

## DEVELOPMENT MANAGEMENT COMMITTEE

8<sup>th</sup> July 2015

Present: Mrs G Hayward (Chair)

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

*[Ms C Gwyther arrived during consideration of NP/15/0069 (Minute 6(b) refers)]*

[Llanion Park, Pembroke Dock 10.00am – 1.00pm]

### 1. Apologies

Apologies for absence were received from Councillor S Hudson and Mrs M Thomas. Ms Gwyther had indicated that she had another meeting and would be arriving late.

### 2. Disclosures of interest

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

<b>Application and Reference</b>	<b>Member(s)/Officer(s)</b>	<b>Action taken</b>
<i>Minute 6(b) below</i> NP/15/0069/FUL, Noddfa Farm, St Nicholas	Councillor D Rees	Withdrew from the meeting while the application was discussed
<i>Minute 6(d) below</i> NP/15/0086/FUL – Velindre, St Nicholas	Mr A Archer	Withdrew from the meeting while the application was discussed
<i>Minute 6(f) below</i> NP/15/0247/FUL – Bluestone Holiday Centre, Narberth	Councillor A Wilcox	Withdrew from the meeting while the application was discussed
<i>Minute 8 below</i> Enforcement Action Tresisillt, St Nicholas	Mr D Ellis	Withdrew from the meeting while the application was discussed



### 3. Minutes

The minutes of the meetings held on the 27 May 2015 and 17 June 2015 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on the 27 May 2015 and 17 June 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 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/15/0036 <i>Minute 6(a) refers</i>	Residential development comprising of four dwellings (with one affordable unit) – Land at Blockett Farm, Blockett Lane, Little Haven	Mr Andrew Vaughan-Harries, Agent
NP/15/0071 <i>Minute 6(c) refers</i>	Single detached house with detached garage – Plot 1 Blockett Lane, Little Haven	Mr Steve Sidford, Agent Mr Andrew Vaughan-Harries, Agent
NP/15/0086 <i>Minute 6(d) refers</i>	Cattle accommodation building and open yard area (retrospective) – Velindre, St Nicholas, Goodwick	Mr Daniel Harries, Applicant Cllr Owen James, County Councillor
NP/15/0245 <i>Minute 6(e) Refers</i>	Alterations & extensions to provide additional living accommodation to the existing single family dwelling – 21 Nun Street, St Davids	Mr Richard Hayward, Applicant



## 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 or in writing 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/15/0036/FUL  
APPLICANT: Mr & Mrs T Thomas  
PROPOSAL: Residential development comprising of four dwellings (with one affordable unit)  
LOCATION: Land at Blockett Farm, Blockett Lane, Little Haven

Members were reminded that this site had a long and complicated planning history. The current scheme proposed the erection of four dwellings on the land, one of which was proposed to be affordable. The scheme had recently been amended from its original submission, which had proposed five dwellings, due to matters of land ownership. An application relating to fifth dwelling on the site was considered separately under NP/15/0071 (*Minute 6(c) refers*). It was reported that the scheme was very similar in form and layout to that previously refused by the Authority and which had been subject to an appeal. In the appeal decision the Inspector found that the creation of a new access, design of the dwellings and layout were acceptable although dismissed the scheme on the grounds that no affordable housing was provided on site.

The application was reported to the Committee as the recommendation was contrary to the response received from the Havens Community Council which recommended refusal, expressing concerns about the access. A number of letters of objection had also been received and a



summary of the concerns was set out in the report. The site had also been advertised as a departure to the adopted Local Development Plan due to the site's location in the open countryside.

Having considered the proposal against all material planning considerations and the relevant national and local development plan policies and the appeal decision, the principle of the scheme proposed was now considered to be acceptable. The appeal decision set out that a new access, subject to landscaping, and general design of the properties was acceptable. Furthermore the scheme now brought forward proposals for a single affordable dwelling which overcame the lack of affordable housing in the former proposals.

Subject to the applicant first entering into a section 106 agreement(s) to provide for an affordable housing unit on site, and the provision of a planning obligation to provide funding towards the creation of passing bays in the vicinity of the site as well as other planning conditions to control the nature and form of the development, the scheme was considered to be acceptable and complied with the principles and requirements of the policies of the Local Development Plan. It was therefore recommended that it be delegated to officers to grant planning permission subject to the above.

