

DEVELOPMENT MANAGEMENT COMMITTEE

10th September 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 D Rees, Mr AE Sangster, Mrs M Thomas, Councillor A Wilcox and Councillor M Williams.

[Ms C Gwyther arrived prior to consideration of Item 5, the Solicitor's Report]

[Llanion Park, Pembroke Dock 10.00am – 12.00pm]

1. Apologies

Apologies for absence were received from Councillors S Hudson and R Owens.

2. Disclosures of interest

There were no disclosures of interest.

3. Minutes

The minutes of the meeting held on the 30th July 2014 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on the 30th July 2014 be confirmed and signed.

NOTED.

4. Matters Arising

Members asked if a workshop on landscaping could be arranged as issues of landscaping had been raised with regards to a number of applications at the previous meeting. Officers advised that this was in hand and it was hoped that something could be organised for later in the year.

Members also asked whether building regulations were adhered to by those developments which were submitted as retrospective applications to the Authority. Officers agreed to check the situation with Pembrokeshire County Council's Building Regulations Department and report back to the Committee.

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/14/0311 <i>Minute 7(a) refers</i>	Proposed Cattle Accommodation building, associated yard area & slurry lagoon, Velindre, St Nicholas	Mr Brian Jackson, Objector Mr Daniel Harries, Applicant
NP/14/0335 <i>Minute 7(b) refers</i>	Conversion of existing garage unit into 1 bed holiday let and garage (retrospective), 16 Parc yr Onnen, Dinas Cross	Ms Robyn Cumine, Agent
NP/14/0365 <i>Minute 7(c) refers</i>	Reinstate lime render to front (south-east) elevation and apply slate hanging to south west pine end, The Corn Mill, Middle Mill, Solva	Jenny Davies, Objector

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/14/0311
APPLICANT: Mr D Harries
PROPOSAL: Proposed cattle accommodation building, associated yard area & slurry lagoon
LOCATION: Velindre, St Nicholas, Goodwick

It was reported that this proposed major development would allow Velindre Farm to expand its milking operation from 540 up to 860 milking cows. Officers considered that the intensive nature of the development represented an inappropriate and harmful industrial form of development on land within the open countryside within the National Park. The proposed development by reason of its very form, character and scale would erode the special qualities of the National Park and would not be compatible with the strategic aims of conserving or enhancing the natural beauty, wildlife and cultural heritage of the Park, and the public understanding and enjoyment of those qualities.

The cattle accommodation building and slurry lagoon would expand the site's visibility and result in an unacceptable loss of a sense of remoteness and tranquillity, and would not protect the pattern and diversity of the landscape, would be insensitively and unsympathetically sited within the landscape, would introduce and intensify a use which was incompatible with its location and would fail to harmonise with or enhance the landform and landscape character of the National Park. In addition to these concerns the slurry lagoon by virtue of its form, scale and siting would have an adverse impact upon the amenities of neighbouring occupiers and visitors to the area due to the development consisting of a use inappropriate for where people live and visit, being of a scale incompatible with its surroundings and being visually intrusive.

It was reported that if planning permission were to be granted for the scheme in the face of this conflict, the harm would need to be clearly outweighed by other material considerations. While there were advantages to the proposal that weighed in favour of the grant of planning permission, including the fact that the proposed development would create additional employment, both permanently on the farm and during the temporary construction phase, the benefits of the scheme were considered to be far outweighed by the harm to the special qualities of the National Park in this instance and the application was recommended for refusal.



It was reported that since writing the report an additional 9 letters of objection had been received, including those from the Friends of the Pembrokeshire Coast National Park and Preserve Pencaer which had been sent to members. These expressed similar concerns to those set out in the report. An additional letter of support had also been received from the President of the National Farmers Union; this was circulated at the meeting and Members were given a few minutes to read it prior to consideration of the application.

The Officer also reported that an independent report had been commissioned by objectors to the scheme criticising elements of it, particularly with regard to the applicant's assertion that slurry movements would decrease - the Third Party report asserting that as there would be additional slurry there would be more loads and therefore additional traffic. In response, the Agent had conceded that there might be some additional slurry movements, however they considered the figures provided in the Third Party report to be incorrect and noted that the Highway Authority had raised no objection to the application. Officers advised that if Members were minded to approve the application contrary to the recommendation, more information would be necessary with regard to traffic. There was also some contradictory evidence with regard to the adequacy of land for slurry spread, however Natural Resources Wales had raised no objection to the application, but again officers suggested that if Members were minded to approve the application, detailed information referring to the precise slurry spreading areas within the farm holding be provided.

