## **DEVELOPMENT MANAGEMENT COMMITTEE**

# **11 November 2015**

Present: Councillor RM Lewis (Deputy Chair in the Chair)

Mr A Archer, Mr D Ellis, Councillor ML Evans, Ms C Gwyther, Councillor P Harries, Councillor M James, Councillor L Jenkins, Councillor R Kilmister, Councillor PJ Morgan, Councillor R Owens, Mrs M Thomas, Councillor A Wilcox and Councillor M Williams.

[Llanion Park, Pembroke Dock 10.00am – 12.40pm]

Note: It being Armistice Day, at 11.00am the Committee, officers and members of the public stood to observe the two minute silence in remembrance of the fallen.

#### 1. **Apologies**

Apologies for absence were received from Mrs G Hayward, Councillor S Hudson, Councillor D Rees and Mr AE Sangster.

#### 2. **Disclosures of interest**

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

| Applica<br>Refere   | ation and<br>nce   | Member(s)/Officer(s)               | Action taken  |
|---------------------|--|------------------------------------|---|
| NP/15/              | <i>6(a)below</i><br>0194/FUL – Land<br>Ir Eglwys,<br>rt        | Councillor P Harries               | Disclosed a personal but not prejudicial interest and remained in and took full part in the meeting |
| NP/15/<br>Porthcl   | 6(c)below<br>0365/S73 –<br>ais, Ffordd Porth<br>St Davids      | Councillor L Jenkins               | Disclosed a personal but not prejudicial interest and remained in and took full part in the meeting |
| EC/14/0<br>Curtis F | <i>7 below</i><br>0106 – Rebecca<br>Racing, Fforest<br>Newport | Councillor P Harries<br>Mr D Ellis | Withdrew from the meeting while the item was discussed  |



### 3. Minutes

The minutes of the meeting held on the 30 September 2015 and 12 October 2015 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on the 30 September 2015 and 12 October 2015 be confirmed and signed.

# 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):

| Reference<br>number                    | Proposal   | Speaker                                  |
|--|--|--|
| NP/NP/15/0194<br>Minute 6(a)<br>refers | Residential development of<br>35 dwellings (including 14<br>affordable units)<br>incorporating open space &<br>new access points off Feidr<br>Eglwys and Feidr Bentinck –<br>Land off Feidr Eglwys,<br>Newport | Mr Wyn Harries,<br>Agent                 |
| NP/15/0365<br>Minute 6(c)<br>refers    | Removal of Condition no 5 of NP/10/141 to allow existing toilet block to be retained & used in conjunction with the caravan & camping site – Porthclais, Ffordd Porth Clais, St Davids                         | Mr Jim Ryan,<br>Applicant's<br>Solicitor |

# 5. Members' Duties in Determining Applications

Unfortunately the Solicitor's report had not been circulated with the agenda on this occasion, however the Solicitor advised the Committee that it was the same as that presented to them on previous occasions. He went on to summarise the report which outlined 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):

[Councillor P Harries disclosed an interest in the following application, but remained in the meeting and played a full part in it. Councillor M James advised that he no longer had an interest in the application as he had resigned from Tai Cantref Housing Association; he also played a full part in the meeting.]

(a) 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, Pembrokeshire

Members were reminded that at the previous meeting of the Committee they had been minded to refuse this application against the officers' recommendation. In accordance with the Authority's policy, the 'cooling off' period had been invoked, during which the matter could be considered further and was now brought back to the Committee on that basis for determination.

The Deputy Chairman noted that Members had received substantial communication and thanked the public for the time and effort they had taken to provide the Committee with their thoughts and views.

The officer's report for the previous meeting had concluded that following detailed consideration of the planning issues and of the responses received from statutory consultees and the public, the proposed development – while greater in density than that provided for in the housing allocation for the site – would provide new dwellings within the Centre boundary of Newport, with the development still considered to be appropriate to the site and setting in terms of siting, design, access,



landscaping and external appearance. The proposal would, therefore, be in accordance with national and local planning policy and was recommended for approval accordingly.

