

DEVELOPMENT MANAGEMENT COMMITTEE

30 September 2015

Present: Mrs G Hayward (Chair)

Mr D Ellis, Councillor ML Evans, Ms C Gwyther, Councillor P Harries, Councillor S Hudson, Councillor M James, Councillor L Jenkins, Councillor R Kilmister, Councillor RM Lewis, Councillor PJ Morgan, Councillor R Owens, Councillor D Rees, Mr AE Sangster and Councillor A Wilcox.

[Llanion Park, Pembroke Dock 10.00am – 12.55pm]

1. Apologies

Apologies for absence were received from Mr A Archer, Mrs M Thomas and Councillor M Williams.

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 6(b) below</i> NP/15/0194 Land off Feidr Eglwys, Newport	Mrs G Hayward Councillor M James	Withdrew from the meeting while the application was discussed
	Councillor P Harries	Disclosed a personal but not prejudicial interest and remained in and took full part in the meeting
<i>Minute 6(c) below</i> NP/15/0252 – Bro Helyg, Dinas Cross	Councillor R Kilmister	Withdrew from the meeting while the application was discussed
<i>Minute 6(e) below</i> NP/15/0390 – Post Office, Long Street, Newport	Councillor P Harries	Withdrew from the meeting while the application was discussed



Application and Reference	Member(s)/Officer(s)	Action taken
<i>Minutes 6(h) and (i) below NP/15/0418 & 0418 – Trewern, Felindre Farchog</i>	Mrs G Hayward	Withdrew from the meeting while the applications were discussed

Councillor Kilmister expressed concern at the procedure which prevented him from participating in the Committee due to his predetermination of the issue. In his role as a County Councillor he was able only to speak under the public speaking rules but could not remain in the meeting room or participate in the debate.

3. Minutes

The minutes of the meeting held on the 12th and 24th August 2015 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on the 12th and 24th August 2015 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 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/15/0031 <i>Minute 6(a) refers</i>	Residential development – 27 dwelling units (outline seeking approval of Access & Layout) – Land off Trewarren Road, St Ishmaels	Mr Roger Anderson – Agent
NP/15/0194 <i>Minute 6(b) refers</i>	Residential development of 35 dwellings (including 14 affordable units) incorporating open space & new access points of Feidr Eglwys and Feidr Bentinck – Land off Feidr	Bentinck Opposition Group c/o Mrs Ros McGarry - Objector



Reference number	Proposal	Speaker
	Eglwys, Newport	
NP/15/0252 <i>Minute 6(c) refers</i>	Variation of condition 7 of NP/55/95 in order to allow annex to be occupied as residential unit – Bro Helyg, Dinas Cross	Cllr Bob Kilmister – County Councillor Mr Andrew Vaughan-Harries - Agent
NP/15/0315 <i>Minute 6(d) Refers</i>	Installation of 500kw anaerobic digester in connection with existing farming operation – Coedwynog, Felindre Farchog	Mrs Davina Maguire - Objector
NP/15/0406 <i>Minute 6(g) Refers</i>	Realignment of hedgebank, surface water drainage & fencing – Carters Green Farm, Angle	Angle Community Council - Objector

5. 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

6. 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/15/0031/OUT
APPLICANT: Messrs Warren & David Marshall & Warren Davis
PROPOSAL: Residential development – 27 dwelling units (outline seeking approval of Access & Layout)
LOCATION: Land off Trewarren Road, St Ishmaels, Haverfordwest

This application had been reported to the Committee due to it being a Major Development. It proposed, in outline, the erection of 27 dwellings at the site, which was land allocated within the Local Development Plan for residential development. Approval in this application was sought for access and layout, with appearance, landscaping and scale reserved for future consideration.

The principle of development was considered to be acceptable. The layout provided indicated that it was proposed to access the site from the north-west with a new tarmac surfaced road and adjoining protected natural areas either side. The road was proposed to be double width on entry and reducing to a single width lane with passing places. The access road extended through the site with a potential link to the adjoining development site created at its most easterly point. Officers considered that the proposed access, subject to provision of conditions relating to its formation and the retention of nature areas, would be suitable having regard to surrounding visual amenity and accessibility. The layout provided for an interesting development site, not dominated by highway surfacing but to be supplemented by shared surfacing and planting throughout.

