Application Ref: NP/16/0247/S73

Case Officer **Applicant**

Andrew Richards Mr J Edwards

Agent

Proposal Variation of Condition no.2 of NP/15/0512 to vary

> access arrangements in order to provide improved highway safety & amenities to Plot 2 & improve house design in relation to market feedback & scale of plot

Site Location Land between The Bungalow and Rosemount.

Broadway, Broad Haven, Haverfordwest,

Pembrokeshire, SA62 3HX

Grid Ref

SM87781364

Date Valid

29-Apr-2016 Target Date

23-Jun-2016

Summary

The application has been reported to the Development Management Committee because the views of the Havens Community Council are contrary to the recommendation of your officers.

Broadway consists of a number of dispersed dwellings and a commercial garage located on the northern side of the B4341 Haverfordwest to Broad Haven road. Broadway lies about 1km east of Broad Haven and is close to the boundary of the National Park. The application site is situated between two relatively modern (circa 1970s) bungalows. The current application seeks approval for the variation of condition no.2 of NP/15/0512 to amend the access arrangements in order to provide improved highway safety and amenities to Plot 2 together with amendments to the house design in relation to market feedback and scale of plot.

The proposed variation of condition 2 will provide acceptable alterations to the previous NP/15/0512 planning consent, and is considered to maintain the special qualities of the National Park when viewed from the immediate and wider landscape and can be supported subject to appropriate conditions.

Consultee Response

The Havens Community Council: Objecting - Concerns/objecting on highway safety grounds.

PCNPA - Park Direction - Minerals: No objection

PCC - Transportation & Environment: Conditional Consent PCNPA - Tree and Landscape Officer: Conditional Consent

PCC - Drainage Engineers: Conditional Consent

Coal Authority: No adverse comments

PCC - Ecologist: No adverse comments - Subject to informative

Public Response

A site notice and neighbour notification letters were posted in accordance with requirements of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012. No response has been received as part of this process.

Policies considered

Please note that these policies can be viewed on the Policies page Pembrokeshire Coast National Park website http://www.pembrokeshirecoast.org.uk/default.asp?PID=549

LDP Policy 01 - National Park Purposes and Duty

LDP Policy 07 - Countryside

LDP Policy 08 - Special Qualities

LDP Policy 11 - Protection of Biodiversity

LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park

LDP Policy 21 - Minerals Safeguarding

LDP Policy 29 - Sustainable Design

LDP Policy 30 - Amenity

LDP Policy 32 - Surface Water Drainage

LDP Policy 44 - Housing

LDP Policy 45 – Affordable housing

LDP Policy 52 - Sustainable Transport

LDP Policy 53 - Impacts on traffic

PPW8 Chapter 03 - Making and Enforcing Planning Decisions

PPW8 Chapter 04 - Planning for Sustainability

PPW8 Chapter 05 - Conserving and Improving Natural Heritage and the Coast

PPW8 Chapter 08 - Transport

PPW8 Chapter 09 - Housing

PPW8 Chapter 12 - Infrastructure and Services

PPW8 Chapter 13 - Minimising and Managing Environmental Risks and Pollution

SPG05 - Sustainable Design

SPG06 - Landscape

SPG08 - Affordable Housing

SPG11 - Coal Works - Instability

SPG12 - Parking

SPG20 - Accessibility

TAN 02 - Planning and Affordable Housing

TAN 06 - Planning for Sustainable Rural Communities

TAN 12 - Design

TAN 15 - Development and Flood Risk

TAN 18 - Transport

Constraints

LDP Mineral Safeguard Safeguarding Zone Hazardous Zones Recreation Character Areas Low Coal Risk Surface Coal High Coal Risk

Officer's Appraisal

Background and History

Broadway consists of a number of dispersed dwellings and a commercial garage located on the northern side of the B4341 Haverfordwest to Broad Haven road. Broadway lies about 1km east of Broad Haven and is close to the boundary of the National Park. The character of the area is linear development along the northern side of the road with a small cul-de-sac of houses to the west of the application site.

The application site is situated between two relatively modern (circa 1970s) bungalows, and comprises a frontage to the road of approximately 95 metres. The site is fronted by a hedgerow and is primarily rough grassland.