It was reported that since the previous meeting revised comments had been received from Dŵr Cymru Welsh Water which again raised no objection, but amended the conditions it requested be imposed on any planning permission. Officers agreed that a condition to require a scheme for the supply of potable water to the site was reasonable and it was suggested that it be added to the schedule of conditions set out in the September Committee report.

Also, since the last meeting the Authority had received a petition containing 968 signatures in support of the development and letters identifying support for the scheme from 59 local businesses in the area. Further letters of support from former headteachers of the school had been received. Officers advised that such local support was a material consideration to which Members should give weight in considering the application.

Finally, Members of the Committee had been circulated with a copy of the "protocol letter" received by the Authority from the Bentinck Development Opposition Group intimating a proposed claim for judicial review of the Committee's resolution passed at the previous meeting based on the assertion that the cooling off period had been wrongly invoked. The Chief Executive had responded rejecting the points made and the reply had also been circulated to Members for their information.

In conclusion, the Head of Development Management drew attention to a number of material points. He noted that the site was allocated for housing development and therefore the principle of development had been agreed. While the application did not accord with the number of dwellings allocated, it better reflected the Authority's policy on the density of dwellings set out in policy 44 of the LDP. When considering the allocation, the LDP inspector had not had the benefit of a detailed site layout. If subsequently, through the detailed planning application process, a suitable scheme could be demonstrated, a decision should not be taken purely based on the original allocation. Officers felt that this was a balanced application, and no objections had been received from statutory consultees although concerns had been expressed by Newport Town Council and neighbouring properties as previously set out.

It was therefore recommended that the application be delegated to the Chief Executive/Director of Park Direction and Planning/Head of Development Management to grant planning permission subject to conditions set out in the original report and the additional condition from



Dŵr Cymru Welsh Water and subject to the interested person(s) first entering into a satisfactory Section 106 agreement in respect of the provision of affordable housing, and to planning obligations in respect of education, transportation, open space and library & community use. The terms of the Section 106 agreement(s) – including necessary contributions in line with the Community Infrastructure Levy Regulations, as well as any phasing, was to be negotiated with the applicant prior to the grant of planning permission.

The Agent, Mr Wyn Harries, then addressed the Committee. He contended that Newport had spoken with a united voice in favour of the application with over 1000 signatures including many local employers. The concerns of the Town Council had been addressed in the officer's report. He stated that there was a huge demand for affordable housing in the town and the application before the Committee would deliver 14 units, with discussions already having taken place with Housing Associations. He believed that the offering was inclusive, with the open market dwellings being modest, and these had not been embellished in order to keep prices down; expensive houses in the town tended to have an 'olde worlde' charm. He believed that local businesses were stagnating because they could not find staff as there were few opportunities for them to purchase open market housing in the area. With regard to the density of the site what was proposed would supply small units which matched the housing need of the community – they were designed for the local market. He stated that Councillors had the powers to charge 200% council tax on second homes. Numbers were falling in the local school and there were proposals to close the library – services were being moved to Crymych. While he acknowledged these were not matters decided by the National Park Authority, the Committee could make a decision to make a difference to the lives of local people and provide a lifeline for the future of Newport. He urged the committee to support local families and businesses or to be challenged as to what they stood for by future generations.

Answering questions of clarification from Members of the Committee, Mr Harries noted that the affordable housing had been designed to Development Quality Requirements (DQR), the standards that Registered Social Landlords' housing must meet, and that he had been in consultation with three providers as to delivery. The demand in the area was for 1 bed, 2 person rented housing, and 1, 2 and 3 bed units were proposed, however low cost housing could be provided if required. The density on the affordable housing portion of the site was comparable to that at Cysgod y Dderwen, the existing housing association site within the town, and they were positioned within the site due to the wildlife corridor and medieval hedgerows that could not be moved. He added that his client had a sense of social responsibility and wanted to see the



affordable housing brought forward; this could be done as soon as the grant became available and hopefully within six months of acquisition. He also confirmed that this part of the site could be connected to the footpath that was proposed to run through the development.

