

DEVELOPMENT MANAGEMENT COMMITTEE

4th March 2015

Present: Mrs G Hayward (Chair)

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

[Ms C Gwyther arrived during consideration of item 5(b) NP/14/0637]

[Llanion Park, Pembroke Dock 10.00am – 11.05am]

1. Apologies

An apology for absence had been received from Councillor L Jenkins.

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>Minutes 5(d)below</i> NP/15/0014/FUL - Brynhenllan Farm, Dinas Cross	Councillor P Harries	Withdrew from the meeting while the application was discussed

3. Minutes

The minutes of the meetings held on the 21st January 2015 and 2nd February 2015 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meetings held on the 21st January 2015 and 2nd February 2015 be confirmed and signed.

NOTED.

4. 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

5. 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/14/0532
APPLICANT: Mr J Owen
PROPOSAL: New build 4 bedroom 1.5 storey dwelling
LOCATION: Plot between Cartref & Fernlea, Nolton Haven

It was reported that this was a full application for a one and half storey detached four bedroom dwelling, which included a rear one and half storey wing. The site was currently a gap in a line of bungalows that ran along the northern side of the highway and the proposed dwelling would be located approximately in the centre of the plot with parking and turning space to the eastern side of the property and a further two parking spaces incorporated within the front grassed garden area bounded by a new Pembrokeshire hedgebank.

Members were reminded that at the previous meeting of the Committee in January, they had been minded to approve this application subject to conditions and it had therefore been subject to a "cooling off" period as such a decision would be contrary to policy.

Officers had carefully considered the proposal against all material considerations and the relevant national and local development plan policies. The proposed scheme was considered to have a scale, mass, form and detailed design which was considered to be acceptable. The proposal would provide adequate parking for the new dwelling, and 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.

The original application had been considered not to be accessible in accordance with Policy 7 of the LDP, however there were occasions when



a travel plan which demonstrated that the development and its occupiers would not be dependent on a private motor vehicle but could use more sustainable forms of transport could be weighed in the balance. Reference was made to a recent appeal decision for a similar application within the National Park where the Planning Inspector had dismissed the appeal; as in this case, the only issue was whether the development would be sustainable in terms of its location.

Since the discussion at the previous Development Management Committee, the applicant had been able to confirm that he would be willing to locate an electric car hook up point within the development and that the dwelling itself would be to comparable sustainable code level 3. The applicant had provided an updated travel plan and also went into some detail when addressing the Committee previously as to how he could reduce the need for personal car travel.

On the basis that this recent information would improve the sustainability of the proposal: that the applicant would live and work in the locality (but note this dwelling would not be tied as such) and that there was a financial contribution provided for affordable housing in the locality through a legal unilateral undertaking, the planning balance had been reconsidered and the officer recommendation was now one of conditional approval.

Members were pleased that officers had been able to work with the applicant to bring forward additional details regarding sustainability and the recommendation of conditional approval was proposed and seconded. In response to questions from the Committee, officers confirmed that finished floor levels and spot levels were shown on the plans and that the conditions attached to the planning permission meant that there was no need for this element to be included in the unilateral undertaking.

DECISION: That the application be approved subject to unilateral undertaking regarding affordable housing contribution and planning conditions relating to timing of development, accordance with approved plans, land instability requirements, lighting, tree protection, landscaping, highways, sewerage and car charging point.



- (b) REFERENCE: NP/14/0637
APPLICANT: Mr W Staniland
PROPOSAL: Diversification of Brumwells Garden Machinery with the provision of 12 sustainable 'wigwam' lodges with car parking on adjacent land. Link the existing dwelling of Badgers Holt as a live-work dwelling for the two businesses
LOCATION: Brumwell Garden Machinery, Badgers Holt, Jameston

This application sought permission for the change of use of the garden area of the property Badgers Holt to a "glamping" holiday site comprising twelve 'wigwams' and associated road access, car parking spaces, cycle store and foul water discharge and the linking of the existing dwelling as a live/work unit to the "glamping" site and existing garden machinery business.

Officers considered that the principle of the proposal did not comply with adopted local plan policies in relation to the provision of new camping, caravanning and static sites within the open countryside. Furthermore, the proposal would represent an unacceptable intrusion into the countryside, which would be out of character with and detrimental to the special qualities of the National Park. While the applicant's agent had stated that he considered that there were material considerations that overrode the adopted policies in this case, it was not considered that these considerations were compelling to justify a departure to the development plan. As such the application was not considered to be acceptable and was recommended for refusal.

This application had been considered by the Committee at its meeting in January when it was resolved to undertake a site visit. This took place on 2nd February and a report of that Inspection had been presented to the Committee (*minute 3 refers*). At the site visit Members asked that additional background information be provided, and this was set out in the report before them.

At the meeting it was reported that Members had received letters from the applicant and also from Pembrokeshire Tourism in recent weeks. A further clarification letter from Pembrokeshire Tourism had been received the previous day and this was circulated to the Committee; Members were given a few minutes to read this prior to the debate.