The first of two speakers on this application was Mr Brian Jackson, an objector and a representative of the group Preserve Pencaer. He expressed the view that the proposals were of an industrial scale and were situated in the wrong place in the National Park. The situation was compounded in that the farm had a number of satellite sites to which slurry would need to be transported and the country lanes in the area were unsuitable for heavy goods vehicles. He believed that slurry movements had increased in the last 2-3 years, along with levels of odour.

Mr Jackson stated that he had tried hard to understand the current application, however the figures did not make sense and the applicant's agent had been dismissive of his and others' concerns. However the level of concern was such that an external report had been commissioned which stated that the application had failed to take into account that the herd was mainly inside and had concluded that slurry movements had been underestimated by a factor of 5; the gross farm area had been taken rather than the net spreadable area, resulting in an underestimate in the nitrogen loading on the land; transport figures were probably



underestimated by 50%; and rainfall data was probably underestimated as the applicant had used data from Aberporth some 30 miles away. Also the application had not included a manure management plan which would have highlighted the risks. He pointed out that the flawed data supplied called into question the responses from statutory consultees.

Mr Jackson concluded by saying that if the development were to proceed it would have a negative effect on tourism through its impact on the Coast Path, other footpaths and holiday cottages. He stated that tourism was very important to the area, employing twice as many people as farming. He considered that wildlife could also be put at risk as the volume of excrement being produced would be equivalent to that of a large town. There were also concerns regarding odour, health, light pollution and visual impact.

The second speaker was Mr Daniel Harries, the applicant. He stated that he had been born at Velindre and was the 4th generation of his family to farm there. He was just trying to provide himself with a livelihood. The farm had never been small, however due to pressure on farmers, his income had dropped. He had therefore worked to improve facilities on the farm and to improve compliance. Additional buildings were needed to ensure animal welfare. There had been no recent expansion in numbers, the farm now having only 80 cows more than in 2008. He noted that many farms were already operating within the National Park without causing detriment.

Mr Harries explained that in preparing the application, the location of the building and lagoon had been carefully considered. More could not have been done to hide the proposed building and it would not be visible from the entrance to the site. He pointed out that due to poor weather last winter there had been an increase in traffic from the site as slurry was not able to be spread. Therefore a larger slurry store was needed so that it could be spread when conditions were appropriate. The proposed position of the lagoon was the most logical solution being furthest from the watercourse and the village. The existing flat area would be raised by 1-2 metres and there would be a gentle gradient. It would also be screened by existing and proposed landscaping, however additional landscaping could be provided if required. Photographs of the site were circulated to illustrate his points. He stated that traffic would increase if the application were refused.

Mr Harries pointed out that previously there were many more farms in St Nicholas as well as quarry which had meant more traffic. In 2008 the farm had 460 cows and yet there were no complaints. Letters of both support and objection had been received, however he stated had received overwhelming support locally. There would be benefits to the local



economy through the provision of additional jobs. Over 800 people had visited the farm in the previous year, it having been featured on Ffermio in 2013 and had also been nominated for dairy awards. He concluded by saying that it was in the farm's interest to ensure the environment was kept to the highest standards.

The debate began with one Member speaking strongly in favour of the application on the basis that there had been a large drop in the number of milk producers in the area, particularly in the last ten years, however there was still a need for milk to be produced for the nation. He stated that Velindre farm had invested heavily in specialised units in recent years and wanted to continue to invest; the proposals were well planned and would not intrude on the landscape. Other Members agreed and did not believe that the proposed cattle building would cause harm as it sat low on the site and would form part of the existing farm complex. There was more concern over the impact of the proposed slurry lagoon on the landscape and Members asked if this could be mitigated by additional landscaping. Officers replied that this would be doubtful as this would in itself change the character of the landscape. It was suggested that it would be useful to have a site inspection, and this motion was seconded. Other Members raised issues of lighting, noise and public safety due to the proximity of the lagoon to a public footpath as well as traffic impact and the disposal of slurry, and it was suggested that the additional information suggested by officers in respect of these latter points should be provided prior to the next meeting.

