

# DEVELOPMENT MANAGEMENT COMMITTEE

20 April 2016

Present: Mrs G Hayward (Chair)

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

[Ms C Gwyther arrived during consideration of application NP/16/0025]

[Llanion Park, Pembroke Dock 10.00am – 11.40am]

## 1. Welcome

The Chair welcomed Ms Nicola Gandy who was observing the meeting as she would be joining the Authority in July as Team Leader: Development Management. She also welcomed the Authority's three mentees to the meeting.

## 2. Apologies

An apology for absence was received from Councillor S Hudson.

## 3. 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 9(b)below</i> Tree Preservation Order 130 – Keepingstone, Newport	Councillor P Harries	Withdrew from the meeting while the item was discussed

## 4. Minutes

The minutes of the meeting held on the 9<sup>th</sup> March 2016 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on the 9<sup>th</sup> March 2016 be confirmed and signed.

**NOTED.**

## 5. Right to speak at Committee

The Chairman informed Members that due notification (prior to the stipulated deadline) had been received from interested parties who



wished to exercise their right to speak at the meeting that day. In accordance with the decision of the National Park Authority of 7<sup>th</sup> December 2011, speakers would have 5 minutes to speak (*the interested parties are listed below against their respective application(s), and in the order in which they addressed the Committee*):

<b>Reference number</b>	<b>Proposal</b>	<b>Speaker</b>
NP/16/0047 <i>Minute 7(b) refers</i>	2x4 person 3 bedroom houses – Land at Peasey Park, Sandyke Road, Broad Haven	Mr R Whittaker, Objector
NP/16/0076 <i>Minute 7(c) refers</i>	Retrospective application for garden shed in rear curtilage – Picton House, The Rhos	Mr Jeremy Percy, Community Council Mr Ian Bartlett, Agent
NP/16/0083 <i>Minute 7(e) refers</i>	Alterations & extensions comprising stepped extensions to the rear elevation, an extension over existing single storey element to the west gable and new dormer windows to the front roof elevation – Paulfryn, St Brides Lane, Saundersfoot	Mr Brian Jones, Objector Mr Ken Morgan, Agent

## **6. 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.

Mr Felgate added that as the Future Generations Wales Act had become law on 1 April 2016, the wellbeing duties from that Act applied, and these required the Authority to carry out sustainable development as a legal duty when making decisions. He went on to provide the definition of sustainable development which meant "the process of improving the



economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals” and to list those goals. Mr Felgate noted that he would be updating his report to the next meeting of the Committee to incorporate this advice and it was requested by members that a training note be circulated setting out details of the new duties.

## **NOTED**

### **7. Report of Planning Applications**

The Committee considered the detailed reports on planning applications, together with any updates reported verbally on the day and recorded below. The Committee determined the applications as follows (*the decision reached on each follows the details of the relevant application*):

- (a) REFERENCE: NP/16/0025/FUL  
APPLICANT: Mr T Unwin  
PROPOSAL: New pitched roofs to replace existing over the original cottage. Remove flat roof & re-pitch to west wing. Provide pitch roof to replace flat over existing garage (east wing). Raise part cottage & construct 1.5 storey extension to the rear  
LOCATION: Burrows, Angle, Pembroke

It was reported that this dwelling was currently single storey and had a pitched roof over the main element and a flat roof over a small rear extension. To the east of the dwelling was a detached single garage with flat roof over. The proposal sought full approval for new pitched roofs to replace existing over the original cottage, to remove the flat roof & re-pitch to the west wing, to provide a pitch roof to replace the existing over the garage and to raise the roof on part of the dwelling and to construct 1 ½ storey extension to the rear.

Since writing the report, a response had been received from Pembrokeshire County Council’s Drainage Engineers which supported the application subject to conditions.

This application was reported to the Development Management Committee because the views of Angle Community Council were contrary to the officer recommendation. The community council considered that any change to the dwelling would be out of character and completely change the skyline in such a prominent location.

Officers had carefully considered the proposal against all material considerations and the relevant national and local development plan



policies and considered that the proposed scheme had a siting and design that was acceptable in this instance. The siting would ensure that adequate parking and turning for the host dwelling was maintained, and the design would ensure that the development retained an appropriate scale with no adverse impact on neighbours. It was also considered that there would be no adverse impact on the special qualities of the National Park when viewed from the immediate and wider landscape. The recommendation was therefore one of approval subject to conditions, including the one suggested by PCC Drainage Engineers.

One Member noted that the dwelling was looking tired and the proposed scheme seemed acceptable. Also its location was such that there were no buildings nearby on which the proposals could have an adverse impact. The recommendation of approval was moved and seconded.

**DECISION: That the application be approved subject to conditions relating to timing, accordance with plans, parking and turning and drainage, as well as an informative note regarding protected species.**

- (b) REFERENCE: NP/16/0047/FUL  
APPLICANT: Mr P Owen, Pembrokeshire Housing Association  
PROPOSAL: 2 x 4-person 2-bedroom houses  
LOCATION: Land at Peasey Park, Sandyke Road, Broad Haven

It was reported that this application site was located to the south of Sandyke Road, an existing residential development within Broad Haven. The site fell just outside the Rural Centre boundary, as detailed in the Key Diagram and Proposals Map accompanying the Local Development Plan, and was designated in the Plan as Open Space. Full planning permission was sought for a small residential development comprising two 2-bedroom, two-storey, semi-detached affordable dwellings.