Mr Andrew Vaughan-Harries, the agent, then addressed the Committee. He referred to the extensive history of the site since 2001 when it had been earmarked for re-development as a brownfield site. The scheme for the site had been discussed at length and negotiations had taken place to resolve matters. With regard to the concerns of the Community Council, he noted that the proposed access had been discussed at length with the Inspector at the appeal hearing and in his decision he had expressed satisfaction with the scheme in the majority. Mr Vaughan-Harries also pointed out gains that would be had in delivering the scheme in that the development would be on a brownfield site which was an eyesore within the National Park, and provided an affordable dwelling, extensive landscaping scheme and an alternative access with which the Highway Authority were happy. In addition his client was providing £6,000 for a passing bay on the lane to ease congestion. He was grateful for the officer's recommendation of approval, and he hoped that this would be endorsed by the Committee.

Members were pleased to see officers and applicants working together to come to what they considered was a wise solution for the site. They were also happy with the design of the dwellings which they felt were more in keeping than others in the area. In response to a question regarding contributions towards play equipment, the Director of Park Direction and Planning explained that contributions were asked towards the provision of



public open space in areas where additional public open space was needed to provide for the new residents. However this had not been the case in this instance. Contributions could be sought for the provision of new equipment where appropriate but was not normally expected to pay for general maintenance.

**DECISION:** That the application be delegated to the Chief Executive (National Park Officer)/Director of Park Direction and Planning/Head of Development Management to grant planning permission subject to the interested person(s) first entering into a satisfactory agreement under section 106 of the Town and Country Planning Act 1990 containing planning obligations to procure that one dwelling was built and thereafter maintained as an affordable housing unit in perpetuity; and to pay a contribution for highway works and improvement to provide for new passing bays. The application would also be subject to conditions relating to timing, accordance with plans, submission of a construction method statement, approval of ground levels, revised scheme of landscaping, access, parking and turning, agreement of boundary treatments, samples of proposed building materials, sustainable drainage system, contamination, storage of cycles, surface water drainage, undergrounding of cables and removal of permitted development rights.

*[Cllr D Rees disclosed an interest in the following application and withdrew from the meeting while it was considered. Ms C Gwyther arrived during consideration of the following item and abstained from voting.]*

- (b) REFERENCE: NP/15/0069/FUL  
APPLICANT: Mr & Mrs N & M Macalast  
PROPOSAL: Retrospective application for camping/touring caravan site plus ancillary facilities and change of use part of Noddfa Farmhouse for visitor toilets and shower facility  
LOCATION: Noddfa Farm, Llanrhian

Planning permission was sought in retrospect for the use of the land adjacent to the dwelling 'Noddfa' as a campsite, together with the provision of ancillary facilities comprising an external fridge and wash area, and washrooms within the existing dwelling itself.

Members were reminded that at the previous meeting of the Committee they were minded to approve this application against the officer's recommendation. The Director of Park Direction and Planning invoked the 'cooling off' period to enable Members to reconsider the matter at the next meeting of the Committee.



The officer's report at the previous meeting had stated that the proposal had been considered against the policies of the Local Development Plan, and while the applicant had put forward strong reasons for the retention of the campsite in this particular instance, the main policy – 38 – Camping, Touring Caravans, Statics and Chalet Sites made clear that no new camping sites would be supported. As a result, the material considerations put forward by the applicant did not outweigh the very clear policy position regarding such developments. As such, the application could not be supported by officers, and the recommendation was for refusal of the application.

Since consideration of the application at the May Committee, officers had met with the applicant in order to discuss their personal circumstances. While this issue had not formed part of the original planning permission, it had been raised verbally when the applicant addressed the Committee. In the ensuing discussion, Members indicated that they considered that in this case the circumstances referred to could be material to the consideration of the application.