One Member, however spoke in support of the officer recommendation of refusal, pointing out that this was farming on an industrial scale and that it was alien to an area designated for its natural beauty. The Committee was required to consider National Park purposes above everything else and he believed that there were overwhelming reasons why the application should be refused, and made reference to the Sandford Principle. He did not believe that landscaping would mitigate the application in any way, however he agreed that a site inspection could only benefit the Committee's consideration of the application.

DECISION: That the application be deferred and a site inspection arranged. The applicant also be asked to provide additional information regarding slurry spreading and traffic movements in sufficient time for them to be considered by statutory consultees prior to the next meeting of the Committee.



- (b) REFERENCE: NP/14/0335
APPLICANT: Mr & Mrs Sayer
PROPOSAL: Conversion of existing garage unit into 1 bed holiday let and garage (retrospective)
LOCATION: 16, Parc Yr Onnen, Dinas Cross, Newport

It was reported that 16 Parc Yr Onnen was located within an L shaped plot with a large detached two storey dwelling provided to the south and a single storey detached garage structure to the west. There was a large rear garden to the dwelling with a further small amenity space provided to the rear of the garage structure and a large parking and turning area to the front of both buildings which could accommodate six vehicles. The application sought full approval for the retrospective conversion of the existing garage unit into a 1 bed holiday let and garage.

Officers considered that the proposal for a new unit of holiday accommodation on this site was acceptable in principle given its siting within the rural centre of Dinas Cross and it was not considered to have a detrimental impact on the character and amenity of this area of the National Park. The siting, scale, form and detailed design were considered to be appropriate and acceptable in this instance and would maintain the special qualities when viewed from the immediate and wider landscape.

The views of Dinas Cross Community Council were contrary to the recommendation of officers as they had expressed concern over the retrospective nature of the application as well as extra traffic causing problems on a narrow road. Through formal consultation, it was established that these views were not shared by Pembrokeshire County Council Transportation and Environment section who considered the access, parking and turning to be fully acceptable. As such the application was supported by officers subject to appropriate conditions.

Ms Robyn Cumine then addressed the Committee on behalf of the applicant. She did not believe that there were any material planning considerations on which the application could be refused. She also noted the favourable response of Pembrokeshire County Council's Highways Officer, that this was a small unit and that there was ample parking and turning for both the house and the proposed unit; the access to the estate was also considered acceptable. Ms Cumine noted that the Community Council had not produced any traffic data or details of police incidents to support their concerns and she therefore asked the Committee to endorse the officer recommendation of approval, noting that the agent had suggested an occupancy condition, as well as one to tie the proposed unit to the main dwelling.



One Member asked what condition relating to holiday occupancy it was intended to apply to the application and how would this be monitored. Officers replied that the Authority's standard condition allowed occupation by the same person for four weeks out of any eight, with the applicant being required to retain a register of occupants which must be available for inspection. If this condition was not complied with, the Authority's normal enforcement procedures would be applied.

Members were happy to support the officer recommendation and the motion was proposed and seconded.

DECISION: That the application be approved subject to appropriate conditions relating to the development being in accordance with approved plans, the provision of parking and turning within the site, land drainage run-off, foul and surface water discharge, undergrounding of cables, control to keep the unit tied to the host dwelling, restricting the use of the accommodation to holiday purposes only, obscuring a window and withdrawal of permitted development rights on the holiday unit.

- (c) REFERENCE: NP/14/0365
APPLICANT: Mr C Cropper
PROPOSAL: Reinstate lime render to front (south east) elevation and apply slate-hanging to south west pine-end
LOCATION: The Corn Mill, Middle Mill, Haverfordwest

This listed building application fell within the provisions of the Listed Building Delegation Direction awarded to the Authority by the Welsh Government, however the views of the Community Council were contrary to the recommendation of officers and the application was thus reported to the Committee.

It was reported that the Corn Mill was a Grade II listed building and comprised the former mill at the north east end and the house at the south west. Listed building consent was sought for the reinstatement of lime render to the front elevation of the house and the application of slate-hanging to its south west pine end, in order to address damp ingress.