It was noted that in respect of sewerage, an initial objection received from Welsh Water had been overcome and it had withdrawn its objection subject to conditions. An objection had also been received from St Ishmaels Community Council on the grounds of road safety, however it was reported that the Highway Authority was happy with the proposals, which it considered would act to slow traffic down within the site.

The scheme did not put forward affordable housing or planning obligations due to the unviability of the scheme presented, factoring in the current low market values attracted within the area. While this had been tested through the Three Dragons Appraisal, officers were concerned that with an improving economic market, viability testing at a future date during the life of any planning permission should be agreed with the applicant to ensure that if viability allowed, then a provision of affordable housing should be achieved. It was recommended that permission be granted on the basis that viability be re-appraised at Reserved Matters and Construction Phases via a Section 106 agreement.



Subject to this, and planning conditions to provide for future details, officers considered the development to be acceptable in principle, and accorded with the allocation and other policies of the Local Development Plan.

The agent Mr Roger Anderson concentrated on his concern at the recommendation for a S106 agreement. He said that in his opinion, and he believed this was also the Government's view, the core purpose of such an agreement was to make unacceptable development acceptable and suitable for planning approval, not an excuse to gaze into the future and speculate on the market value of an otherwise acceptable planning permission. He believed that the Government's position was that an acceptable development should never be refused because an application did not bring benefits, and officers had stated that this was an acceptable development. Mr Anderson referred to the recent decision in Tenby where the provision of a similar S106 agreement had been agreed by the Committee but did not think that this made it an acceptable solution. He asked the Committee to issue a refusal so that the decision could be taken in a different place.

Taking on board the concerns of St Ishmaels Community Council regarding the proposed access, and its impact on the local otter population, one Member asked if there could be a requirement for the site to be accessed through the existing access on the adjacent site which was in separate ownership. He understood that the two landowners would not work together, and because of that a beautiful hedgerow would be damaged and there was great concern locally that the use of heavy machinery on the site would make the otters disappear despite the mitigation measures proposed. He therefore proposed that the Committee visit the site, and this was seconded.

The Head of Development Management replied that the fact that the larger site was in two ownerships was not a material consideration and the application could only be considered as submitted. He pointed out that both Natural Resources Wales and the ecologist had recommended conditional consent and although he acknowledged there would be an impact on the landscape, the roadway would also ensure that the area was more accessible to pedestrians who would be able to walk through the site to the Coast Path.

Seeking clarification on a number of points raised, one Member asked if it was possible to find out whether otters were affected as a result of similar schemes elsewhere in the country and had returned following completion of the development; another asked the agent whether the legislation he was referring to was Welsh Government or UK legislation. The agent



replied that he had been referring to central and Welsh Office Circular but did not give a particular reference point.

Turning to the issue of affordable housing, some Members were concerned that the development could proceed without any affordable housing being provided. Support was expressed for the recommendation for a S106 Agreement to reconsider the need at future application stages, and one Member called for a review of the Authority's affordable housing policy to ensure that affordable housing continued to be delivered.

Finally, welcoming the request for a contribution to the village play park, a Member asked whether appropriate screening could be provided on the site's boundary with the school in order to ensure appropriate safeguarding. Officers replied that as this was an outline application, landscaping would be dealt with at Reserved Matters stage.

DECISION: That the application be deferred and the site inspected by the Committee.

[Mrs G Hayward and Councillor M James disclosed an interest in the following application and withdrew from the meeting while it was being considered. Councillor RM Lewis took the Chair for this item]

- (b) REFERENCE: NP/15/0194/FUL
APPLICANT: Mr J Roberts
PROPOSAL: Residential development of 35 dwellings (including 14 affordable units) incorporating open space & new access points of Feidr Eglwys and Feidr Bentinck
LOCATION: Land off Feidr Eglwys, Newport

It was reported that this application was before the Committee as it was a major application as defined under the terms of the Town and Country Planning (Development Management Procedure)(Wales) Order 2012. The site was located to the south east of the main settlement of Newport and fell within the Centre Boundary as detailed in the Local Development Plan, within which it was also allocated for 20 housing units.

