

DEVELOPMENT MANAGEMENT COMMITTEE

9 March 2016

Present: Mrs G Hayward (Chair)

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

[Llanion Park, Pembroke Dock 10.00am – 11.35am]

1. Apologies

An apology for absence was received from Mrs M Thomas.

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 6(a)below</i> NP/15/0310 - Land adjacent to Castle Hill, Newport	Mrs G Hayward	Withdrew from the meeting while the application was discussed
<i>Minutes 6(b)below</i> NP/15/0548 – Monkshill Farm, St Ishmaels	Cllr P Morgan	Withdrew from the meeting while the application was discussed
<i>Minutes 6(d)below</i> NP/16/0040 – Berllan Dawel, Ffordd Cilgwyn, Newport	Cllr P Harries	Remained in the meeting and took full part in the discussion and voting
<i>Minutes 6(e)below</i> NP/15/0647 – Hope and Anchor Inn, St Julians Street, Tenby	Mr A Archer Cllr M Evans	Withdrew from the meeting while the application was discussed
<i>Minutes 6(f)below</i> NP/16/0062 – Hope and Anchor Inn, St Julians	Mr A Archer Cllr M Evans	Withdrew from the meeting while the application was



Street, Tenby

discussed

Minutes 6(g)below
NP/15/0648 – Hope and
Anchor Inn, St Julians
Street, Tenby

Mr A Archer
Cllr M Evans

Withdrew from the
meeting while the
application was
discussed

Minutes 6(h)below
NP/16/0077 – Hope and
Anchor Inn, St Julians
Street, Tenby

Mr A Archer
Cllr M Evans

Withdrew from the
meeting while the
application was
discussed

3. Minutes

The minutes of the meeting held on the 27 January and 2 March 2016 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on the 27 January and 2 March 2016 be confirmed and signed.

NOTED.

4. Right to speak at Committee

It was reported that no requests to speak at the meeting had been received.

5. Members' Duties in Determining Applications

The Solicitor's report summarised the role of the Committee within the planning system and stated that planning decisions had to be made in accordance with statutory provisions and the adopted Local Development Plan unless material considerations indicated otherwise. It stressed that non-material considerations had to be disregarded when taking planning decisions and stated that personal circumstances were only very rarely material to planning decisions. Provided members applied the Planning Acts lawfully and in a fair and impartial manner they would also comply with the Authority's duties under the Human Rights Act 1998 insofar as it applies to planning decisions. It was also important that Members applied the guidance contained in the Authority's Planning Code of Good Practice while carrying out their statutory duties.

NOTED

6. Report of Planning Applications

The Committee considered the detailed reports of the Head of Development Management, together with any updates reported verbally on the day and recorded below. The Committee determined the



applications as follows (*the decision reached on each follows the details of the relevant application*):

[Mrs G Hayward disclosed an interest in the following application and withdrew from the meeting while it was considered]

- (a) REFERENCE: NP/15/0310/FUL
APPLICANT: Ms S Gillooley
PROPOSAL: Eco-smallholding, including one dwelling – One Planet Development
LOCATION: Land adjacent to Castle Hill, Newport

Members were reminded that at the January meeting of the Committee it was resolved to defer this application in order to undertake a site visit. This took place on 2 March 2016 and the minutes of the meeting could be found elsewhere on the agenda (*item 3 refers*).

Planning permission was sought for an eco-smallholding, submitted under the 'One Planet Development' (OPD) Welsh Government policy, the principles of which officers outlined for the Committee. It was reported that the application site comprised 2.6 hectares of land located on the south eastern outskirts of Newport, and just below Carningli Mountain. The eco-smallholding would comprise a new dwelling, greenhouse, barn and associated trackways and parking.

It was reported at the meeting that in addition to the objections referred to at the previous meeting, a further letter of concern had been received regarding localised flooding at Caste Hill due to surface water runoff from the land identified in the plan for short rotation coppice. However officers advised that this issue had been identified in the Management Plan for the site and would therefore be assessed annually as part of its ongoing monitoring.