The site has been the subject of applications in the past, with a proposal for two dwellings in 2009 being approved by members (contrary to the officers recommendation) but being subsequently refused on the grounds that the scheme relied on a private drainage system within a sewered area contrary to government guidance set out in Planning Policy Wales and Circular 10/99. This shortcoming placed the proposal at odds with the then JUDP and in the absence of any indication from Welsh Water regarding the possible upgrading of the system the application was refused in January 2010 (NP/09/331).

A further outline application for two dwellings and new access was submitted in 2010, and was granted (again contrary to officers recommendation) in July 2010. This application proposed connection to the sewage system which was supported by Welsh Water (NP/10/164). The application was approved subject to conditions requiring any reserved application to include a scheme for the provision of affordable housing comprising no less than one affordable unit and conditions in relation to the design, landscaping and highway improvements. The reserved matters application in relation to this outline consent was approved at the Development Management committee on 20th November 2013 under reference NP/13/0287 and the approved plans are attached to this report.

A further application for three dwellings was also considered at the Development Management committee on 20th November 2013 (reference NP/13/0237). Members resolved to refuse the application on the grounds that the proposal would not comply with the definition of infill as set out in the Local Development Plan, and that the proposal would result in an intensification of development on the site that would fundamentally alter the character of the area and result in an urbanised appearance which would be contrary to the special qualities of the National Park.

Most recently an application for two dwellings, one being offered as an affordable home for low cost home ownership was considered at committee on 21st May 2014 (reference NP/14/0176). Members resolved to approve the application subject to appropriate conditions and a completed Unilateral Undertaking.as the design was considered acceptable.

Current Proposal

The current application seeks approval for the variation of condition no.2 of NP/15/0512 to amend the access arrangements in order to provide improved highway safety and amenities to Plot 2 together with amendments to the house design in relation to market feedback and scale of plot.

Condition No. 2 of NP/15/0512/FUL states:-

'The development hereby permitted shall be carried out, and thereafter retained, strictly in accordance with the deposited plans:

001 (received 10/09/2015)

002 (received 10/09/2015)

003/B (received 10/09/2015)

004/B (received 10/09/2015)

005/A (received 10/09/2015)

006/A (received 10/09/2015)

007/C (received 10/09/2015)

008 (received 10/09/2015)

Planning Report (received 10/09/2015)

Transport Statement (received 10/09/2015)

Coal Mining Risk Assessment (received 10/09/2015)

Geo-Environmental Site Assessment Report (received 10/09/2015)'

The proposed changes include the moving of the access to plot 2 further to the east along the B4341 to share with plot 1 but both plots retain separate driveways. Further changes include a reduction in the size of plot 1 and an enlargement of plot 2 which also includes an increase to the footprint of plot 2 dwelling. The increase in accommodation to plot 2 incorporates the addition of a garage and utility room at ground floor level and a further bedroom/study and an en-suite to the master bedroom at first floor level.

These changes to the dwelling result in the external appearance taking on a more traditional vernacular dwelling when compared to the previous consented dwelling together with a single storey west wing which will incorporate the garage, WC and utility. This wing will also follow the previous lean-to aspect with external stonework to its elevations. The new design will also incorporate a second chimney located on the western gable of the main

aspect and two first floor Juliet balconies are provided to serve two bedrooms to the rear.

The layout of the site for plot 1 remains similar to the previous consent with the dwelling being sited exactly in the same location and only a small loss of garden area in the southwest corner. Plot 2 occupies a similar location to the previous consent but has an increase to the plot size and the extended accommodation is located further to the south west within the plot.

Key Issues

The application raises the following planning matters:-

- Policy and Principle of Development
- Visual Amenity and Special Qualities of the National Park
- Affordable Housing
- Siting and Sustainable Design
- Amenity and Privacy
- Highway Safety and Access
- Landscaping
- Biodiversity
- Land Stability
- Land Drainage

Policy, Principle of Development and Impact on National Park: The site lies within the Countryside as defined within the Local Development Plan (LDP). The principle of the development has already been considered under NP/10/164 and is therefore acceptable. The proposed variations are not considered to have an overall adverse impact on the proposed scheme and comply with the policies of the LDP.

Visual Amenity and Special Qualities of the National Park:

Policy 8 of the Pembrokeshire Coast National Park Local Development Plan (LDP) is a strategic policy which refers to the special qualities of the National Park and lists priorities to ensure that these special qualities will be protected and enhanced. Policy 15 of the LDP seeks the conservation of the Pembrokeshire Coast National Park with criteria 'a' and 'b' resisting development that would cause significant visual intrusion and/or, that would be insensitively and unsympathetically sited within the landscape. Criteria 'd' and 'e' resists development that would fail to harmonise with, or enhance the landform and landscape character of the National Park, and/or fail to incorporate important traditional features.