Full planning permission was sought for a residential development comprising 35 dwellings on land adjacent to Feidr Eglwys, Newport. The proposal also incorporated open space and new access points off Feidr Eglwys and Feidr Bentick. Of the 35 dwellings proposed, 14 would be affordable units, which would be accessed via Feidr Eglwys. A further 2 dwellings would be accessed via Feidr Eglwys, and the remaining dwellings would be set out in two 'culs-de-sac' both accessed via Feidr Bentick. The existing field boundaries were to be retained, with the housing development set out between them.



The application had been advertised as both a major development and as a departure from the Local Development Plan, as the number of dwellings proposed was more than indicated in the plan itself. It was reported that responses from 72 individuals had been received, 58 of objection and 14 in support, and a summary of the issues raised was provided in the report.

Members advised that they had also received correspondence directly, some of which expressed concern regarding the officers report. Officers responded that with regard to the impact of increased traffic raised by many objectors, both the Highway Authority, and following submission of a transport assessment, the Welsh Government Transport Division, had recommended conditional consent. They added that Welsh Government had been asked to call in the application, but had advised that the issues were of not more than local importance and they would not be calling in the application.

Following detailed consideration of the issues, and of the responses received from statutory consultees and the public, officers considered the proposed development to be appropriate to the setting, and would be in accordance with national and local planning policy. It would also present an opportunity to provide affordable housing in Newport. The recommendation was therefore of approval, subject to conditions and the entering into of a Section 106 agreement to provide for the delivery of affordable housing and planning obligations in respect of Education, Transportation, Open Space and Libraries & Community Facilities.

There was one speaker on this application, Mrs Ros McGarry on behalf of the Bentinck Opposition Group, and she began by asking the Committee to refuse the application. She pointed out that the Local Development Plan allocated the site for 12, or at a maximum 20 units (confusingly both figures appeared in the Plan). The Inspector in his report had recommended a restriction of the numbers due to traffic constraints, conservation and ancient hedge banks, together with a single access. The Group also considered that the level of affordable housing was inadequate, with the original level of 70% being reduced to 40%, and this had not followed due process as no viability assessment had been applied. The affordable housing would take up only 1/5th of the site and the remainder of the housing would not be affordable. Mrs McGarry contended that Newport did not need new build second homes, but homes for young families and felt that the scheme should be of a smaller scale and for affordable housing in order to provide homes for local people. The Group was incensed by the increase in the number of units on the site and the resulting lack of democracy as its members had contributed to the Local Development Plan and accepted a site which was far from suitable only for the Inspector's decision to be ignored. There



had also been no consultation with neighbours or the local environmental group. The Bentinck Opposition Group had commissioned advice from a Barrister and this had not been referred to. Mrs McGarry stated that it was Members duty to consider all the information and she expected them to do that and to uphold the policies of the Local Development Plan (LDP).

Responding to the confusion regarding the number of dwellings allocated in the LDP, the officer pointed out that the reference to 12 dwellings in the appendix to the LDP was an error, having been proposed on a smaller site earlier in the process. The allocation was for 20 units. She also confirmed that the legal advice was available on the planning application file and had been seen by the Authority's Solicitor.

One Member felt that while the development would provide 14 affordable housing units, which was welcome, there were a lot of questions still to be answered. He wondered what justification there was to deviate from LDP policy and whether the Inspector would have accepted an allocation for 35 dwellings with an entrance onto Feidr Bentick. As Newport was a Local Centre, Policy 3 applied and he wondered whether the development contributed to the special qualities of the area, including its natural environment and peacefulness, and assisted in delivering traffic management. In relation to the 21 market houses, he wondered what their target market was, noting that the already high number of holiday homes and ageing population were of concern. The loss of the ancient hedge bank and the impact of traffic on the area's narrow lanes were other issues that had been raised, and he also questioned whether the traffic survey which had been carried out 4 years previously was representative of the town during the busier summer months. Ultimately he wondered whether the price to the town of the additional affordable units was one worth paying.

Thanking officers for the opportunity to visit the site, another Member explained that he felt the proposal represented over-development which would be more visible in winter when there were no leaves on the trees. He also had concerns regarding the layout which was of a typical housing estate, bearing little resemblance to the Newport building pattern which was of terraces of houses. The Member was disappointed that Cadw had not considered the impact of the development on the Church and that there was little consideration on views from the wider landscape. He was also concerned about the retention of habitat and vegetation once the properties were occupied and the impact of the additional traffic on the narrow lanes. He felt that the development breached policies 8 and 30 of the LDP and could not support it.