The applicant had now provided an additional statement which had been considered in conjunction with the supporting information provided in the original planning submission. Officers were now satisfied that a case for a personal permission could be made in this particular instance. The circumstances – which related to the long term health prognosis of one of the applicants – supported the requirement for the applicants to work from their home as a necessity, and given the seasonal nature of the business, a personal permission for a seasonal period would be appropriate in this case and would be consistent with the exception recognised by national planning policy. The revised recommendation was therefore one of approval subject to conditions.

The recommendation of approval was moved and seconded, however as the application had been subject to the Authority's 'cooling off' procedure a recorded vote was taken as follows:

For: Mr A Archer, Mr D Ellis, Councillor ML Evans, Councillor P Harries, Mrs G Hayward, Councillor M James, Councillor L Jenkins, Councillor R Kilmister, Councillor RM Lewis, Councillor P Morgan, Councillor R Owens, Mr T Sangster, Councillor T Wilcox and Councillor M Williams.

Against: None

Abstention: Ms C Gwyther.

**DECISION: That the application be approved subject to conditions regarding occupancy as a campsite for no more than 28 days in one**



**continuous stay and in one calendar year and visibility splays. The camping site was only to be carried on by Mr and Mrs Malacast jointly in connection with the occupancy of Noddfa Farm Llanrhian.**

- (c) REFERENCE: NP/15/0071/FUL  
APPLICANT: Mr M Chapman  
PROPOSAL: Single detached house with detached garage  
LOCATION: Plot 1, Blockett Lane, Little Haven

The application proposed the erection of a single dwelling on the land served by an existing access. The dwelling proposed was two storey and of a modern design approach set in a steel frame structure which curved across the site. The plot originally formed part of a larger site, the remainder of which had been approved by the Committee earlier in the meeting (Minute 6(a) refers).

The application had been reported to the Development Management Committee as the recommendation to refuse the application was contrary to the response received from the Havens Community Council which recommended support. Furthermore the application was a departure from policy contained within the Local Development Plan due to the site's location in the open countryside.

Whilst it was considered that the principle of developing the site for housing was acceptable having regard to its complex planning history, the application raised concerns in relation to the design of the proposed development, impact upon the amenity of future occupiers of other development plots and highway safety. Also despite the applicant having completed a Unilateral Undertaking to commit to a payment of £80,700 based upon the total floor area of the dwelling, officers advised that given the individual piecemeal basis of the application and not taking into account the fact that the proposal was part of a larger site for development control purposes, the scheme failed to provide on-site affordable housing for the development site. These were not considered to be concerns that could be overcome by planning condition and as such the application was contrary to the policies contained within the Local Development Plan and was recommended for refusal.

The first of two speakers on this application was Mr Steve Sidford, the Agent. He asked Members to defer the application in order that the applicant could reconsider it in the light of the application approved earlier in the meeting, as he felt its design differed considerably to that submitted originally. He explained that he had tried to speak to the officer on a number of occasions in order to discuss his concerns, but it had not proved possible. He believed that the scale and design were in proportion to other properties, however officers concerns could be addressed. With



regard to affordable housing, Mr Sidford stated that a Unilateral Undertaking had been submitted as requested, however the report stated that this was no longer acceptable and he did not understand why his client had to provide an additional affordable unit to that approved on the wider site.

Responding to Mr Sidford's presentation, the Head of Development Management advised that he believed that the proposal needed a radical redesign and deferral would therefore not be appropriate. With regard to affordable housing, he pointed out that account had to be taken of the wider policy and he read from footnote 145 of the Local Development Plan which stated that where a planning application was received for a site below the affordable housing threshold (2 units) but which was part of a larger site which was above the threshold, then the Authority would expect affordable housing to be provided on-site to ensure that sites were not broken up into smaller portions in order to avoid the requirement for affordable housing.

The second speaker, Mr Andrew Vaughan-Harries, then addressed the Committee on behalf of his clients at the adjoining site. He acknowledged that the principle of development on this site was acceptable, however he asked the Committee to think carefully about the design. He agreed that it was possible to have good modern design, however he had reservations about the proposed style, scale and form in this location. With regard to the proposed access, he pointed out that an access to the site had now been approved which was to Pembrokeshire County Council adoption standards, and there was therefore no need to revert to the old track. Mr Vaughan-Harries therefore objected to the application and hoped that something more appropriate for the site would be put forward.