A number of Members spoke in favour of the application and thanked officers for their work in bringing the site forward. They noted the letters of support that had been received from statutory consultees as well as other organisations and local businesses and that the petition had mainly been signed by residents of the town or those with families there. It was essential that affordable housing was secured for the town as Newport was classed as one of the most expensive places to buy a house in Wales and many people struggled to get on the housing ladder. Development of smaller units would allow people in the town to downsize, and thus larger houses would become vacant. It was suggested that even the open market housing could be affordable when compared to many of the properties for sale in Newport. The motion of approval was therefore moved and seconded.

The views of other Members, however, remained unchanged from the previous meeting, and they maintained their opinion that the application represented overdevelopment and that it would adversely affect the special qualities of the National Park, particularly the historic aspects of the town; a 70% increase in houses from the allocation was proposed and that was too great. The quality of the affordable housing was also questioned, particularly given the high density proposed. It was acknowledged that at least part of the site would inevitably be built on, and a scheme along Feidr Eglwys and the lower slopes for a smaller number of houses would have been more acceptable and would have preserved the views to and from the Church. Concern also remained that the market houses would be beyond the means of local people and would become second homes.

Having listened to the arguments several Members referred to this being a finely balanced decision, with the application complying with some policies and conflicting with others meaning that the plan had to be read as a whole; particular reference needed to be made to affordable housing policies and the revised Supplementary Planning Guidance which reconsidered the issue of viability. However most agreed that the benefit to the community outweighed the negative factors. It was felt that there was a danger that if the Authority insisted on a smaller number of houses on the site it would be unviable, or a smaller number of affordable units would be provided. One Councillor reminded the Committee that the agent was incorrect in that at present the Council did not have the power to vary Council Tax.



As the application had been subject to the 'cooling off' period a recorded vote was taken on the motion to delegate to officers to grant planning permission subject to the conditions set out in the September report and including the additional condition from Welsh Water regarding water supply and the provision of a pedestrian access through the site from the affordable housing, subject to the interested person(s) first entering into a satisfactory Section 106 agreement in respect of the provision of affordable housing and to planning obligations as set out:

For: Mr A Archer, Councillor ML Evans, Ms C Gwyther, Councillor M James, Councillor RM Lewis, Councillor P Morgan, Councillor R Owens, Mrs M Thomas, Councillor T Wilcox, Councillor M Williams
Against: Mr D Ellis, Councillor P Harries, Councillor L Jenkins, Councillor R Kilmister

DECISION: That the application be delegated to the Chief Executive/Director of Park Direction and Planning/Head of Development Management to grant planning permission subject to conditions set out in the original report together with the additional condition from Dŵr Cymru Welsh Water and the provision of a pedestrian access through the site from the affordable housing and subject to the interested person(s) first entering into a satisfactory Section 106 agreement in respect of the provision of affordable housing, and to planning obligations in respect of education, transportation, open space and library & community use. The terms of the Section 106 agreement(s) – including necessary contributions in line with the Community Infrastructure Levy Regulations, as well as any phasing, was to be negotiated with the applicant prior to the grant of planning permission.

(b) 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

Members were reminded that this application had been deferred at the previous meeting of the Committee in order to allow a site visit to take place on 12 October 2015, the minutes of which had been agreed earlier in the meeting (minute 3 refers). The application proposed in outline, the erection of 27 dwellings at the site which was allocated within the Local Development Plan for residential development. Approval was sought for access and layout, with appearance, landscaping and scale reserved for future consideration.



Officers considered that the principle of development was acceptable, and 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.

However 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 a Three Dragons Appraisal, officers were concerned that approval of the scheme without future security could result in an future position that would be viable, but for which no affordable housing obligation had been given. In order to avoid this position, a recommendation of approval was made to the September Committee subject to an obligation that viability for the provision of affordable housing be re-appraised before the commencement of development.

The applicant's agent responded, both verbally at the previous Committee meeting and in a letter, that they would not be willing to commit to a Section 106 agreement regarding future appraisal of viability at the site. As such the application failed to deliver affordable housing or planning obligations or provide a suitable mechanism to allow re-appraisal of these important matters at reserved matters and commencement stages of development. Officers considered this to be contrary to the aims and requirements of policies contained within the Local Development Plan and the application was therefore recommended for refusal.