Policy 29 of the LDP requires all development proposals to be well designed in terms of place and local distinctiveness (criterion 'a'). Policy 30 of the LDP seeks to avoid development that is of an incompatible scale with its surroundings (criterion 'b') or is visually intrusive (criterion 'd').

The proposed revisions on the access and revised plot 2 dwelling are considered not to have an adverse impact on the visual amenities of the area as a whole and also the special qualities of this area of the National Park. The scale, mass, form and detailed design of the dwelling whilst larger in scale still

retains a domestic scale and is acceptable within the context of this site and the surrounding landscape.

In summary it is considered that the development would have no harm upon visual amenity, the character and appearance of the previously approved scheme or wider amenities and complies with the aims of policies 8, 15 and 30 of the Local Development Plan.

Affordable Housing:

Policy 45 of the LDP relates to affordable housing and the revised SPG requires the Authority to seek to negotiate 30% affordable housing on proposals for two or more dwellings. The Authority's adopted Supplementary Planning Guidance in relation to Affordable Housing provides information on the implementation of this policy.

The applicant had previously agreed to the provision of Plot 2 as an affordable home for low cost home ownership and provided a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 in this respect under the previous planning consent NP/14/0176. However, the Authority recently undertook a review of the Affordable Housing Supplementary Planning Guidance (SPG) and the outcome resulted in the requirement being reduced from 50% down to 30% and the commuted sum payment being reduced from £250/m² down to £150/m² for this area.

This resulted in the applicant submitting a similar proposal to the last application, with the knowledge that the affordable housing element would need to be re-considered following the recent review on the SPG. When calculating the provision for this site the new requirement results in a fraction for affordable housing provision and the Authority in these instances rounds down. Therefore, the current proposal will now result in no affordable housing provision on the site, but with a commuted sum payment being required instead. This will be based on the total floor area of both properties proposed.

A new Unilateral Undertaking has been provided with the current application to take account of the increase in scale of the plot 2 dwelling. As such, the current offer of a commuted sum payment of £62,700.00 by way of a completed Unilateral Undertaking complies with the Authority's adopted planning policy on affordable housing and is considered acceptable in this instance.

Siting and Sustainable Design:

Policy 8 of the Pembrokeshire Coast National Park Local Development Plan (LDP) is a strategy policy which refers to the special qualities of the National Park and lists priorities to ensure that these special qualities will be protected and enhanced. Policy 15 of the LDP seeks the conservation of the Pembrokeshire Coast National Park with criteria 'a', 'b' and 'd' resisting development that would cause significant visual intrusion, be insensitively and unsympathetically sited within the landscape, and/or fail to harmonise with, or enhance the landform and landscape character of the National Park. Policy 29 of the LDP requires all development proposals to be well designed in terms of place and local distinctiveness (criterion 'a').

The amended siting of the dwelling and plot size is considered to be in line with the current built development of the surrounding area. The increase to the size of plot 2 dwelling is also considered to be acceptable in this instance and will provide an improvement to the visual amenity and balance to the development. As such the proposed siting and sustainable design is considered to be acceptable in this instance.

Amenity and Privacy:

Policies 29 and 30 of the Local Development Plan seek to protect community cohesion and health and to avoid incompatible development that would lead to a significant adverse impact upon amenity. The supporting text at paragraph 4.136 explains that the policy aims "to protect the amenity enjoyed in people in their residences, workspaces and recreational areas. Amenity is defined as those elements in the appearance and layout of town and countryside which makes for pleasant life rather than mere existence. Anything ugly, dirty, noisy, crowded, intrusive or uncomfortable is likely to adversely affect amenity".

Policy 30 is a criteria based policy setting out that development will not be permitted where it has an unacceptable impact on amenity particularly where, a) the development is for a use inappropriate for where people live or visit and/or; b) the development is of a scale incompatible with its surroundings; and/or; c) the development leads to an increase in traffic or noise or odour or light which has a significant adverse impact; and/or; d) the development is visually intrusive.