At the previous meeting, Members had requested that further clarification be provided regarding the status of Policy 47 (Low Impact Development) of the Authority's Local Development Plan (LDP) as the application had been assessed against TAN 6 – Planning for Sustainable Rural Communities, and an explanation was provided in the report and summarised at the meeting. With regard to the report provided by the Authority's Agricultural Advisor and referred to in the report to the January meeting, the officer also explained that this related only to whether the land was capable of meeting the applicant's basic needs and was sustainable, rather than the financial and functional assessments usually required. The Advisor had concluded that the targets set out in the Management Plan were realistic.



Officers considered that the nature of the OPD proposed was broadly akin to an agricultural small-holding, albeit subject to more stringent planning policies with occupancy requirements. The applicant had adequately addressed the requirements of national planning policy by providing a detailed Management Plan, and while concern had been expressed as to whether the applicant would be able to fulfil this Plan at this location, OPD requirements built in yearly monitoring, with an Exit Strategy agreed by the applicant should the OPD not be successful. In light of this, it was considered that the proposal could be supported and the application was recommended for approval subject to conditions set out in the report.

While several Members expressed their support for OPD in general, they stressed that it needed to be located in the right place, and they did not consider that this was the right place. It was noted that TAN 6 stated that OPD should not be located in an area of high landscape sensitivity unless there was mitigation. Visiting the site had reinforced their opinion that the site was special and in a very sensitive location, being visible from much of Newport, in distant views of Carningli and when descending the mountain itself.

Concern was also expressed regarding the size of the dwelling and its location at the top of the site which would necessitate a long access track and the associated difficulty of moving building materials. They feared that such a track would require considerable maintenance which might require it to be concreted, and the narrow width of the track from its junction with the road, meant it was not accessible to emergency vehicles which was unsatisfactory. None of these factors seemed to uphold the principles of sustainability.

Other Members were not convinced of the economic viability of the management plan and the applicant's ability to provide 65% self-sufficiency. Doubt was expressed regarding the price of the sheep, the viability of growing lavender and other produce, the production of sufficient coppice trees to run the wood burning stoves and the production assumptions for honey. The Plan did not seem to include a contingency to allow for failure of any of these elements and those Members who had experience of similar smallholdings stressed that running them was neither easy nor straightforward. A motion for refusal of the application was therefore moved and seconded.

In considering their reasons for refusing the application, several of the policies of the LDP were listed which Members did not believe the application met. It was therefore concluded that despite the low impact nature of One Planet Development in general, this proposal did not make a positive contribution and would impinge negatively on this location and its setting which was in a highly sensitive landscape within the National



Park; and the proposal - which would introduce a residential element and associated requirement for travel to and from the site - would intensify the use of the site.

It was not considered that the proposed Management Plan was sufficiently robust to ensure that the site would be managed in a way that would retain and enhance the special qualities of the National Park landscape, which the Authority had a statutory duty to protect.

The application was therefore contrary to TAN 6 para 4.15 – 4.23 and LDP policies: 1 (a) Duty; 7 (g) Countryside; 8 (a), (b) and (c), special qualities; 9 (b) Light pollution; 15 (a), (b), (c) and (d), conservation of the National Park; 29 (a), (b), (c) and (d) Accessibility; 30 (b), (c) and (d), visual intrusion; 47 (a), (b), (d) and (f), Low Impact Development; 53 (d) Impact of Traffic

Having listened to the debate and weighting of policy reasons for refusal provided, the Director of Planning concluded that refusal of the application would not constitute a significant departure from policies which went to the heart of the Development Plan and therefore did not trigger the Authority's Cooling Off Period.