It was reported at the meeting that the agent had sent a number of appeal decisions which they believed to be relevant, however officers considered that the circumstances of these cases were different to those in the application under consideration.

Maintaining his objection to the location of the site access a Member moved the recommendation of refusal as recommended. Other Members agreed that the use of a Section 106 agreement seemed appropriate in this case and the motion was seconded.

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

1. The application fails to provide a suitable mechanism to allow the re-appraisal of Affordable Housing and Planning Obligations at Reserved Matters and Commencement stages of the development which is considered to be necessary to allow full consideration of options available to deliver affordable housing on site contrary to



the aims and requirements of Policy 6 (Rural Centres)(criterion (a)) and Policy 45 (Affordable Housing) of the Pembrokeshire Coast National Park Local Development Plan (Adopted September 2010) and advice contained within the Supplementary Planning Guidance - Affordable Housing (Adopted November 2014) and Planning Obligations (Adopted June 2011).

(c) REFERENCE: NP/15/0365/S73
APPLICANT: Dr T Hardman

PROPOSAL: Removal of condition No 5 of NP/10/141 to allow

existing toilet block to be retained & used in

conjunction with the caravan & camping site

LOCATION: Porthclais, Ffordd Porth Clais, St Davids

It was reported that this application was before the Committee at the discretion of officers in view of the controversial nature of the original application which had been determined by the Development Management Committee with the requirement that the existing toilet block be demolished as required by condition 5 of that permission. Members were reminded that planning permission had been granted in April 2011 for alterations to an existing agricultural building on the site to provide permanent toilet and shower facilities to complement the existing camping and caravan site, with a caveat that the removal of an unsightly and incongruous existing toilet block would be a planning gain to weigh in the balance.

Officers advised that the evidence supplied as part of the current application to delete condition 5 did not demonstrate that there was a permanent need for additional toilet facilities to be housed at the site. Accordingly, there was no justification for the Authority to depart from the planning permission granted in April 2011 for new facilities and as such the application was recommended for refusal.

Having outlined the history of the site, the Head of Development Management referred to a recent letter from the applicant's Solicitor, which had been circulated to Members of the Committee for their information, but noted that no different conclusions had been reached by officers as a result. The officer outlined the points raised in the letter and responded to them, disagreeing, in summary, that the report was defective, stating that the application was not considered to comply with policy 40 and emphasising that the Authority was not seeking to restrict the site licence granted by Pembrokeshire County Council.

Mr Jim Ryan, the applicant's Solicitor, then addressed the Committee. He believed that, having listened to the officer's presentation, there were some issues of uncertainty between the Authority and the applicant and



asked that the application be deferred to allow these to be resolved. Mr Ryan urged the Committee to take seriously the points he had raised in his letter. He stated that the fundamental point in dispute was that the existing toilet block would sustain 90 units, while the one permitted would sustain only 45. He noted that the site was established in 1926 and had been described as one of the "50 best nights under canvas" by the "Observer" newspaper. It made a substantial contribution to the local economy. However tourism businesses needed to be valued and encouraged to improve the facilities they offered as the future of tourism was not secure. The report suggested that the holiday park was spoilt by the building, however Mr Ryan contended that users were more concerned with using the facilities than by their incongruity.

Members sought clarification from the agent as to why the original application would provide for fewer facilities in the new building than in the one proposed for demolition. He explained that as he understood the position it was originally intended to retain both toilet blocks, however towards the end of the process it had been suggested by officers that the original block be demolished and a condition was imposed to achieve this.

Clarification was also sought from officers as to whether the site was currently in breach of planning conditions. The Head of Development Management confirmed that the condition required removal of the original block within 6 months of the approved block being brought into use, however the new block had not yet been completed and so no breach had occurred. He added that the applicant had agreed to the condition at the time and it had not been appealed.

Another Member noted that the conditions attached to the site licence could be more onerous than the planning permission conditions, and asked whether officers had a copy of the conditions. He suggested that deferment might be a sensible option to allow some sort of agreement to be reached that would allow the business to continue.