Members accepted the principle of development of the site and also agreed that there were issues regarding the scale, design and mass of the proposed dwelling which could not be dealt with through deferral of the application. The recommendation of refusal was therefore moved and seconded. One Member expressed concern regarding the unacceptability of a commuted sum payment of £80,700 in respect of affordable housing. Officers replied that land was finite and reminded Members of the history of the site when previously four individual applications had been submitted in order to try to avoid providing affordable housing on the site.

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

- 1. By reason of its design, mass, appearance and relationship to the surrounding environment of the National Park, the proposed dwelling would represent a significant visual intrusion that would be insensitively and unsympathetically sited within the landscape, fail**





to harmonise with or enhance the landform and landscape character of the National Park. The proposal is therefore contrary to the requirements of Policy 8 (Special Qualities) (Criteria 'a', 'b' and 'c') and Policy 15 (Conservation of the Pembrokeshire Coast National Park) (Criteria 'a', 'b' and 'd') of the Pembrokeshire Coast National Park Local Development Plan (Adopted September 2010).

2. By reason of its design and positioning including the provision of a raised first floor balcony area close to the south facing boundary and high level of glazing throughout the property the scheme has the potential to impact to an unacceptable degree on the amenity of occupiers of future development proposals at plot 3 to the immediate south and plot 4 to the immediate north of the development. The proposal is therefore contrary to the requirements of Policy 30 (Amenity) (Criteria 'b', 'd') of the Pembrokeshire Coast National Park Local Development Plan (Adopted September 2010).
3. The proposed access conflicts with the ability to create a safe and acceptable access and estate road to serve the dwelling in a safe manner and insufficient visibility splays are provided to serve the access. The proposal therefore creates an unacceptable impact on road safety which runs contrary to the requirements of Policy 53 criterion 'c' of the Pembrokeshire Coast National Park Local Development Plan (Adopted September 2010).
4. The proposed development fails to provide on-site affordable housing in accordance with the requirements of Policy 45, Footnote 145 and Supplementary Planning Guidance 'Affordable Housing'. The application site should be treated as a part of a larger single site of development for the purposes of applying the LDP's affordable housing policy as specified in footnote 145 of the LDP and in reference to paragraphs 40 to 43 of the appeal decision at the site on 21 October 2014 (PINS Ref: APP/L9503/A/14/2218961, APP/L9503/A/14/2218986, APP/L9503/A/14/2218993, APP/L9503/A/14/2219007).

*[Mr A Archer disclosed an interest in the following item and withdrew from the meeting while it was being discussed.]*



- (d) REFERENCE: NP/15/0086/FUL  
APPLICANT: Mr D Harries  
PROPOSAL: Cattle accommodation building and open yard area  
(retrospective)  
LOCATION: Velindre, St Nicholas, Goodwick

The application was reported to the Development Management Committee as it was a Major Development application. The application was retrospective and proposed the retention of a cattle accommodation building with associated external yard. The development formed part of a farm expansion plan for its milking operation to increase from 540 up to 860 milking cows.

Members were reminded that the application had been made following refusal of a scheme proposing a slurry lagoon together with the cattle accommodation building (NP/14/0311) in January of this year. The proposed slurry lagoon had been omitted from this revised scheme and planning permission had been granted for an alternative slurry lagoon proposal on land within Pembrokeshire County Council's jurisdiction in May 2015.

Following careful consideration of the merits of this application, it could be determined that the development represented an appropriate form of agricultural development in this location. The development by reason of its siting, form, design and screening mitigation would preserve and not harm the special qualities of the National Park and would 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.

While the building expanded the existing block of farm buildings, this would not result in the loss of a sense of remoteness and tranquillity or result in adverse harm that would affect the qualities of the National Park. The information received concluded that there was sufficient land on which to spread slurry in line with agricultural good practice, there would be fewer traffic movements and slurry storage requirements would be suitably managed through the grant of planning permission for a slurry lagoon. The proposal also offered the economic benefit of one additional full-time role for the farm. Officers therefore concluded that, on balance, the development complied with the requirements of policies of the Authority's Local Development Plan and National Policy and was recommended for approval subject to conditions.