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

- 1. It is not considered that the proposed Management Plan is sufficiently robust enough to ensure that the application site would be managed in a way that would retain and enhance the special qualities of the National Park landscape, which the Authority has a statutory duty to protect. In light of this, the proposed One Planet Development does not make a positive contribution to the site, and the proposal - which would introduce a residential element and associated requirement for travel to and from the site - would intensify the use of the site which will impinge negatively on this location and on its setting within a highly sensitive landscape within the National Park. The development is therefore contrary to Local Development Plan Policies - 1 - National Park Purposes and Duty (criterion a), 7 – Countryside (criterion g), 8 - Special Qualities (criteria a, b and c), 9 - Light Pollution (criterion b), 15 - Conservation of the Pembrokeshire Coast National Park (criteria a, b, c and d), 29 - Sustainable Design (criteria a, b, c and d), 30 – Amenity (criteria b, c and d), 47 – Low Impact Development (criteria a, b, d and f) and 53 – Impact of Traffic (criterion d); and to Technical Advice Note 6 – Planning for Sustainable Rural Communities (paragraphs 4.15 to 4.23).**



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

- (b) REFERENCE: NP/15/0548/FUL
APPLICANT: Mr P Stoddart
PROPOSAL: Construction of suckler cow calving & housing shed, straw storage shed and haylage clamp
LOCATION: Monkshill farm, St Ishmaels

It was reported that this application comprised a shed to provide for suckler cows and machinery storage adjacent to another livestock building; and a haylage clamp to the southern boundary of the farm complex. The building was proposed to be constructed of concrete panels with Yorkshire boarding and roofed in cement sheeting. The building would adjoin the southern end of the most recently built building on site and would be divided internally for storage and livestock. There was no residential dwelling associated with the holding, and the applicants had advised that the static caravan on site was used for welfare purposes only and did not form part of the current application.

The application was before the Committee as the Community Council had objected to the proposals due to issues of drainage. One objection had also been received from a neighbouring property on the basis of increase traffic use of the land, and risk of pollution from liquid and solid manure. As a result of these objections, Natural Resources Wales and the Environmental Health and Highway Departments at Pembrokeshire County Council had been re-consulted, however there remained no objection to the proposals from the statutory consultees.

Officers did not consider that the farm building and haylage clamp were out of keeping with the immediate environment, being well located within the farming complex and the application was recommended for approval subject to conditions relating to timing, accordance with plans, landscaping scheme and surface water disposal scheme.

One Member explained that he was aware that there had been numerous complaints over the years regarding the state of Linsway Road due to lack of drainage and use of the Road by heavy machinery, the road being the only access to the farm. He was therefore concerned that further development on the site would make the situation worse, which was unfair on residents of Linsway Road. He suggested that the drainage condition should require appropriate improvements to take place before the development commenced.

Another Member noted that the site would be very visible from the coast path and asked that landscaping in the form of an additional, planted bank



be created. It was also requested that a condition to control lighting be imposed.

There was discussion as to how the proposed drainage and landscaping conditions could be modified to achieve this and the application was moved and seconded on that basis.

DECISION: That the application be approved subject to conditions relating to timing of development, accordance with plans, lighting, highways, landscaping and surface water disposal, with the latter to take place before the commencement of development.

- (c) REFERENCE: NP/15/0689/FUL
APPLICANT: Mr & Mrs P McGrath
PROPOSAL: Demolition of existing glazed porch & dining room, replace with new single storey rear extension & alterations to rear dormer together with fenestration changes & associated external works
LOCATION: Nant Yr Redyn, Mill Lane, Newport

It was reported that the dwelling was a detached two storey property with a large glazed conservatory to the rear which formed the main entrance porch and a dining room; a large flat roof dormer was also present to the rear. The current application sought approval for the demolition of the existing glazed porch and dining room, and their replacement with a new single storey rear extension and alterations to the rear dormer, together with fenestration changes and associated external works.

Officers considered that the proposed replacement extension and alterations to the rear roof dormer would improve the visual appearance of the property as a whole. While having a modern appearance, the siting, scale, form and design of the new extension was considered to be appropriate for its setting and incorporated sustainable materials,. The modern design was considered legible against the stone walls and slate roof of the host property and did not have an adverse impact on the character and setting of the surrounding landscape.

The application was before the Committee as Newport Town Council had recommended refusal as it considered that the design, appearance and materials were inappropriate for the location, contrary to the recommendation of officers. Notwithstanding those concerns, officers considered the current proposal to be acceptable and the recommendation was of approval, subject to appropriate planning conditions.