Officers pointed out that Listed Building legislation was intended to manage, not prevent change, and considered that the proposed scheme was in keeping with the character of the listed building, and its setting in terms of design and form. As such the application could be supported subject to conditions.

Members were asked to note the written representation received from the applicant which was circulated at the meeting. Jenny Davies had



indicated that she wished to speak on this application however she was not present at the meeting.

While they acknowledged that the building looked aesthetically pleasing with the stonework exposed, Members were happy to propose the recommendation to approve the application, subject to conditions regarding the type of slate used and the means by which it was hung.

DECISION: That listed building consent be granted subject to conditions regarding a time limit to development, development in accordance with approved plans and the use of natural slate of appropriate colour, size and texture, 'random laid'. A sample panel of slate hanging to be prepared on site for inspection and approval.

- (d) REFERENCE: NP/14/0409
APPLICANT: Pembrokeshire Coast National Park
PROPOSAL: Siting of sunloungers, deckchairs, beach wheelchairs & windbreaks hire concession between 8am and 8pm from 1st March to 31st October
LOCATION: Land at Whitesands Beach, adj to Whitesands Car Park, St Davids

This application was reported to the Development Management Committee as the applicant was the Pembrokeshire Coast National Park.

This application followed a history of three previous temporary approvals for the same use which was first granted in 2005. The site was considered to be appropriately located adjacent to the developed area of the coast and the proposed activity compatible with adjacent uses. The proposal provided a low-key convenient facility which helped support the local economy and encourage visitors to use the beach. Therefore the continuation of this use would cause no lasting impact on the character and appearance of the area and the report therefore recommended that permission be granted for a further 3 year period subject to no adverse comments being received from statutory consultees which could not be overcome by a condition.

It was clarified at the meeting that full, rather than temporary planning permission was sought through this application. Responses had also been received from the Highway Authority, which had no objection, and Natural Resources Wales (NRW), which also had no objection but asked that its standard advice note be included with any consent. The public consultation period for the application had also finished and no responses had been received. As there were no adverse comments, a revised recommendation was put forward, that full planning permission be



granted subject to conditions and inclusion of the advisory note from NRW.

DECISION: That full permission be granted subject to conditions that the development be carried out strictly in accordance with deposited plans, the removal of the equipment at the end of each day from the site, with the site left in a clean and tidy condition, no sign or other advertisement to be erected or displayed without the express written consent of the Authority and inclusion of Natural Resources Wales' standard advisory note.

8. Appeals

The Director of Park Direction and Planning 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. Decisions had been received in respect of the Installation of domestic 100kw wind turbine measuring 30m to hub and 39m to tip, Broomhill Angle; Erection of a single 10kw wind turbine measuring 20m to hub & 23/5 to blade tip, Parsonage farm Caravan Park, Amroth; and a Change of use of Fort to Visitor Centre, St Catherines Island, Tenby. All three had been dismissed.

With regard to the St Catherines Island decision, Members were concerned at the Inspector's report and that his only reason for dismissing the appeal was the insufficiency of evidence by which the impact of the project on bats at the fort could be assessed. They were also concerned at the manner in which he had conducted the Inquiry. Members also requested that Natural Resources Wales (NRW) be requested to investigate allegations that boards had been erected on site to block up access for bats. The Solicitor clarified that it was an offence to disturb a roosting bat and that NRW were the appropriate authority to investigate whether an offence had occurred. The Director of Park Direction and Planning did not believe that Members concerns could be addressed unless the Authority made a formal complaint against the Inspector and she did not consider this was a productive route. She confirmed that discussions with the applicant were ongoing as to the way proposals for the site could be taken forward.

Decision notices were also attached with regard to two wind turbines located within Pembrokeshire County Council's area but upon which the Authority had submitted objections. The comments of the Inspector in these decisions were considered to be of interest to Members.

NOTED.



9. Enforcement

The Solicitor reported that in a recent prosecution, a Mr Owens had been found guilty and fined for failing to comply with a planning contravention notice. It was hoped this would serve as a warning to other members of the public. Officers agreed that a press release would be issued highlighting the importance to the public of responding to requests for information. .

NOTED.