At the meeting, the Head of Development Management reported that since writing the report a considerable number of late comments by email and in letters had been received from third parties objecting to the



application, some of which had been received by Members directly. The letters had been reproduced in an addendum report which was circulated at the meeting, together with officers' response to those comments. The meeting was adjourned for 10 minutes to allow Members to read the report.

The first of two speakers on the application was the applicant, Mr Daniel Harries. He showed some photographs of the scheme for Members' information. He explained that income for dairy farms had fallen and there was therefore pressure for them to grow in order to remain viable. Much work had been undertaken at Velindre to improve facilities in order to comply with animal welfare standards and the location of the building had been carefully chosen to have minimum impact on the surrounding area. He pointed out that the buildings at the site had been approved by the National Park Authority, the largest of these in 2013 when the report to the Committee had said that although the structures were large they would not affect the National Park. The building the subject of the current application could not be seen from anywhere.

Mr Harries acknowledge that many people had been angered that the building had been erected prior to approval being given, however the original application had been submitted in April 2014 and the additional space was needed for home bred stock in order to satisfy animal welfare regulations. The actions had not been taken in arrogance, but out of desperation.

Mr Harries also referred to the fact that unfortunately the farm had polluted for the first time. He explained that an old clay pipe had collapsed underground, however this could have happened twenty years ago. Natural Resources Wales had said that no species had been damaged and the situation had now been remedied. He disputed claims that his was a mega dairy with 1500 cows. It was a family run farm. He stated that he, and other smaller neighbouring farms were being harassed by a small group of people using bullying behaviour. The application was for a normal sized building on a normal sized farm. He pointed out that the farm had won awards and wanted to do things properly. He wished to work with his neighbours, some of whom had pointed out that there were now far fewer farms in the area, and therefore less heavy traffic, than in the 1970s. He therefore asked the Committee to vote in favour of the recommendation of approval.

The second speaker was Councillor Owen James, who was speaking as the local County Councillor for the area, reflecting the representations he had received from his constituents. He stated that this was not about whether people were for or against dairy farms, but that the National Park was an award winning asset which needed protection. He stated that



some individuals who were born and lived in the National Park could take it for granted, forgetting that we are its guardians. Councillor James wished to focus on three points out of the many that had been made to him. First that the applicant had a history of retrospective planning applications which gave the message that planning was not necessary. Such behaviour, if condoned, called into credibility the National Park Authority. Secondly he pointed out that no pre-application advice had been sought in this case which was disappointing as the service was free and could have reduced the time taken to determine the application. Finally he wished to raise the issue of light pollution which would make the buildings more intrusive due to excessive artificial light. The Authority's policy on dark skies would therefore be challenged. He concluded by stating that what mattered was not what the applicant said, but what he did, and that controls had to be adequate to protect the National Park.

In considering the application, Members found it regrettable that the building had already been erected and the application submitted in retrospect. The issue of whether the building had Building Regulations approval was also raised but the Solicitor advised that this was not relevant to the application before the Committee as any breaches of control would be dealt with by the Building Regulation Authority.

Several Members referred to the site visit undertaken as part of their consideration of the previous application, some making it clear that their concerns at that time related to both the slurry lagoon and the cattle accommodation building, the size and mass of which they still considered to be detrimental to the National Park. The Committee had been taken to an elevated piece of road from which the sheds were clearly visible and intrusive in the open countryside. Concern was expressed at what some saw as a change of officers' views regarding the building and they disagreed that it would have no impact on the special qualities of the National Park, stating that its impact on the landscape would be unacceptable. The point was also made that since consideration of the original application, the Authority had received a report on dark skies and there was great concern at the impact of light pollution from the clear sheets which formed part of the roof of the building, and it was suggested that they should be fitted with shutters.

Other Members were happy with the building and talked about the need to support the dairy industry in Pembrokeshire which they believed was under pressure to reduce costs and increase scale. At this point the recommendation for approval was moved and seconded.

Some Members felt that the necessary industrialisation of farming was regrettable, and would have an effect on the National Park, however with



regard to light pollution that which existed particularly around the Milford Haven was far in excess of anything that would be emitted from the shed.

