

# DEVELOPMENT MANAGEMENT COMMITTEE

18<sup>th</sup> December 2013

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 A Lee, Councillor RM Lewis, Councillor PJ Morgan, Councillor R Owens, Councillor D Rees and Councillor M Williams.

[Llanion Park, Pembroke Dock 10.00am – 12.05pm]

## 1. Apologies

Apologies for absence were received from Ms C Gwyther, Mr AE Sangster, Mrs M Thomas and Councillor S Hudson.

## 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>Minute 7(a) below</i> NP/13/0375 Extension of existing patio area and erection of marquee (retrospective) - Golden Lion Hotel, East Street, Newport	Councillor P Harries	Withdrew from the meeting while the application was discussed
<i>Minute 7(g) below</i> Discharge of Conditions 3 and 4 of NP/13/0343 (full) and Condition 3 of 13/0345 (advert) in relation to the installation of ATM machine – Post Office, Long Street, Newport	Councillor P Harries	Withdrew from the meeting while the application was discussed

## 3. Minutes

The minutes of the meeting held on the 20<sup>th</sup> November 2013 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on the 20<sup>th</sup> November 2013 be confirmed and signed.



**NOTED.**

**4. Right to speak at Committee**

The Chairman informed Members that due notification (prior to the stipulated deadline) had been received from interested parties who wished to exercise their right to speak at the meeting that day. In accordance with the decision of the National Park Authority of 7<sup>th</sup> 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*):

<b>Reference number</b>	<b>Proposal</b>	<b>Speaker</b>
NP/13/0440 <i>Minute 7(c) refers</i>	Regularisation, alteration and extension of unauthorised pigsty, cattle store and hay barn and erection of new tractor store. Regularisation and redefinition of landscaping bund and definition of ancillary agricultural storage areas (part retrospective) – Llethyr, Pontfaen	Mr David Toombs, Objector
NP/13/0489 <i>Minute 7(d) refers</i>	Overspill accommodation used for purposes ancillary to existing property – Druidstone, Newport	Mr Ken Morgan, Agent

**5. 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 38 applications were, therefore, reported for information and Members were informed that 10 were deemed to be invalid.

One Member asked whether NP/13/0564 Slebech Park, Slebech would be coming before the Committee and was advised that it would be reported in the New Year.

**NOTED**



## 6. Members' Duties in Determining Applications

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

### NOTED

## 7. Report 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/13/0375  
APPLICANT: Mr D Paish  
PROPOSAL: Extension of existing patio area and erection of marquee (retrospective)  
LOCATION: Golden Lion Hotel, East Street, Newport

This application proposed retention of a marquee erected adjacent to the Golden Lion Public House in Newport. While the application submitted proposed 'retention' of the structure, it had been clarified by the applicant that permission was only sought for a temporary duration between the months of April to September each year.

Whilst officers did not object to the principle of the provision of an additional seating area, the marquee erected was not of a traditional design or form and its appearance was at odds with the street scene and character and appearance of the Newport Conservation Area. The development would fail to contribute to the protection and enhancement of the town's special qualities as set out in Policy 3 of the Local Development Plan and neither conserved nor enhanced the character and appearance of the Newport Conservation Area resulting in a prominent and unsympathetic addition to the site. In addition to this, the siting and form of the development failed to provide suitable opportunities to



introduce landscaping to soften the visual appearance of the development when viewed from the front of the site.

Officers had considered the potential for conditions, however did not believe that these would address the concerns of the impact of the development upon the special qualities of the Conservation Area within the National Park. In terms of other material considerations raised by the applicant, the economic merits of the scheme and benefit it might bring in terms of providing an additional formal seating area for customers was not considered to be sufficient to outweigh the harm to visual amenity and override planning policy to protect the special qualities of the National Park in this instance. The application was therefore considered to be contrary to the policies of the Local Development Plan and was recommended for refusal.

The application was reported to the Committee as the views of Newport Town Council were contrary to that of officers.

The Chairman asked Members whether all had received e-mails from the applicant and his agent regarding this application (these were also reproduced for Members at the meeting) and everyone confirmed that they had had the opportunity to read the documents.

A number of Members expressed the view that they wished to support the business, however they did not believe that the structure was appropriate in a Conservation Area and there was also some concern that if allowed it would set a precedent for other businesses in the National Park. They hoped that officers would work proactively with the applicant to find an appropriate solution. The recommendation of refusal was therefore proposed and seconded.

However other Members expressed the view that we live in hard times and businesses had to make money when visitors were in the area. It was therefore moved that the application be approved but with erection of the structure restricted to May to the end of August. This amendment was seconded and put to the vote, which was lost on the Chairman's casting vote. The Committee then voted on the substantive motion that the application be refused and this was carried.