Members stated that they were grateful for the opportunity to visit the site, and having done so some Members wished to support the application. They considered the site fell within the curtilage of the dwelling and could not therefore be considered to be in the open countryside. Approval of the application would support the existing business as well as other local



facilities such as the shop, post office and public house that could be found in the community, particularly outside of the summer season. They considered the 'wigwam' lodges to be something different which would appeal to families who would not stay in a large caravan site containing row upon row of caravans. Members saw this as a modest development which would improve the quality and range of tourist accommodation available in line with the destination management plan. In addition, the site was well screened and not highly visible and there were no objections from the public or the Community Council. A motion for approval was therefore moved and seconded.

Other Members, however, said that the Authority's policy was very clear and the development would be contrary to that policy. They felt that the County had reached saturation point in respect of camping and caravan sites and that allowing more sites would risk destroying the very thing people came for. The National Park was very narrow at this point and it should be protected. One Member cautioned that the application could be called in by Welsh Government, although other Members called this scaremongering. Mr Huw Williams, the Solicitor, clarified that the call in procedure still existed, but that it was exercised sparingly by Welsh Government. Another Member made the point that the Authority's policies allowed for diversification and improvement of existing facilities and sites in certain circumstances which should allow that sector of the economy to flourish.

Officers then confirmed that if members were minded to approve then the application would be subject to the Authority's 'cooling off period' and the Chairman read out the relevant parts of the Authority's policy. The Solicitor confirmed that prior to voting on a motion to approve the application, valid planning reasons had to be given by those who supported the motion. These were summarised by one Member as: this was considered to be an application within the curtilage of a property which would sustain and increase employment, support the social and economic wellbeing of the community and would not harm the special qualities of the National Park. Officers confirmed that these were valid planning grounds that were material considerations in this case. The vote was then taken and the motion that Members were minded to approve the application was carried.

DECISION: That Members were minded to approve the application as this was considered to be an application within the curtilage of a property which would support the social and economic wellbeing of the community and would not harm the special qualities of the National Park. However as the decision was contrary to the officer recommendation and was a significant departure to the adopted 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.

- (c) REFERENCE: NP/14/0648
APPLICANT: Mr J Lawrence
PROPOSAL: Dairy building (including milking parlour, collecting yard and handling facilities, associated earthworks (retrospective)
LOCATION: East Lake, Amroth

This application was reported to the Committee as it was a major application due to the total new floor space created which exceeded 1000 square metres.

It was reported that East Lake farm was a well-established dairy unit extending to approximately 400ha of which 180ha was owned and the remainder farmed on various tenancy agreements. The main unit based at East Lake Farm had a herd of 300 dairy cows and the applicant also farmed Trelessy Farm under a 15 year farm business tenancy. Trelessy Farm also had a dairy herd of approximately 300 cows and these two farms were broadly run as two separate units. However forage production, slurry spreading and various other operations were carried out across the whole of the holding. Planning approval was sought for a new dairy building at East Lake Farm to include milking parlour, collecting yard and handling facilities. The application also sought retrospective approval for associated earthworks to create the space for the proposed building.

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

While supporting the application, Members raised concerns regarding landscaping, lighting and also the storage of slurry and its impact on the "blue flag" beach at Amroth as queried by Amroth Community Council. The location of a Romano-British site at Trelessy was also questioned. Officers replied that they were not aware of the location of the Romano-British site, however Cadw had no adverse comments on the application. Natural Resources Wales had also raised no objection, and were happy that appropriate slurry storage measures were in place at the farm. A condition regarding lighting had already been suggested, however a



further condition could be included to require additional landscaping to be provided in the form of larger growing trees such as oak and ash.

DECISION: That the application be delegated to the Head of Development management to issue planning permission on receipt of satisfactory outstanding consultation responses, and subject to conditions relating to timing of the development, accordance with approved plans, light mitigation strategy, diversion of Public Footpath and landscaping.

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

- (d) REFERENCE: NP/15/0014/FUL
APPLICANT: Mrs C Battrick
PROPOSAL: Two storey extension to west end of building forming a sun room over a car port
LOCATION: Brynhenllan Farm, Dinas Cross

It was reported that this application was before the committee for consideration as the applicant was related to a member of the Authority's staff.

Planning permission was sought for the construction of a two storey extension, which would provide a car port and sun room for the existing house which was a nineteenth century farmhouse of traditional character and appearance. Officers considered that the level of extension would be subservient to that of the original house, and the design introduced a slight stepped roof profile and dormer window feature to break up the length of the new structure. The extension would provide additional living accommodation for the existing house and adequate private parking and amenity space could still be provided for the property. The wider setting was within a densely developed street scene where there was a mix of single storey and two storey dwellings of varying design and external appearance, and the proposal was not considered to be visually harmful to this setting or to have a detrimental impact upon the amenity or privacy of neighbouring properties. The proposal was therefore supported and recommended for approval subject to conditions.

One Member expressed disappointment with the proposed design and asked that it be amended to better reflect the vernacular style of Pembrokeshire. While other Members did not disagree, they felt that as the existing extension was not particularly sympathetic to the original dwelling, any refusal would be approved at appeal. Officers replied that amended plans had already been received which reduced the size of the buildings and the Committee had to consider the application before them.



DECISION: That the application be approved subject to conditions relating to timing of the development, accordance with plans, details of external illumination and measures to protect bats.

6. 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.

NOTED.