Members' opinions were divided with regard to the modern design of the extension with some believing it was an improvement to the dwelling and others that the addition to what was a traditional cottage was an eyesore and needed to be re-thought. One Member asked whether additional landscaping should be required, but officers replied that the site was already well landscaped, with significant amounts of mature planting, however a condition would be included in any permission to protect the existing trees.

The officer's recommendation was moved and seconded.

DECISION: That the application be approved subject to conditions relating to timing of development, accordance with plans, protection of trees and hedges, landscaping and surface water drainage.

- (d) REFERENCE: NP/16/0040/FUL
APPLICANT: Mr D Lewis
PROPOSAL: Erection of garden building
LOCATION: Berllan Dawel, Ffordd Cilgwyn, Cilgwyn, Newport

This development proposed a single story timber clad outbuilding with a very shallow pitch, which lay along the south western boundary of the site, and below the level of the road, with a hedgerow and bank enclosing it. The application proposed to remove an existing storage container on the adjacent land as an enhancement to the site and a condition to that effect was incorporated. The proposed building would have a similar appearance to that of a railway carriage and would be used for domestic storage and as a garden room.

The application was brought before the Committee due to an objection from Newport Town Council.

Officers considered that the size and design of the building were not out of character with the surrounding area and the proposal would not cause any harm to the special qualities of the National Park. Rather, there would be a minor improvement to the site. The publicity period for the application had now expired and therefore the application was recommended for approval subject to conditions.

DECISION: That the application be approved subject to conditions relating to timing of development, accordance with plans, scheme of landscaping, lighting, use ancillary to the dwelling and removal of the existing container.

[Councillor M Evans and Mr A Archer disclosed an interest in the following four applications and withdrew from the meeting while they were considered.]



- (e) REFERENCE: NP/15/0647/LBA
APPLICANT: Messrs J & M Rossiter & Evans
PROPOSAL: Internal alterations to listed building, demolition of existing modern rear kitchen & extensions & replacement with new kitchen, toilets & staircase arrangement on ground & first floor
LOCATION: Hope & Anchor Inn, St Julians Street, Tenby

It was reported that this application came before the Committee for decision as the applicant was a Member of the Authority. The Committee was asked to ratify the decision made by officers who had inadvertently issued a decision outside the scheme of delegation.

It was reported that the Hope and Anchor was a Grade II listed public house of three storeys which faced onto the street with a beer garden to the side, to the rear of which were single storey twentieth century extensions.

Listed building consent was sought for internal alterations, demolition of the existing modern rear kitchen and extension and replacement with new kitchen, toilets and staircase arrangement on ground and first floors. A consideration of accompanying works requiring planning permission was contained within planning application NP/15/0648 (*Minute 6(g) refers*).

Officers considered the proposed scheme to be in keeping with the character of the listed building and its setting in terms of design and form. As such the application could be supported subject to conditions.

Members endorsed the improvements considering the plans to be attractive and a sensitive design in the heart of the Conservation Area.

DECISION: That the decision to grant listed building consent dated 05/01/16 which included conditions relating to timing of development, accordance with plans, historic environment mitigation and agreement of further details of window/sill and doors, be ratified.

- (f) REFERENCE: NP/16/0062/LBA
APPLICANT: Messrs J & M Rossiter & Evans
PROPOSAL: Alterations to listed building approval NP/15/0647 to install new windows, door & fire escape on pine end
LOCATION: Hope & Anchor Inn, St Julians Street, Tenby

It was reported that this application came before the Committee for decision as the applicant was a Member of the Authority.



It was reported that the Hope and Anchor was a Grade II listed public house of three storeys which faced onto the street with a beer garden to the side, to the rear of which were single storey twentieth century extensions.

Listed building consent was sought for the installation of two sash windows along with a fire escape stair and door to the gable elevation. A consideration of works within the scheme requiring planning permission was contained within planning application NP/16/0077 (*Minute 6(h) refers*).

Officers considered the proposed scheme to be in keeping with the character of the listed building and its setting in terms of design and form. As such the application could be supported subject to conditions.

DECISION: That listed building consent be granted subject to conditions relating to timing of development, accordance with plans, historic environment mitigation and agreement of further details of window/sill and doors.