No objections have been raised on amenity or privacy as part of the consultation process and the proposed changes are not considered have any greater adverse impact on the neighbour's amenity through the amended design of the dwelling or access. Therefore, the current proposal is considered to be acceptable in this instance and can be supported.

Highway Safety and Access:

The current application proposes amendments to the previous consent in relation to the access to the sites and also omits the previous shared access between plot 2 and the adjacent dwelling known as 'The Bungalow'. The current proposal now provides a shared access point for both plot 1 and 2 off the adjacent main road and once off the road separates into two private driveways.

The Havens Community Council has responded on the application raising concerns on the current scheme, and states that they cannot support the application as this contravenes the original planning consent where the condition was required to improve visibility and make joining the main road safe.

The current proposal has been considered by Pembrokeshire County Council Transportation and Environment section, and the highways officer indicates that the proposal shows a fully acceptable access arrangement. The visibility splays cross either highway land or are fully within the control of the applicant. Each of the proposed driveways to the new plots has suitable parking with associated turning areas. As such, the highways officer supports the

application subject to planning conditions being imposed on any consent granted to ensure the parking and turning areas are provided before the development is brought into use and thereafter retained for no other use.

Therefore, officers consider the views of the highway officer outweigh the objection from The Havens Community Council on highway matters.

Landscaping:

The existing site is an open area of land with banks and hedges to the boundaries, the current scheme proposes new landscaping to the boundary and within the site. Limited details of the proposed landscaping has been provided in support of the current application, and therefore a planning condition is required to ensure the necessary information is made available for approval prior to commencement of the development.

Biodiversity:

The PCNPA Ecologist has commented on the application stating that a protected species survey is not required as there is low likelihood of protected species being found at the development site or that there would be any adverse impact on the habitat or species as a result of the development. However, the applicant/developer should note that works to the hedgebank should avoid the bird nesting season. This will be added to any consent granted in the form of an informative note. As such, the proposal conforms with the relevant requirements of PPW, TAN5 and LDP policy 11.

Land Stability:

The site lies within a defined high risk area where there are coal mining features and hazards which should be considered as part of development proposals. The application did not included a Coal Mining Risk Assessment and has been referred to the Coal Authority who has no objection to the current proposal as further consideration of conditions and or foundation design will be required as part of any subsequent building regulations applications.

Land Drainage:

PCC Drainage Engineers have been consulted as part of the application process, and support the application subject to the discharge of surface water being directed to new soakaways or other form of sustainable drainage system. If, however, ground conditions are not suitable for the use of soakaways/infiltration type SuDS, an alternative method of disposal will be required, which should be agreed in writing with the local planning authority.

Conclusion

The proposed variation of condition 2 will provide acceptable alterations to the previous NP/15/0512 planning consent, and is considered to maintain the special qualities of the National Park when viewed from the immediate and wider landscape and can be supported subject to appropriate conditions.

Recommendation

Therefore, the recommendation to members is for the application to be approved subject to the following conditions and the associated Unilateral Undertaking for the affordable housing contributions.

Conditions

- 1. The development shall begin not later than 29th November 2020. **Reason:** Required to be imposed pursuant to Section 91 (1) of the Town and Country Planning Act 1990 (as amended).
- 2. The development hereby permitted shall be carried out, and thereafter retained, strictly in accordance with the deposited plans:

001 (received 29/04/2016)

002 (received 10/09/2015)

003/B (received 29/04/2016)

003/D (received 29/04/2016)

004 (received 29/04/2016)

004/B (received 10/09/2015)

005/A (received 10/09/2015)

006/A (received 10/09/2015)

P2/01 (received 29/04/2016)

P2/02 (received 29/04/2016)

Updated Planning Report and Design and Access Statement (received 29/04/2016)

Transport Statement (received 10/09/2015)

Coal Mining Risk Assessment (received 10/09/2015)

Geo-Environmental Site Assessment Report (received 10/09/2015)

Reason: To ensure a proper standard of development and appearance in the interests of conserving the amenities and architectural character of the area. Policy: Local Development Plan - Policies 1 - National Park Purposes and Duty, 8 - Special Qualities, 15 - Conservation of the Pembrokeshire Coast National Park, 29 - Sustainable Design and 30 - Amenity.

3. A 1m x 1m sample of wavy render and stonework shall be provided on site for approval, in writing, by the National Park Authority prior to the provision of the render and stonework on the external walls. The works shall thereafter be carried out strictly in accordance with the approved plans.