A number of Members referred to the conditions that would be imposed if the application was successful, particularly those regarding traffic management, lighting and non-occupation of the building until the slurry lagoon was operational. The importance of ensuring compliance with the conditions was emphasised. With regard to traffic management, the officer clarified that there was an error on page 6 of the supplemental report which should have said 'an overall decrease in the number of tractors/trailers' and confirmed that a traffic management plan and details of passing places were required by the Highway Authority to be submitted within 3 months.

Although officers were happy with details which had been provided of the lighting within the building, given Members' concerns regarding light spillage, they recommended that condition 7 be amended to read that a new scheme of lighting was to be agreed with the Authority and retained in accordance with that scheme thereafter. Members were satisfied that this would allow officers to address any problems which arose.

Finally with regard to condition 2 – occupation of the building, it was suggested that a time limit of three months be imposed within which the slurry lagoon should be provided as the applicant had intimated that the building was already in use, and therefore contrary to the condition as drafted. The Members who had proposed and seconded the recommendation were happy to amend their resolution accordingly..

Prior to a vote being taken Councillors M Williams, R Owens, L Jenkins, R Kilmister and Ms C Gwyther rose in their places to request the vote be recorded, in accordance with paragraph 12.5 of the Authority's Standing Orders. As the request was made by five members a recorded vote was therefore taken on the motion that the application be approved subject to conditions set out in the report and amended at the meeting, with the following result:

For: Councillor ML Evans, Councillor P Harries, Councillor M James, Councillor RM Lewis, Councillor P Morgan, Councillor R Owens, Councillor D Rees, Mr T Sangster and Councillor T Wilcox.

Against: Mr D Ellis, Ms C Gwyther, Councillor L Jenkins, Councillor R Kilmister and Councillor M Williams.

Abstention: Mrs G Hayward

**DECISION: That the application be approved subject to conditions**



**relating to accordance with plans, slurry lagoon to be operational within 3 months, a traffic management plan and details of minor road widening be approved, landscaping scheme, planting, scheme of lighting, slurry spreading and water pollution management and removal of permitted development rights.**

- (e) REFERENCE: NP/15/0245/FUL  
APPLICANT: Mr & Mrs R Hayward  
PROPOSAL: Alterations & extensions to provide additional living accommodation to the existing single family dwelling  
LOCATION: 21 Nun Street, St Davids

The Chairman welcomed Kate Attrill, the Authority's new Senior Planning Officer, to her first meeting of the Development Management Committee.

The officer reported that planning permission was sought for alterations and extensions to the above mentioned property which was located within St Davids Conservation Area. The proposed works would provide additional living accommodation, through re-building the existing garage wing on the northern part of the building, which would include a basement room and additional balconies, with a link created between the upper floor balcony, and the existing balcony. The previously consented extensions to the south would be redesigned, and the roof of the existing building would be upgraded with the introduction of new insulation and a natural slate finish.

The application was reported to the Committee as the officer recommendation was contrary to the view of St Davids City Council which was in support. Letters of objection had been received from the occupiers of the neighbouring properties who had raised concerns about potential overlooking from the proposed first floor garden terrace. Concerns were also raised in relation to the design of the garage wing and the use of timber cladding which would be out of keeping within an area where most of the buildings were of stone or brick.

Whilst officers considered that aspects of the proposal were acceptable, the reconfiguration of the garage wing was not considered to be an acceptable form of design, with the proposed first floor garden terrace and balconies adversely affecting the privacy and amenity of the adjoining neighbouring properties due to overlooking. The development was therefore contrary to policies of the adopted Local Development Plan and was recommended for refusal.

There was one speaker on this application, Mr Richard Hayward, the applicant. Before he began he asked to correct some errors in the report – in the planning history for the site, he was unaware of an approval for



an extension in April 2015 however he was in possession of an approval for a conservatory/potting shed (NP/03/157) which was marked as cancelled. He also noted that the advice given in the pre-application had been considered but the existing design was felt to be more attractive and asserted that neighbours had previously intimated support but one of them had now died and other family members had objected. He also disagreed that frequent gatherings using the existing balcony had been held as to date he had hardly been in residence.