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

- 1. The marquee by virtue of its large dominant form and untraditional appearance is considered to be at odds with the street scene within the Newport Conservation Area and has a significant adverse impact upon the character of the immediate area adjacent to the Golden Lion public house, a building of local importance, to the detriment of**



**the qualities and special character of the National Park. It would therefore conflict with the aims of Policy 1 (National Park Purposes and Duty), Policy 3 (Newport Local Service and Tourism Centre) criterion (e), Policy 8 (Special Qualities) criteria (b) and (d), Policy 14 (Protection of Buildings of Local Importance), Policy 15 (Conservation of the Pembrokeshire Coast National Park) criteria (a),(b),(d) and (e), Policy 29 (Sustainable Design) criteria (a) and (g) and Policy 30 (Amenity) criterion (d) of the Pembrokeshire Coast National Park Local Development Plan (Adopted September 2010) and is contrary to advice contained in Supplementary Planning Guidance ‘Newport Conservation Area Proposals’**

- 2. The development by virtue of its siting in close proximity to the parking area forward of the building line and its form fails to provide suitable opportunities to introduce landscaping to help soften the visual appearance of the development when viewed from the front of the site. As such the development would fail to harmonise with, or enhance the landform and landscape character of the National Park by removing opportunities for landscaping to enhance the character of the Conservation Area. The development would therefore fail to comply with Policy 8 (Special Qualities) criterion (c) and Policy 15 (Conservation of the Pembrokeshire Coast National Park) criteria (a), (b), (d) and (e) of the Pembrokeshire Coast National Park Local Development Plan (Adopted September 2010).**

- (b) REFERENCE: NP/13/0405  
APPLICANT: Messrs S, L & M Barrett, Davies & Ward  
PROPOSAL: Change of use of artists studio to holiday let  
(retrospective)  
LOCATION: Morwynt, Abercastle, Haverfordwest

Planning permission was sought for the change of use of a single storey ancillary building to a single holiday let, which would remain within the existing curtilage of the main dwelling, Morwynt. The ancillary building currently had planning permission for use as an artist’s studio linked to the main dwelling. The building fell outside of any centre boundary, as defined in the Local Development Plan, but was within an established residential curtilage and would remain an ancillary building to the main dwelling house use.

At the time of writing the report, officers were in discussion with the applicant’s agent and Highways Planning Liaison Officer in respect of achieving parking and possible turning provisions within the site edged red. Subject to these being satisfactorily agreed prior to the meeting, the officer recommendation of approval was contrary to that of the Community



Council and the application was therefore before the Committee for consideration.

It was reported at the meeting that further discussions had been held with the applicant regarding parking and turning provisions within the site edged red, and a new plan had been provided showing that this was achievable. The Highway Authority had recommended conditional permission and therefore officers considered the application to be acceptable. The revised plan had been forwarded to the Community Council however as there was insufficient time for them to respond, it was recommended that the application be delegated to the Head of Development Management to conditionally approve the application subject to no new issues being raised by the Community Council.

One of the Members reported that Mathry Community Council had met the previous evening and the Clerk had provided a letter which she had asked be read out at the meeting. This reiterated the Community Council's concerns, raised first in 2008, regarding possible conversion of the building to a dwelling and the insufficient parking and turning for the properties. The letter also stated that the Community Council felt that the planning procedure had not been properly followed due to the revised plans having been received by them only the day before the Committee meeting at which a decision was to be taken. They asked that the decision be deferred until officers were able to meet them on site.

A number of Members sympathised with the views of the Community Council and agreed that they had had insufficient time to comment on the revised parking and turning plan. The Monitoring Officer urged Members to be careful to ensure that effective consultation had taken place, cautioning that the reputation of the Authority was on the line. One Member did point out that the officer's recommendation provided the Community Council with an opportunity to express their views and if any material consideration were raised, officers could bring the application back to the next meeting of the Committee. He also pointed out that the policy context for the application had changed since 2008 with the adoption of the Local Development Plan in 2010.

**DECISION: That the application be deferred to allow time for Mathry Community Council to properly consider the amended plan.**

*[Councillor A Lee tendered her apologies and left the meeting during consideration of the following item]*



- (c) REFERENCE: NP/13/0440  
APPLICANT: Mr James  
PROPOSAL: Regularisation, alteration and extension of unauthorised pigsty, cattle store and hay barn and erection of new tractor store. Regularisation and redefinition of landscaping bund and definition of ancillary agricultural storage areas (part retrospective)  
LOCATION: Llethyr, Pontfaen, Fishguard

Members were reminded that this site had a long planning history of applications and enforcement notices, which was set out in the report. The key issues in considering this application were the principle of development, design, the impact of the development on the National Park landscape, amenity, drainage and other matters arising.