Another Member agreed that a 70% increase in the number of units proposed in the allocation represented overdevelopment and said that he did not believe the roads would cope. While he agreed there was a need to provide affordable housing in the town, he did not believe it should be done through this scheme.

Other Members, however, saw the area as suitable for the expansion of Newport and the recommendation of approval was moved and seconded. Even if 40% of the open market housing was holiday homes, that still left 25 of the 35 dwellings to be full time occupants, which would go a long way to supporting the viability of Newport. However there was some concern that the affordable housing element of the site was concentrated on a small portion of the site, with the open market housing being at a much lower density.

The motion of approval, having been seconded, was then put to the vote, but this was not carried. A motion to the effect that Members were minded to refuse the application was then proposed and seconded. The Chairman then reminded the Committee that such a decision would invoke the Authority's "cooling off" procedure, which meant that the application might have to be reconsidered at the next appropriate meeting of the Committee, when a recorded vote would be taken. Officers did not disagree with this interpretation, Prior to a vote being taken, the following planning reasons for refusal were given by the Committee: the application being contrary to policies 3, 8, 30 and 53 of the LDP – damaging the special qualities of the National Park and the town of Newport including traffic and amenity and contrary to the density given in the LDP with an unacceptable variation in density on different parts of the site. Officers agreed that these were valid planning grounds.

The motion was put to the vote and was carried.

DECISION: That Members were minded to refuse the application as it was contrary to policies 3,8,30 and 53 of the Local Development Plan.

As the decision was contrary to the officer recommendation and constituted a significant departure from the Local Development Plan it was subject to the Authority's 'cooling off' procedures and would be reconsidered at the next possible meeting of the Committee.

[Councillor R Kilmister disclosed an interest in the following application and withdrew from the meeting while it was considered, however he had given due notice under the Authority's Public Speaking procedures and was recalled to the room in order to speak, leaving immediately afterwards.]



- (c) REFERENCE: NP/15/0252/S73
APPLICANT: Mr & Mrs J & S Ferguson
PROPOSAL: Variation of condition 7 of NP/55/95 in order to allow annex to be occupied as residential unit
LOCATION: Bro-Helyg, Dinas Cross, Newport

It was reported that the application site comprised a dwelling, Glan-Helyg, and its annex Bro-Helyg both located within the same planning unit. Planning approval was sought for the removal of planning condition 7 on NP/055/95 to allow Bro-Helyg to be used as a separate, independent residential dwelling with its own separate amenity and parking areas. The proposed variations would include the removal of an existing sunroom/conservatory attached to the existing garage to provide additional amenity space to serve Bro-Helyg together with a new vehicle access, parking areas for two vehicles and turning to serve Glan-Helyg. The application was effectively requesting the severance of the annex from the residential unit and the granting of planning permission for the creation of a new dwelling.

The proposed scheme, in practical terms, was considered by officers to have a scale, mass, form and detailed design which was considered to be acceptable. The proposal would provide adequate parking associated with Glan-Helyg with existing parking retained at Bro-Helyg. 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. However the application did not include any affordable housing contribution as required by policy 45 of the Local Development Plan and Supplementary Planning Guidance. Therefore the application as it stood was unacceptable and contrary to policy having regard to the adopted development plan for the area and all material considerations. It was therefore recommended for refusal.

At the meeting an error was pointed out in the first sentence of the final paragraph on page 50 of the report which should read 'a continuous and uninterrupted use'. Officers also advised that with regards to payment of the commuted sum, the opportunity had been given to the applicants for payment to be made when Glan-Helyg was sold, to assist with cash flow.

The application was being considered by the Committee at the request of Councillor R Kilmister, who was also the first of two speakers on the application. He explained that he had stood and won his election to the County Council on the basis that he would represent individuals who were unable to fight their own corner. This was one such instance, and his constituents had much at stake. They lived in a property that was an



annex with the business it had been attached to now closed. The business was no longer viable but the property could not be sold under the current arrangements. Therefore he felt it was beyond conception that Mr & Mrs Ferguson be asked to pay £27,500 to continue living in a property they had inhabited for the last 20 years – this was at least 10% of the value of the property. He felt the retrospective application of the Policy on the unit was unfair and he asked Members to put themselves in his constituents' shoes and also to consider how an ordinary member of the public would think. He therefore asked the Committee to do what was fair and reasonable and to approve the application.