Reason: To ensure a proper standard of development and appearance in the interests of conserving the amenities and architectural character of the area. Policy: Local Development Plan, Policies 1 - National Park Purposes and Duty and 15 - Conservation of the Pembrokeshire Coast National Park.

- 4. No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
 - i) Cross section of the proposed Geogrid track
 - ii) Cross section of new proposed hedgebanks
 - iii) Cross section of re-sculpted hedgebanks along roadside

Soft landscape works shall include planting plans; written specifications including cultivation and other operations associated with plant and grass establishment; schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; and implementation programme including phasing of works where relevant. **Reason:** In the interest of protecting visual amenity and the special qualities of the area. Policy: Local Development Plan - Policy: 1 (National Park Purposes and Duty), 8 (Special Qualities), 11 (Protection of Biodiversity), 15 (Conservation of the Pembrokeshire Coast National Park), 30 (Amenity).

5. All planting, seeding and turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of development, whichever is the sooner; and any trees or plants which, within a period of five years from the completion of the development, fail, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of maintaining a satisfactory scheme of landscaping and to protect the visual amenity of the area. Policy: Local Development Plan - Policy 15 - Conservation of the Pembrokeshire Coast National Park.

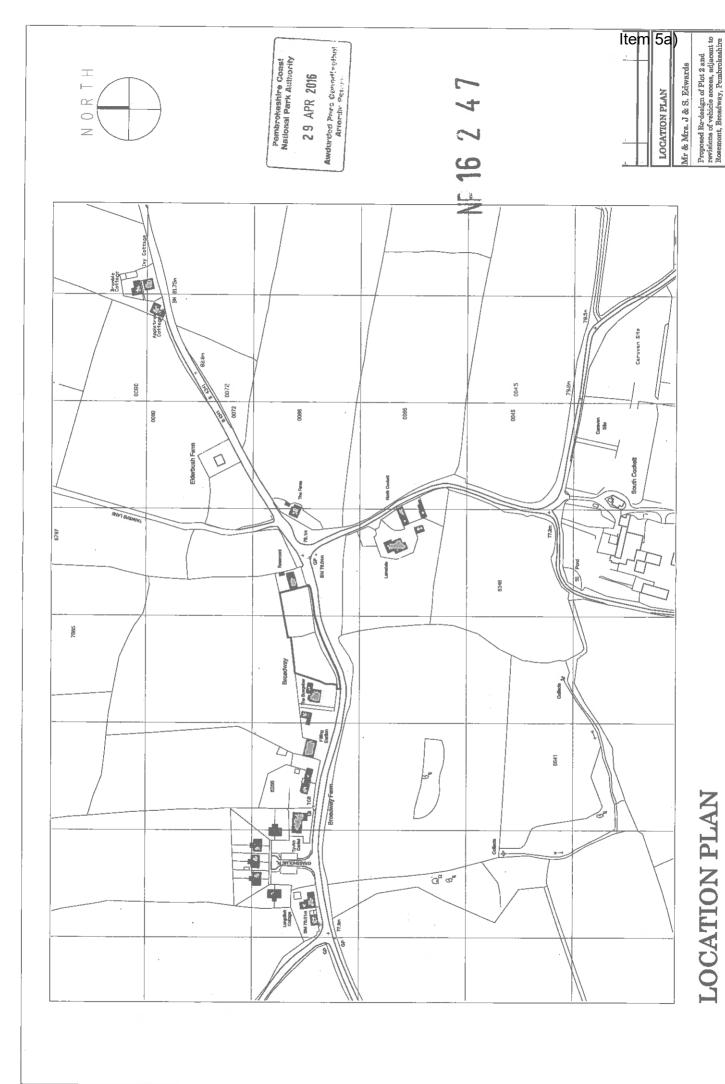
- 6. Full details of all fenestration and its means of opening shall be submitted to and approved in writing by the National Park Authority prior to the commencement of development. The works shall thereafter be carried out in accordance with the approved details.
 Reason: To ensure a proper standard of development and appearance in the interests of conserving the amenities and architectural character of the area. Policy: Local Development Plan Policies 1 (National Park Purposes and Duty) 8 (Special Qualities) 15 (Conservation of the Pembrokeshire Coast National Park) 29 (Sustainable Design) and 30 (Amenity).
- 7. The vehicle accesses, parking and turning area shall be set out and constructed in accordance with the amended plan (003B) before any other works commence on site.
 - **Reason:** To enable vehicles to enter or leave the premises with a minimum of interference to the free flow of through traffic. Policy: Local Development Plan Policy 53 Impacts of Traffic.
- 8. The accesses, visibility splays and turning area shall be completed to the satisfaction of the Local Planning Authority before any other works commence on site.
 - **Reason:** In the interests of road safety. Policy: Local Development Plan Policy 53 Impacts of Traffic.