Mr Hayward went on to explain that he was of Welsh descent and had frequently holidayed in the area as a child. Returning many years later, he realised it was somewhere he wanted to live and work and set on a long term plan to return. The property had been purchased in 2008 when it was in a dismal state and since then he had considered how to redevelop it, aiming to make it less of an eyesore. He said he was aware of antagonism towards the previous owner who had built the dwelling in the 1980s however he was grateful for the support of the City Council.

Under the current proposals Mr Hayward explained that the height and footprint remained largely unchanged with the alterations affecting internal access and outward appearance. He wanted to remodel the house to make a level access and reduce the width of the upper floor as well as creating a flat roof. He understood that the balcony was causing concern, however it had been suggested by his architect that a walkway would break up the building and provide some continuity by drawing the eye around the building; it had never been intended to use it for social reasons. He said he was happy to make modifications in order to progress the application. He concluded that he would move into the building on a permanent basis in August and hoped he would be able to live in peace with his neighbours.

While acknowledging that the existing building was not particularly attractive, Members agreed that the proposals did not really improve the look of the dwelling and were not acceptable within a Conservation Area. The officer clarified that she would be looking for a new design, rather than modification of the existing design, and confirmed that if refused the applicant would have a 'free go' in submission of a new application.

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

- 1. The reconfiguration of the existing garage wing, by reason of its design with large flat roof terraces creating an undesirable stepped form, and curved edges results in an unacceptable form of development, which is at variance with the existing character and appearance of the dwelling. In addition, the proposal to extend the balcony/terrace along the entire rear elevation of the dwelling with a**



continued glass balustrade, along with a lower ground balcony is considered to be excessive and will overly dominate the visual appearance of the existing dwelling. Therefore, the proposal is considered to be contrary to policies 15 'a' and 'b' and 29 'a' of the Pembrokeshire Coast National Park Local Development Plan (Adopted September 2010).

2. The proposed upper floor garden terrace on the existing garage wing by reason of its form, siting and scale would result in the direct overlooking and the perceived feeling of being overlooked to the adjoining neighbouring properties to the south, to such a magnitude that would considerably impact upon the amenity enjoyed by the occupiers within their rear garden area. In addition, the proposed garden terrace, by reason of its size, would allow the external space to be used regularly as a recreational area. As a result, it is considered that this type of activity, on an elevated level, would seriously compromise the residential amenity of the surrounding dwellings in terms of potential overlooking and disturbance. Therefore, the visual intrusion from the proposed development is considered to be contrary to policy 30'd' of the Pembrokeshire Coast National Park Local Development Plan (Adopted September 2010).

*[Councillor A Wilcox disclosed an interest in the following application and withdrew from the room while it was being considered]*

- (f) REFERENCE: NP/15/0247/FUL  
APPLICANT: Bluestone Resorts Ltd  
PROPOSAL: Retrospective planning application for outdoor restaurant, highwire/zip course with platforms, boardwalk, cabin building, lighting and timber storage shed. Proposed development to include improved toilet facilities with ramp and sewerage system, including screens  
LOCATION: Bluestone Holiday Centre, The Grange, Canaston Bridge, Narberth

This application was reported to the Committee as it represented a major development with the total site area being 7.6ha. The application had been submitted following an enforcement investigation carried out into unauthorised works at Bluestone holiday resort. The works comprised of an outdoor restaurant, highwire/zip course with platforms, boardwalk, cabin building, lighting and timber storage shed. An application submitted in October 2014 proposed changes to provide new toilet facilities with ramp and a sewerage system at the site. This revised application





included both the retrospective elements and proposed changes as part of the development.

Following consideration of its merits, officers had concluded that the principle of development of further visitor attractions at Bluestone was acceptable and the development itself had a negligible impact upon the special qualities of the National Park given its discrete siting within a wooded valley. Subject to suitable conditions, the development was considered to comply with the policy requirements of the Local Development Plan and was recommended for approval.

Members expressed disappointment that a company such as Bluestone had not realised they required planning permission for this development, even if it had been developed as a trial and expressed concern about the credibility of the National Park Authority. However they acknowledged that they had to consider the application before them.