The second speaker was the agent, Mr Andrew Vaughan-Harries. Focussing on the planning history of the site, he explained that Glan-Helyg had operated as a nursing home for the mentally handicapped which had expanded, leading to the requirement for a 2 bed annex for the owners. The unit had no interconnecting door and it was separately rated. His clients had lived there for the last 20 years and were now beyond retirement age with the business having closed due to modern legislative requirements. Currently the two units shared a single access which did not meet highway standards. The application therefore brought improvements through the provision of a new access and second parking area which the Trunk Road Agency had welcomed. His clients thought it grossly unfair that they would have to pay £27,650 before any consent was released. Mr Vaughan-Harries concluded by saying that the Supplementary Planning Guidance on affordable housing stated that “the Authority would consider the appropriateness of seeking a financial contribution towards the provision of affordable housing” – he invited Members to consider whether this was appropriate. He asked Members to approve the application, but without the contribution.

In response to a question from a Member who asked whether any contribution towards affordable housing had been offered, officers replied that no offer was on the table at present and no assessment of the viability of the scheme had been made. If there were sound reasons to deviate from the Authority's policy, these would be considered, however in this case the applicants did not like the principal and had made no offer to pay a contribution. When the annex had been granted permission in 1995, the current policy regarding affordable housing was not in force, however a separate dwelling on the same site would not have been permitted. Officers did not feel that application of the policy was unreasonable.

Members expressed some sympathy with the applicants, and considered that their situation was not one that had been envisaged when the affordable housing policy had been adopted. They asked both about a Certificate of Lawfulness and whether the Authority could be flexible to



reduce the sum in this case to de minimus. Officers replied that an application for Certificate of Lawfulness was different to a planning application in that it did not consider policy but whether a breach of planning control had taken place for more than ten years. However no application for a Certificate had been received and the Solicitor cautioned that it was dangerous to assume that it would be granted without going through that process. With regard to flexibility of the current policy, the Director explained that flexibility existed within the policy, but this needed to be based on evidence, and in the current application no evidence had been produced which the Authority could consider.

A motion to refuse the application was proposed and seconded, followed by an amendment whereby Members were minded to approve the application with no commuted sum. It was pointed out by the Monitoring Officer and Solicitor that because the motion was contrary to Officer advice the Authority's procedure on "cooling off" could apply, with the matter being returned to a future Committee meeting for a final decision, where a recorded vote would be taken. Officers did not disagree with this interpretation. The amendment was put to the vote and was carried.

DECISION: That Members were minded to approve the application with no commuted sum being required due to issues of fairness, the historical use of the property, personal circumstances of the applicants and planning gain regarding highway improvements.

As the decision was contrary to the officer recommendation and constituted a significant departure from the Local Development Plan it was subject to the Authority's 'cooling off' procedures and would be reconsidered at the next possible meeting of the Committee.

[Councillor S Hudson tendered his apologies and left the meeting during consideration of the following application]

- (d) REFERENCE: NP/15/0315/FUL
APPLICANT: Mr M Carey
PROPOSAL: Installation of 500kw anaerobic digester in connection with existing farming operation
LOCATION: Coedwynog, Felindre Farchog, Crymych

It was reported that this proposal was a full application for the installation of an Anaerobic Digester with a 500kw generating capacity which would be dug into the landscape. The input comprised 12,000 tonnes of slurry waste and 8000 tonnes of solid waste. The slurry was a natural by-product of the dairy herd (550 cows plus followers) while the solids would be derived from a mixture of silage waste, bedding and green crop from the existing farming enterprise.



The proposal to install a 500Kw anaerobic digester would reduce pollution and the smells associated with slurry spreading from the local area, while generating a significant amount of renewable energy, and in addition was a form of farm diversification. Officers considered the application to be in compliance with local and national policies for sustainable development and it was recommended for approval subject to conditions.

A Screening Opinion under the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 had been issued on 18 August to the effect that the Local Authority did not consider the application to be EIA development.

The nearest non-related dwelling to the site was a small traditional cottage, Rhydoferiad, which lay to the immediate east of the site boundary and from which several objections had been received. The dwelling was located approximately 278m from the CHP element of the plant on the western side of the site.