Officers considered that this application to regularise the existing farm buildings on the site, alter and extend the pigsties and to build a new tractor shed was acceptable. They also considered that the application represented an appropriate design, scale and form which, if implemented would have a minimal impact on the visual amenities of the area and was therefore recommended for approval subject to conditions.

Mr David Tombs, an objector, then addressed the Committee. He explained that he had owned the adjacent property for 42 years and therefore understood the situation in the Gwaun Valley and did not object to reasonable development in rural areas. He felt that his letter of objection had been fairly summarised by officers in their report and repeated his comments that this application was on an almost industrial scale of development, much of which had been undertaken without approval. The storage area, in particular, had increased by a huge amount and he noted that some of the equipment did not appear to be of agricultural use. He was particularly concerned about the history of non-compliance on the site and he was grieved to see the way in which the Authority was being held in such disregard. He urged Members to be satisfied that they were in control of any consent and not being controlled.

Members believed that the current application presented an opportunity to regularise the planning situation at this site, however they stressed that the conditions imposed had to be followed through. They asked that all outstanding matters be vigorously pursued and that a report be brought back to the Committee in six months' time reporting on enforcement of the conditions. Members also asked for a condition on lighting at the site.

**DECISION: That the application be approved subject to conditions relating to lighting, a strict time limit for completing the re-profiling of the embankment, carrying out planting in the next planting**



**season and maintaining the planting thereafter for a period of time, compliance with the plans and requiring all storage on the holding (outside of any buildings) to be confined to the area identified in the report as suitable. The general requirement to impose a time limit for commencement of development would not be applied as the development had already been commenced.**

**It was also agreed that a report be brought back to the Committee on enforcement of the conditions after six months.**

- (d) REFERENCE: NP/13/0489  
APPLICANT: Mr Andrew Rees  
PROPOSAL: Overspill accommodation – used for purposes ancillary to existing property  
LOCATION: Druidstone, Newport

Planning permission was sought for the refurbishment and extension of a detached single storey outbuilding to provide ancillary accommodation to an existing dwelling, known as Druidstone. The site lay outside of the Centre boundary for Newport as defined in the Local Development Plan, and therefore was considered to be in the countryside.

It was reported that pre-application discussion had been held with the applicant in light of a refusal of planning permission earlier this year and the application submitted was in accordance with the outcome of those discussions. Newport Town Council had objected to the application on the grounds of the proposed external finish being out of context with the character of the area.

Officers were satisfied that the building showed a clear link to the main dwelling and was therefore ancillary to it. There was no objection to the extension of the existing outbuilding, its siting to the rear was acceptable and the overall mass was subservient in height. In respect of the design, the new element had been designed to visually contrast with the stone building in order to ensure that the extension did not result in the loss of its character and traditional form. There were considered to be no amenity or privacy issues. The application was therefore recommended for approval subject to conditions.

The Agent, Mr Ken Morgan addressed the Committee. He wished to reassure Members that the building would not be used commercially or separately from the main dwelling but by members of the extended family. In design terms, they had kept the character of the building at the front and the mix of finishes presented was part of the proactive discussion with officers.





One Member commented that this was the sort of small building within the National Park that it was important to preserve and asked about the finishes that would be used. Officers replied that the existing building would remain as it was with the extension being designed with a corrugated roof and timber cladding to ensure it had a separate and contrasting appearance.

**DECISION: That the application be approved subject to conditions relating to time, accordance with submitted plans, use to be ancillary to the dwelling known as Druidstone and as shown edged in red on the location plan dated 14<sup>th</sup> October 2013, no commercial use and conditions recommended by statutory consultees.**

- (e) REFERENCE: NP/13/0527, NP/13/0535, NP/13/0536, NP/13/0537, NP/13/0538, NP/13/0539, NP/13/0541, NP/13/0542, NP/13/0543, NP/13/0544, NP/13/0545, NP/13/0546, NP/13/0547, NP/13/0549, NP/13/0550  
LOCATION: Castell Henllys Iron Age Fort, Felindre Farchog, Crymych
- (f) REFERENCE: NP/13/0528, NP/13/0529, NP/13/0530, NP/13/0531, NP/13/0532, NP/13/0533  
LOCATION: Pentre Ifan, Nr Nevern; Carreg Coetan Arthur, Newport; Foel Drygarn & Carn Melyn, Nr Crymych; Maesyrefydd, Nr Mynachlogddu; Gors Fawr Stone Circle, Mynachlogddu; Crugiau Cemaes, Nr Nevern

It was reported that a number of Planning and Advertisement applications had recently been made by the National Park Authority in support of the 'Origins' Project at Castell Henllys. In addition the project was proposing the installation of interpretation panels/signs at various pre-historic satellite sites throughout the North of the County within the National Park.

Brief details of the applications received were set out in the report. However in order to understand the context of these applications, it was considered that Members might benefit from a site visit to Castell Henllys prior to making decisions on the above applications. It was intended that a full report of the individual applications be reported to the Development Management Committee on 22<sup>nd</sup> January 2014.