- 9. Before any construction work is commenced adequate and suitable areas shall be provided within the site for the parking and turning, loading and unloading of all vehicles attracted to the site and for the storage of building materials clear of the public highway.
 Reason: To reduce the likelihood of obstruction of the highway or danger to road users. Policy: Local Development Plan, Policy 53 Impacts on Traffic.
- 10. The parking and turning area as shown on the submitted drawings shall be completed before the development is brought into use and thereafter shall be used for no purpose other than parking and turning.
 Reason: To reduce the likelihood of obstruction of the highway or danger to road users. Policy: Local Development Plan, Policy 53 Impacts of Traffic.
- **11.** The shared access road shall be left open unimpeded by gates or any other barrier.
 - **Reason:** To reduce the likelihood of obstruction of the highway or danger to road users when vehicles are entering the premises. Policy: Local Development Plan, Policy 53 Impacts of Traffic.
- **12.** Foul water and surface water discharges must be drained separately from the site.
 - **Reason:** To protect the integrity of the Public Sewerage system. Policy: Local Development Plan Policy 32 Surface Water Drainage and Planning Policy Wales Edition 5 Chapter 12.
- 13. The development shall utilise soakaways/infiltration type SuDS to dispose of surface water. If, however, ground conditions are not suitable for the use of soakaways/infiltration type SuDS, an alternative method of disposal will be required, which shall be agreed, in writing, with the local planning authority. The development shall be carried out in accordance with the approved details.
 - **Reason:** To ensure that effective drainage facilities are provided for the proposed development and that no adverse impact occurs to the environment or the existing public sewerage system. Policy: Local Development Plan Policy 29 (Sustainable Design).
- 14. Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the Public Sewerage System.
 Reason: To protect the integrity of the Public Sewerage system. Policy: Local Development Plan Policy 32 Surface Water Drainage and Planning Policy Wales Edition 5 Chapter 12.
- 15. Before development commences details of external illumination, including measures to control light spillage, shall be submitted to the National Park Authority for approval, in writing. Development shall be carried out and maintained in accordance with the approved details. Reason: To ensure that animal and plant species which within the terms of the Conservation (Habitats 2c) Regulations 1994 are effectively protected and the Local Development Plan Policy 11 Protection of Biodiversity.

- 16. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended (relating to extensions to and alterations to the external appearance of the dwelling) no windows, or other openings shall be provided in the first floor of the eastern elevation of Plot 1 and the first floor of the western elevation of Plot 2 without specific planning permission being obtained. Reason: In the interest of privacy and amenity. Policy: Local Development Plan Policy 30 (Amenity).
- 17. If evidence of contamination is found in or around the development area, development must not proceed until a report on potential contamination of the site has been prepared by an appropriately qualified person and submitted to and approved by the local planning authority. This report shall include a phased investigation approach, incorporating risk assessment, to indetify the extent of contimination and any measures required to remediate the site, including postdevelopment monitoring. Where remediation works are required, the development shall not be occupied/used until a Validation Report, to show the that the works have been satisfactorily carried out, has been submitted and approved in writing by the Local Planning Authority. Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Policy: Local Devlopment Plan - Policy 30 (Amenity) and Planning Policy Wales (Edition 7, July 2014) - Chapter 13 (Minimising and Managing Environmental Risks and Pollution).