There was one speaker on this application, Mrs Davina McGuire, an objector. She explained that their objections were based on the size and scale of the installation and its proximity to their property, Rhydoferiad. While she understood the need to diversify and for renewable energy, she could not understand why a plant of such size was required as examples given in a review by the Royal Agricultural Society were comparatively smaller for the size of the farm. The consequence of a larger plant was a very large containment area and in this case 62m³ would need to be excavated which had the potential to interfere with the water supply as well as greater disruption during construction, especially if the excavated soil was to be taken off-site along narrow lanes. Her property would also suffer a loss of amenity once the plant was up and running through noise, dust, smell and an adverse visual impact. The property would also be close to a potentially hazardous operation, such being prohibited within 200m of a house, and she feared the methane flare would be obtrusive. Having spoken to the owners of other properties in similar situations elsewhere in the country she was expecting a massive loss of amenity.

Members recognised that this was probably the first of many Anaerobic Digester applications and some considered that it was probably the best way forward given the problems of river catchments being polluted by farm runoff. The application was therefore moved and seconded.

Some Members questioned the siting of the plant within the farm, but officers replied that this was considered to be the best solution, whereby it was located alongside existing buildings. The flare mentioned by the objector would be shielded. Members considered that the neighbours'



long distance views to Carningli would remain and it was hoped that the landscaping proposed on site would help to protect their amenity.

DECISION: That the application be approved subject to conditions relating to the timing of the development, accordance with plans, landscaping scheme, noise levels, surface water drainage, no import of slurry or waste products from off the land holding, tree protection, method statement for excavation works, pollution prevention management plan, security of private water supply for Rhydoferiad, and archaeological watching brief. A Natural Resources Wales Informative would also be included

[Councillor P Harries disclosed an interest in the following application and withdrew from the meeting while it was considered]

- (e) REFERENCE: NP/15/0390/FUL
APPLICANT: Mrs R Harries
PROPOSAL: Replace existing dilapidated shed with new wooden shed
LOCATION: Post Office, Long Street, Newport

The application was before the Committee for determination as the applicant was a Member of the Authority.

This application for a replacement garden shed/summerhouse only required consent because it was to be located within the garden of a pair of retail units with a residential unit above which did not benefit from Permitted Development Rights. The proposed development was considered to be appropriately sited, and of a scale, form and design which was in-keeping with the architectural character and visual appearance of the garden area and surrounding dwellings. The proposed work would have no adverse impact upon the amenity and privacy of neighbours, or on the special qualities of the National Park. Therefore, the proposal was considered to comply with policies of the Local Development Plan and could be supported subject to appropriate conditions.

DECISION: That the application be approved subject to conditions relating to timing of development and accordance with approved plans.



- (f) REFERENCE: NP/15/0401/FUL
APPLICANT: Mr A Majcher
PROPOSAL: Provision of 11 all-weather serviced caravan pitches, widening of 59 existing all-weather caravan pitches, refurbishment of existing reception building within existing footprint, demolition & replacement of upper toilet block in existing location, installation of portable water storage tank and booster pumps
LOCATION: Freshwater East Caravan Club Site, Freshwater East, Pembroke

It was reported that this application was brought before the Committee as the National Park Authority was the landowner of the site.

The application site fell outside of any Centre or Rural Centre and was therefore in the countryside for policy purposes. Full planning permission was sought for works within the existing caravan site to provide 11 all-weather serviced caravan pitches, to widen 59 all-weather caravan pitches, the refurbishment of the existing reception building, the installation of a portable water storage tank and booster pumps, and the demolition and replacement of the toilet block.

Following detailed consideration of the issues, and of the responses received from statutory consultees and the public, officers considered that the proposed development was appropriate to the setting, and would be in accordance with national and local planning policy. The recommendation was therefore of delegation.

It was reported at the meeting that the further information required by the Ecologist in relation to the potential presence of bats had been received since writing the report and Natural Resources Wales had no objection, provided appropriate conditions for mitigation were included.

One Member asked whether conditions would be imposed regarding the flood risk, given that the site fell partially within Flood Zone 2. The officer replied that as the development already existed an informative could be included, however she explained that the surfaces proposed were more permeable and therefore flooding should be less of an issue.