The agent interjected and disputed the officer's assertion that the use of the site was temporary and questioned whether it was legitimate for the planning authority to reduce the numbers of units permitted by the site licence. Officers replied that a copy of the licence conditions were on the planning file, however no justification had been provided for a permanent building to support a temporary use. Although condition 7 of NP/10/141 stated that there could be no increase in the facilities to be provided in the new toilet block, an application to do this as part of a comprehensive package could be considered as a way forward.

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



1. Condition 5 of planning permission NP/10/141 was imposed to complement the applicant's application drawings proposing replacement facilities and in order to ensure a proper standard of development and appearance to conserve the amenities and character of the area. Policy 40 allows new facilities only where it can be demonstrated that the facility is not already available in the area. Facilities were already available although the new toilet block provided an opportunity of improving the offer of facilities this was only considered to be acceptable in light of the removal of the existing facilities. As such a condition was imposed to require removal of the existing toilet block. The evidence provided as part of this application for the deletion of condition 5 does not demonstrate that there is a permanent need for retention of the additional toilet facilities to be housed within an existing building which was and is still considered to be unsightly and incongruous. As such the proposed removal of condition does not comply with the requirement of Policy 40 as the site will provide two amenity blocks, with the building now sought to be retained not being in keeping with the character of the surrounding area and detrimental to the special qualities of the National Park. As such the application fails to accord with the requirements of policies 8, 15, 30 and 40 of the **Pembrokeshire Coast National Park Authority Local Development** Plan (Adopted September 2010).

NP/15/0402/FUL (d) REFERENCE:

> APPLICANT: Mr & Mrs S & S Archer

PROPOSAL: First floor extension at rear with alterations to existing

fenestration

LOCATION: Carreg Samson, Abercastle, Haverfordwest

It was reported that the application was before the Committee as the officer's recommendation was contrary to that of Mathry Community Council which objected to it. The application had been resubmitted with a reduced juliette balcony following its withdrawal earlier in the year to try to address objections from the Community Council and to correct the certificate that had been provided with the application. Previously the National Trust had not been served the appropriate owners notice.

The building was two-storey, of stone construction and had been the subject of a somewhat unsympathetic conversion from an industrial building in the past. The current application sought planning permission to provide alterations and extensions to the dwelling which comprised a two storey gabled extension to the south east elevation with hayloft style dormer window; altered fenestration throughout; a larger first floor window on the north west elevation and a reduced sized window in the 'cart-



opening' on the ground floor south east elevation; as well as internal reconfiguration which did not require consent.

Officers considered that the proposed fenestration and alterations were an improvement on the current arrangements and were in accordance with policies of the Local Development Plan. The application was therefore recommended for approval.

Members agreed that the modest addition was in keeping with the structure and were pleased to see improved fenestration.

**DECISION:** That the application be approved subject to conditions relating to time, accordance with plans and painted timber external joinery.

(e) REFERENCE: NP/15/0459/FUL APPLICANT: Mr & Mrs Maclean

> PROPOSAL: Erection of summerhouse (in connection with existing

> > dwelling) within rear curtilage of property

LOCATION: Nantyblodau Bach, Newport

The application was reported to the Committee as the recommendation of Newport Town Council differed to that of officers. Approval was sought for the construction of a summerhouse/garden room to replace two existing garden sheds within the rear garden of the semi-detached cottage. The proposal would be situated at the far rear of the garden, approximately 36m from the dwelling house. There would be windows on all sides with bi-fold doors on the west elevation facing up the garden towards the back of the house. Externally the summerhouse would be finished with vertical larch cladding, corrugated tin and/or corrugated fibre cement.

It was reported that the garden was bordered by mature trees with woodland to the east and north east and a meadow to the north. Due to the proximity of mature trees, the application was supported with a tree survey which the Authority's Tree and Landscape Officer had considered. He had no objections due to the use of mini screw foundations which would limit the risk of damage to tree roots.

Officers considered that the proposal would not have an adverse impact upon the special qualities of the National Park or the amenity of neighbours and it was therefore recommended for approval.

Members agreed that the summerhouse would be tucked away and would have no adverse impacts, however they wished to ensure that it remained a summerhouse, rather than becoming a rentable property in the future.



Officers agreed that a condition could be included to ensure that the building was used ancillary to the main dwelling.