- (g) REFERENCE: NP/15/0648/FUL
APPLICANT: Messrs J & M Rossiter & Evans
PROPOSAL: Internal alterations to listed building, demolition of existing modern rear kitchen & extensions & replacement with new kitchen, toilets & staircase arrangement on ground & first floor
LOCATION: Hope & Anchor Inn, St Julians Street, Tenby

It was reported that this application came before the Committee for decision as the applicant was a Member of the Authority. The Committee was asked to ratify the decision made by officers who had inadvertently issued a decision outside the scheme of delegation.

It was reported that the Hope and Anchor was a Grade II listed public house of three storeys which faced onto the street with a beer garden to the side, to the rear of which were single storey twentieth century extensions.

Planning permission was sought for the demolition of the existing modern rear kitchen and extension and replacement with new kitchen, toilets and staircase arrangement on ground and first floors. A consideration of accompanying works requiring listed building consent was contained within application NP/15/0647 (*Minute 6(e) refers*).



Officers considered the proposed scheme to be acceptable, having regard to the relevant policies set out in the Local Development Plan. It was also considered to be in keeping with the character of the listed building and its setting in terms of design and form. As such the application could be supported subject to conditions.

DECISION: That the decision to grant planning permission dated 05/01/16 which included conditions relating to timing of development, accordance with plans and agreement of further details of window/sill and doors, be ratified.

- (h) REFERENCE: NP/16/0077/NMA
APPLICANT: Messrs J & M Rossiter & Evans
PROPOSAL: Replacement of original proposals for fire escape with new proposals incorporating a spiral stair set against the indent in pine end wall of existing building, painted to match the pine end & with new fire exit door in pine end at first floor level at top of stairs. Also 2 new windows in pine end at first & second floor levels to match the ground floor window approved in original applications NP/15/0648
LOCATION: Hope & Anchor Inn, St Julians Street, Tenby

This application was reported to the Committee for decision as the applicant was a Member of the Authority.

It was reported that the Hope and Anchor was a Grade II listed public house of three storeys which faced onto the street with a beer garden to the side, to the rear of which were single storey twentieth century extensions.

The property had been granted planning permission (NPA/15/0648 *Minute 6g refers*) for the demolition of the existing modern rear kitchen and extension and replacement with new kitchen, toilets and staircase arrangement on ground and first floors. This included the insertion of a sash window to the gable end (ground floor). This proposal was for a non-material minor amendment to that approved scheme which consisted of the insertion of two sash windows, a fire escape metal spiral stair and fire door at the head of the stair. Listed building consent was sought under NP/16/0062 (*Minute 6(f) refers*).

Tenby Civic Society had requested the fire escape to have Victorian detailing, but officers felt that the design philosophy to keep the stair as simply detailed as possible would lessen its visual impact.

DECISION: That the application be approved.



7. Appeals

The Director of Planning 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.

NOTED.

8. Other Planning Issues

a) Appeal Decision for land outside the National Park – Land South of Valero and East of Rhoscrowther, Refinery Road, Hundleton, Pembroke

The Director of Planning explained that this appeal decision related to land outside of the National Park to construct and operate 5 wind turbines together with ancillary development, and had been dismissed. The Authority had submitted written evidence to the appeal on landscape grounds and Members' attention was drawn to paragraphs 114 and 120 of the decision in which the Inspector gave consideration to the purposes of the National Park.

Members thanked officers for their submission on what they considered resulted in a pleasing decision, but noted that in future similar decisions could be circulated by email in order to save paper.

NOTED.

b) Screening Directions for Trewern Farm – NP/15/0417

It was reported that two letters had been received from Welsh Government as further information in relation to the progress of one current and one prospective application at Trewern Farm, Newport.

Following the issue of Screening opinion relating to the need for applications to be accompanied by an Environmental Impact Assessment by officers of this Authority, the applicant's agent had requested formal Screening Directions from Welsh Government which were attached to the report and which confirmed the Authority's opinion.

It was reported that the application was effectively put on hold following the issue of a positive Screening Direction until the Environmental Statement was received. A sixteen week period for determination then followed and the application would therefore be brought back to the Committee in due course.

NOTED.