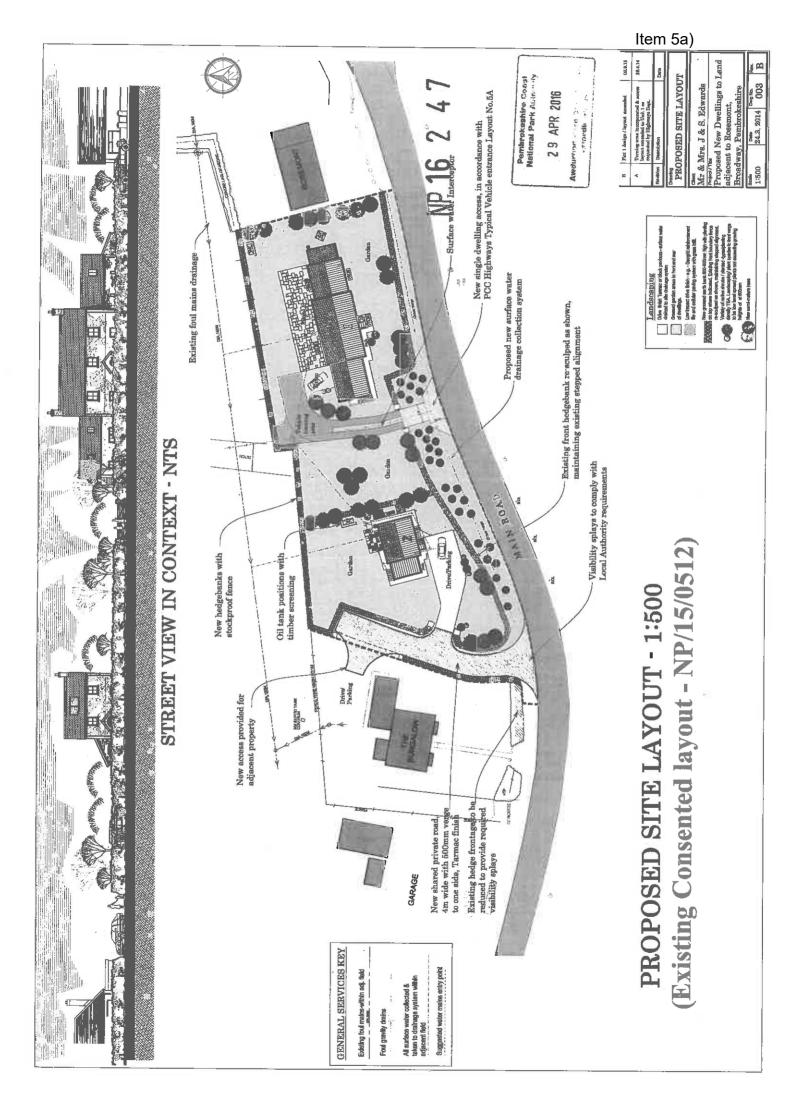
Informatives

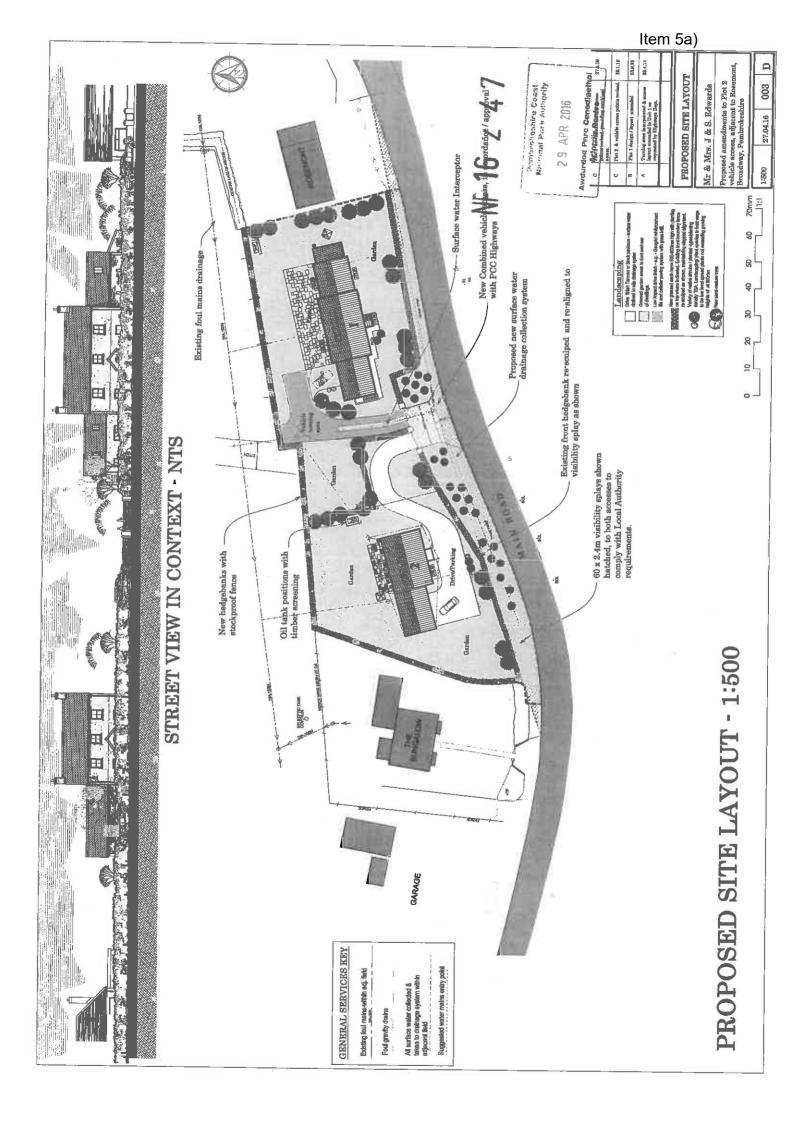
- The attention of the applicant is drawn to the following notes:
- This permission is the subject of a Unilateral Undertaking in relation to the contribution towards affordable housing.
- See attached Natural Resources Wales Planning Advice Note.
- The crossing of the Highway verge/footway requires further consent from the Highway Authority under Section 184 of the Highways Act 1980, and working in the Highway must be done by an approved contractor. The attached letter produced by the Highway Authority includes the application form, contractors list and explanatory notes.
- The applicant should note that the works to the hedgebanks should avoid bird nesting season.
- Condition 1 of NP/15/0512 has been amended.
- Condition 2 of NP/15/0512 has been amended.
- Condition 4 of NP/15/0512 has been amended.