DECISION: That the application be approved subject to conditions relating to time, accordance with plans and use ancillary to the main dwellinghouse.

NP/15/0417/FUL (f) REFERENCE: APPLICANT: Mr M Watkins

> PROPOSAL: Cattle accommodation buildings, slurry lagoon, silage

> > clamps & open yard areas (part retrospective)

LOCATION: Trewern, Felindre Farchog, Crymych

(g) REFERENCE: NP/15/0418/FUL APPLICANT: Mr M Watkins

> 0.5mw anaerobic digestion plant PROPOSAL: LOCATION: Trewern, Felindre Farchog, Crymych

Members were reminded that these applications had been the subject of a recent site visit to allow Members to familiarise themselves with the site prior to the applications being discussed at Committee. The report provided an update on the current planning position with regard to the two applications following receipt of a combined Screening Opinion which was sought due to their proximity to Pentre Ifan, a Scheduled Ancient Monument of national and international significance.

The Screening Opinion concluded that the proposed development was EIA (Environmental Impact Assessment) development and as a result of that finding, application NP/15/0418 for an anaerobic digestion plant had been withdrawn and an alternative location to the north of existing farm buildings was being explored, however it was likely that it would also be EIA development due to a large unscheduled archaeological feature to the north.

With regard to application NP/15/0417 for the cattle accommodation buildings, slurry lagoon, silage clamps and open yard areas which was part retrospective, this was also determined to be EIA development. The Authority had been consulted on the scoping opinion which set out what should be in the EIA and had suggested that a comprehensive Landscape and Visual Impact Assessment be carried out which included lighting, landscaping and air quality (due to the impact of the slurry lagoon on Ty Canol the nearby National Nature Reserve). Other retrospective applications for the caravans on the site and an extension to the house were expected soon and did not form part of the existing proposals.

## NOTED.



[Councillor P Harries and Mr D Ellis disclosed an interest in the following matter and withdrew from the room while it was considered]

### 7. **Matters Relating to Enforcement**

It was reported that a Breach of Condition Notice had been served by the Authority on 2<sup>nd</sup> April 2015 as a result of works being carried out contrary to conditions attached to planning permission NP/14/0229 at Fforest Farm, Newport.

The Breach of Condition Notice was served on the applicant/operator of the site as the person responsible for carrying out the development. The Notice required them to carry out certain steps within two months from the date that the Notice was served. The time for complying with the Notice expired on 2<sup>nd</sup> June 2015. As of the date of the meeting, the Breach of Condition Notice had not been complied with. This was an offence under section 187A(9) of the Town and country Planning Act 1990 (as amended) and was answerable to in the Magistrates Court.

It was RESOLVED that the Chief Executive/Director of Park Direction and Planning/Head of Development Management be authorised to instruct solicitors to commence prosecution proceedings in the Magistrates Court against the person responsible for carrying out the development for failing to comply with the requirements of the Breach of Condition Notice dated 2<sup>nd</sup> April 2015.

#### 8. **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. He also noted that since writing the report an appeal regarding St Catherine's Island had been received and details of dates of the hearing would be provided in due course.

## NOTED.

[Mrs M Thomas tendered her apologies and left the meeting at this juncture.]

### 9. **Planning Enforcement Update 2015**

The report provided Members with an overview of the Authority's planning enforcement function, an explanation of changes to the Welsh Government Performance Indicators in relation to Enforcement as well as performance statistics and recent enforcement action taken by the Authority. It was considered that this work underpinned and formed an important foundation to a successful Development Management Service



and where available relevant resources should be used to strengthen the service.

Members agreed that the enforcement function was an important one, but one that was often a 'Cinderella' service. They were pleased that the National Park had allocated resources appropriately. They noted that while much of the work was reactive, some was proactive.

## NOTED.

# 10. Thanks

The Deputy Chairman noted that the Authority's Head of Development Management would soon be leaving the Authority and thanked him for all he had done for the service in his time with the Authority and wished him well in his new job as Team Leader for the area covering the regeneration of the City and the Bay in Swansea City Council. Mr Jones thanked Members and said it had been a pleasure working with them.