**DECISION: That a Site Inspection to Castell Henllys and surrounding land take place on 13<sup>th</sup> January 2014 in order that Members understand the nature and form of the proposals received.**



*[Councillor P Harries disclosed an interest in the following applications and withdrew from the meeting while they were considered. Councillor B Kilmister was not present when the following application was considered.]*

- (g) REFERENCE: NP/13/0578 and NP/13/0579  
APPLICANT: Mr R Lanning  
PROPOSAL: Discharge of Conditions 3 and 4 of NP/13/0343 (full) and Condition 3 of 13/0345 (advert) in relation to the installation of ATM machine  
LOCATION: Post Office, Long Street, Newport

Members were reminded that planning permission and advertisement consent were granted earlier this year for the installation of an ATM machine at Newport Post Office in Long Street, Newport subject to conditions. The applications were reported to the Development Management Committee meeting on 18<sup>th</sup> September 2013 as the owner of the premises was a Member of the Authority.

Two applications had been submitted for the discharge of the above conditions. Members were reminded that applications to discharge conditions were now logged into the Authority's system to enable these types of application to be reported on and audited. The discharging of conditions was delegated to officers under the Authority's Scheme of Delegation in most cases, however where an officer or member had an interest, there was no express delegation to officers to discharge related conditions. As such the applications should be reported to Members for a resolution. It was intended to bring a report on this matter to the National Park Authority in due course, but in the meantime the two applications needed to be determined.

In the circumstances, and to enable the applications to be determined within their eight weeks, it was recommended that Members delegate the determination of these discharge of condition applications to the Head of Development Management.

**DECISION: That the determination of applications NP/13/0578 and 13/0579 be delegated to the Head of Development Management.**

## 9. Appeals

The Head of Development Management reported on 9 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.

Appeal decisions were also reported for Land at The Belts, The Rhos; 9 Portland Square, Solva; and Land at Happy Acres, Lydstep. With regard



to the first of these decisions – Land at the Belts – Members asked the Head of Development Management to write to the Inspectorate expressing concern that no reference had been made to the land being within the National Park. Also with reference to the decision at 9 Portland Square, Solva the Head of Development Management agreed to check whether the Authority’s Conservation Officer had recommended that planning permission be granted, as stated in the decision.

**NOTED.**

**10. Delegated applications/notifications**

43 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 43, it was reported that 6 applications had been refused, 1 cancelled and 1 withdrawn.

**NOTED.**

**11. Consultation Response to the First Review of the Regional Technical Statement for Aggregates**

Members were reminded that it had been resolved at the meeting of the National Park Authority on 11<sup>th</sup> December that this Committee be granted delegated powers to agree the National Park Authority response to the above consultation by Welsh Government.

It was reported that the Regional Technical Statement (RTS) for Aggregates provided a strategy for the future supply of construction aggregates within the region. There were eighteen minerals planning authorities in the South Wales Regional Aggregates Working Party (RAWP) area, and each was required to make provision for the apportioned tonnages of Aggregate that were needed to satisfy the projected demand for aggregates in the region. However there was also an aspiration to reduce and eventually cease minerals production in National Park locations, in accordance with Welsh Government Policy.

The Pembrokeshire Coast National Park currently provides a significant proportion of the sand and gravel supply in the South Wales RAWP and one of the key recommendations within the draft RTS was to combine the apportionments for the Authority, Pembrokeshire, Carmarthenshire and Ceredigion County Councils in order to encourage collaborative working between these authorities to find alternative sites for sand and gravel provision, once existing National Park operations had ceased. If no environmentally acceptable alternatives could be found or the increased use of alternative aggregates such as marine sources was not sufficient, further allocations might be considered acceptable within the National



Park in exceptional circumstances. The Authority's response to the Consultation was outlined by officers, with the full response appended to the report.

One of the Members had been at the RAWP meeting when the draft RTS was presented and he wished to draw to the Committee's attention that under its proposals, the two quarries in the north of the National Park would not expand beyond their existing licences. When considering the applications for extension of these quarries in recent years, the Committee had felt the economic benefits that they brought to the area meant that they were worth supporting. Another Member agreed saying that he would support any future extension of the existing quarries because of the work they provided. They asked whether that point could be raised in the consultation response, however officers advised that as this was a strategic document, it was at too high a level to introduce specifics.

It was **RESOLVED** that the officer response to the First Review of the Regional Technical Statement for Aggregates as set out in Appendix 1 to the report be agreed as the National Park Authority response to this consultation.

## 12. Christmas Greetings

The Chairman thanked both officers and Members for their hard work and wished everyone a happy Christmas and a peaceful and uneventful New Year, which she hoped would bring good fortune to the National Park.