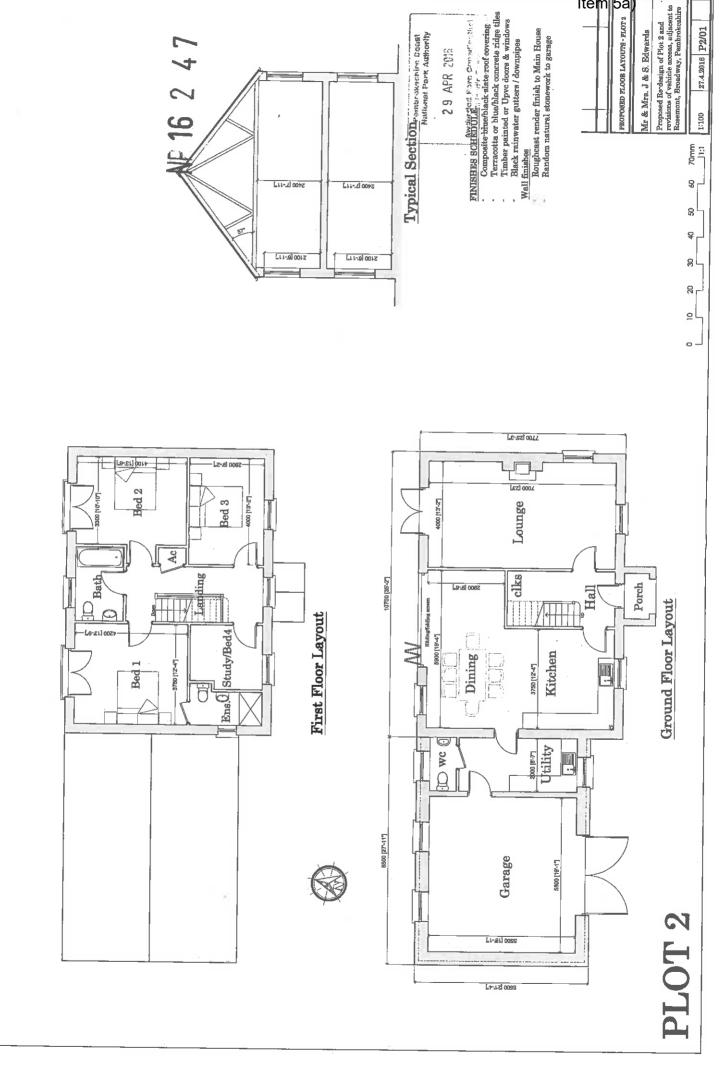


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Item 5a

