

Members were advised that the site was a brownfield site and a former commercial garage within Glanrhyd. The proposal comprised 6 dwellings. Four x 2 bed affordable units and 2 x 3 bed units. The dwellings were based on a unique and innovative "solar" design creating modern living spaces which because of their orientation, fenestration and solar panels would be extremely energy efficient. Members were advised to visit the site and the prototype dwelling prior to consideration of the application at a future meeting of the Development Management Committee.

DECISION: That Members undertake a site visit and also visit the prototype building prior to full consideration of the application.



- (h) REFERENCE: NP/14/0185
APPLICANT: Mr M Morgan, Pembrokeshire County Council
PROPOSAL: Demolition of existing infant school and erection of new English medium community school
LOCATION: Tenby Junior Community School, Heywood Lane, Tenby, Pembrokeshire, SA70 8BZ

Members were advised that this application sought full planning permission for the new community school on the existing playing field to the east of the junior school. The existing infants school on land to the south side of Heywood Lane would be demolished and reinstated as a grassed playing field as part of the scheme. The application also included a Multi User Games Area (MUGA) to the rear of the existing junior school.

It was proposed that the school would include 12 classrooms, 2 learning resource centres, resource areas, hall, kitchen facilities and plant areas. A designated car drop off and pick up area and car parking for staff and disabled visitors were also proposed.

The proposed school would comprise a major development and would be 2970m² in area and would be designed to BREEAM excellent standards as required by the 21st Century Schools programme.

The existing junior school would become a Welsh medium primary school on completion of the new school.

In view of this Members were advised to undertake a site visit prior to the application coming to the Development Management Committee for consideration.

DECISION: That Members undertake a site visit prior to full consideration of the application.

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.

Copies of 4 Appeal Decisions were appended to the Report, 3 of which were dismissed by the Inspectorate. These included NP/13/0216 (Trelessy Farm, Amroth, Narberth, Pembrokeshire), NP/13/0406 (Sunnydene, Valley Road, Saundersfoot) (an application for an award of costs on this case was also refused) and EC11/0117 (2 Maes Y Bont,



Mynachlogddu, Clynderwen). One appeal was allowed by the Inspectorate NP/13/0267 (The Elms, Porthgain).

NOTED.

10. Delegated applications/notifications

58 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 58, it was reported that 5 applications had been refused, 1 cancelled and 3 withdrawn. One had been included in the list in error (NP/14/0163) as no decision had yet been made on this matter.

NOTED