Looking at the conditions to be imposed if the application were approved, there was some discussion regarding use of the facilities only by guests staying at Bluestone or using the on-site facilities, with some Members believing this was too restrictive. Officers replied that the application would be tied into the existing S106 Agreement and any variation would require re-negotiation of this. It was also pointed out that the existing terms allowed for use of the facilities by corporate groups.

**DECISION: That the application be approved subject to conditions relating to accordance with plans, restaurant to be for use by Bluestone National Park Resort guests only, use of facilities to be restricted to guests or those using other on-site facilities in accordance with the Section 106 Agreement, landscaping, planting, ecological mitigation measures, hours of use, sustainable drainage scheme and agreement of details of proposed waste management facilities.**

## 7. Appeals

The Head of Development Management reported on 4 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 for replacement of existing two storey side extension with a new two storey subservient contemporary/legible modern lightweight extension and new single storey replacement structure to rear at Ysgarwen, Cilgwyn, Newport (dismissed) and for UPVC white cladding on south facing pine end of chalet at 46 Folkstone Hill Chalets, Nolton Haven (allowed) were attached to the report.



## **NOTED.**

*[Mr D Ellis disclosed an interest in the following application and withdrew from the room while it was considered]*

### **8. Enforcement Action: Erection of stable buildings, Tresissilt, St Nicholas, Goodwick**

It was reported that a complaint had been received by the Authority in February 2013 alleging a breach of planning control involving the construction of stables at the above property. Initial investigations by officers showed that preparatory ground works had been carried out and despite communication advising that planning permission was required for the proposed development, works recommenced on site without the benefit of planning permission.

A Planning Contravention Notice had been issued on 23<sup>rd</sup> May 2013 regarding the alleged breach of planning control. This was to be completed by the recipient and returned to the Authority within 21 days, however despite numerous reminders the notice had not been returned.

The Authority had continue to seek a voluntary resolution to remedy this breach of planning control, however no attempt had been made by the person responsible to remedy the breach. As a result, and in view of the issues identified in the unauthorised development it was considered expedient to pursue action through the service of an Enforcement Notice to secure removal of the unauthorised stables from the land within three months. The notice was issued on 8<sup>th</sup> January 2015 and took effect on 10<sup>th</sup> February 2015.

It was reported that the Enforcement Notice had still not been complied with. Officers had written advising that the matter would be reported to the Committee with a view to seeking authority to commence prosecution proceedings as a result of the non-compliance with the Enforcement Notice and asked if there were any representations that the landowner wished to put before Members. It was reported at the meeting that an email had been received from the land owner at Tresissilt but this was considered to be too late to be taken into account as it had been submitted after the deadline for comments given by officers.

Officers considered that the design, materials and form of the stables in this location were very much at odds with the typical and well conserved vernacular character of the former farm buildings and the more formal farmhouse. The scale of the stables was such that they visually competed with the house when viewed from the public road/footpath, overall, they were intrusive within a well-preserved group of buildings and



did not preserve the qualities and special character of the National Park. As such the development failed to comply within the aims of the Local Development Plan in that the development was insensitively and unsympathetically sited within the landscape. The enforcement of planning control was in the wider public interest by preventing inappropriate and harmful development and to allow unauthorised development to remain on the land undermined the Authority's ability to take action against similar inappropriate development in the countryside within the National Park.

Whilst officers acknowledged that the landowner had experienced difficult personal circumstances, the situation had been ongoing for two years and authorisation to instruct solicitors to commence prosecution proceedings in the Magistrates Court was sought.

Members asked whether submission of an application or removal of the buildings would influence the Authority's decision to prosecute, and officers replied that it would not be expedient to prosecute if the buildings were removed. Submission of an application for an alternative scheme could be acceptable, however by its nature the enforcement notice stated that the existing buildings were unacceptable in their current location.

It was **RESOLVED** that the Chief Executive/Director of Park Direction and Planning/Head of Development Management be authorised to instruct solicitors with a view to commencing prosecution proceedings in the Magistrates Court for:

- a) Failing to comply with the requirements of the Enforcement Notice dated 8<sup>th</sup> January 2015, and also
- b) Failing to comply with the requirements of a Planning Contravention Notice dated 23<sup>rd</sup> May 2013.