DECISION: That the application be delegated to the Chief Executive/Director of Planning/Head of Development Management to grant planning permission subject to no further objections being received to the proposed bat mitigation measures, and subject to conditions relating to time, accordance with plans, landscape and ecology.



- (g) REFERENCE: NP/15/0406/FUL
APPLICANT: Mrs M Hanlly
PROPOSAL: Realignment of hedgebank, surface water drainage & fencing
LOCATION: Carters Green Farm, Angle, Pembroke

This application sought partial retrospective approval for the construction of a Pembrokeshire hedge bank, stock proof fence and surface water drainage along the front boundary of Carters Green Farm as it adjoins the highway. The hedge bank was in two sections, to measure approximately 1.5m in width by 1.2m in height plus the addition of native hedge planting on top. The surface water drainage element consisted of a concrete apron and headwall which fed water into an existing gully under the road and discharged onto agricultural land on the far side of the highway.

It was reported that a hedge bank together with stock proof fencing had previously been approved as part of a wider planning approval in 2010 (NP/10/424). Despite no application being submitted work began on an amended scheme, which was being built within the visibility splay on the south side of the road and had resulted in a highway gully and lateral pipe being temporarily blocked. Following the involvement of the Authority's Planning Enforcement section and Pembrokeshire County Council Highway Department, the current application was submitted.

Officers considered that the current proposal complied with the relevant policies regarding visual amenity, surface water drainage and highway safety and therefore recommended it for approval subject to conditions. Angle Community Council had, however, objected to the scheme on highway safety grounds and claims that the plans were misleading and the proposal was therefore reported to the Committee.

Theresa Allen then spoke on behalf of Angle Community Council. She explained that they had not objected to the original scheme which they felt was an adequate compromise; however they considered the current proposals to be damaging to the landscape. The area had previously been open which had made that part of the narrow lane safer for traffic as visibility had not been compromised. The Community Council was concerned that the planting which formed part of the current application could cause maintenance issues if the bank became overgrown and visibility would be impeded on the bend for road users. They also claimed that the plans were misleading as the development was described as 'realignment' of the bank rather than referring to the fact they had been incorrectly installed, and the hedge and fence were described as original. They objected to the current proposals and insisted that the original consent be enforced.



The officer re-iterated that the Highway Authority had worked with the applicant and were happy with the proposals, and the recommendation was proposed and seconded by the Committee. The Head of Development Management asked that condition 2 be amended to require the development to be constructed in accordance with submitted plans.

DECISION: That the application be approved subject to conditions relating to timing of works, details of hedgebanks to be agreed and constructed in accordance with plans.

[Mrs G Hayward disclosed an interest in the following two applications and withdrew from the meeting while they were considered. Councillor RM Lewis took the Chair for this item.]

- (h) REFERENCE: NP/15/0417/FUL
APPLICANT: Mr Watkins
PROPOSAL: Cattle accommodation buildings, slurry lagoon, silage clamps & open yard area (part retrospective)
LOCATION: Trewern Farm, Felindre Farchog, Crymych
- (i) REFERENCE: NP/15/0418/FUL
APPLICANT: Mr Watkins
PROPOSAL: 0.5mw anaerobic digestion plant
LOCATION: Trewern Farm, Felindre Farchog, Crymych

It was reported that in light of the sensitive nature of the site of these applications, the range of issues that had been identified for the proposals and the level of public response received to the proposed development following consultation, it was recommended that the Committee undertake a site visit prior to the full consideration of the planning applications at a future meeting of the Development Management Committee.

DECISION: That Members undertake a site visit prior to full consideration of the applications at a future meeting of the Committee.

7. Appeals

The Head of Development Management reported on 3 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. He added that since writing the report an additional appeal had been lodged regarding an unauthorised gypsy site.

NOTED.



8. **Tree Preservation Order – TPO128: Parc-y-marriage, Newport Mountain**

It was reported that the Tree Preservation Order (TPO) consisted of three Larch trees which officers considered had an unusual low growing form which provided an interesting feature from the adjacent public right of way, while reducing their prominence in the wider landscape so that the group did not detract from the landscape of the Preselis. A TPO had therefore been implemented on 28th April 2015 and no objections had been received. It was recommended that the TPO be confirmed.

It was **RESOLVED** that TPO128, Parc-y-marriage, Newport Mountain be confirmed.