Objections to the proposal had been received from the Community Council and neighbours, and the concerns raised had been summarised in the report. The application was before the Committee as the views of the Community Council were contrary to those of officers. It was reported at the meeting that two additional letters of objection had been received since writing the report, and these presented similar concerns to those already raised. A response had also been received from Dŵr Cymru Welsh Water offering no objection, subject to conditions.

Following detailed consideration of the issues, and of the responses received from statutory consultees and the public, officers considered the proposed development to be appropriate to the setting, and would be in accordance with national and local planning policy. The recommendation



was therefore of delegation to officers to grant planning permission subject to a Section 106 Legal Agreement in respect of the provision of affordable housing and to other conditions.

It was also reported that since reading the report, the Applicant's Agent had written in with a number of comments which he hoped would address some of the concerns raised. He noted that the ridge height of the proposed properties would be the same as adjacent dwellings and the average distance between the dwellings would be the same – he did not therefore consider there to be overdevelopment as the proposed dwellings would form a continuation of the existing pattern of development. The land was currently overgrown and had been declared surplus to requirement by Pembrokeshire County Council. He noted that following further investigations, soakaways had not been found suitable and thus drainage would be into existing surface water drainage systems. Also that private access to adjacent dwellings would be maintained, with the parking spaces remaining as existing.

Mr Whittaker, an objector, then addressed the Committee, circulating a recent photograph of the site and a plan dated 1996 which showed proposed sports facilities. He explained that he was a permanent resident on the adjacent estate and also spoke on behalf of other residents in the vicinity – Ms Llewellyn, Mrs Howard and those at Puffin House and Watwick House. Referring to the Plan he had circulated, he pointed out that this showed other sporting facilities – cricket, tennis, golf and multi-purpose practice area – which had not been completed due to financial constraints, together with a parking area which was to have been located on the site proposed for the dwellings. Thus he considered building at this location would restrict any future sports facilities in Broad Haven due to a lack of space. He then referred to the photograph which had been taken on 5 April during a football match on the playing field. This showed the current lack of parking, with vehicles parked along the roadside and on the grassed area. He believed therefore that the need for a dedicated parking area for the sports facilities still existed. Staying with concerns relating to parking, Mr Whittaker explained that Mrs Howard and Ms Llewellyn were both blue badge holders and parked in the final two parking bays – they were concerned that these spaces would be lost and also that there would be problems in delivering fuel oil to their properties as well as restricted access for emergency services. Mr Whittaker also asked whether the footpath would be re-positioned as this was unclear from the application form. Finally the issue of the ground water drainage and sewage systems to be used was raised as some dwellings in the vicinity were below the lowest level of the site and already suffered problems with drainage. If the groundwater was not to be directed into a storm drain, then protection was needed so that existing problems were



not exacerbated. Mr Whittaker concluded by saying that he felt the land should be kept for amenity, and not used for housing.

In response to some of the points raised, the officer confirmed that the footpath would be relocated to allow the houses to be built and noted that the agent had indicated the arrangements to be made for storm water. Satisfactory details of these could be required by condition.

Some Members were concerned about the height of the proposed dwellings in relation to the adjacent bungalows and it was suggested that a site visit might prove helpful to allow the Committee to see the layout and levels of the site. Potential problems of privacy and overlooking were also raised, and it was suggested that such issues could be controlled by removal of permitted development rights and officers were asked to consider inclusion of such a condition should the application be approved.

Other Members were concerned about the loss of amenity space that would result if the application site were developed, and clarification was sought as to whether the land, which the Local Development Plan identified as Open Space, was in fact amenity land that was obliged to be made available to the community or whether the owner could erect a fence around it. The officer explained that land was designated for open space as a form of protection against development, and could therefore only be developed for specific reasons, which included affordable housing, but would clarify the legal status of the site.

**DECISION: That the application be deferred to allow the Committee to inspect the site.**

- (c) REFERENCE: NP/16/0076/FUL  
APPLICANT: Mr P Rayner  
PROPOSAL: Retrospective application for garden shed in rear curtilage  
LOCATION: Picton House, The Rhos, Haverfordwest

This application for a shed measuring 13.2 metres by 10 metres and of 4.1 metres to ridge height was retrospective, the structure having been erected by the applicant on the assumption that it fell within the allowances for Permitted Development. The shed was clad in blue steel box profile sheeting with a galvanised roller shutter door and corrugated cement fibre roof. A new vehicular access onto the highway had also been created where there was previously a pedestrian access.

The report set out that there had been a number of objections, including one from the Community Council and it was for this reason that the application was before the Committee. Officers apologised for an error in



the report which stated that no response had been received from Uzmaston, Boulston and Slebech Community Council and a copy of their response was circulated to the Committee - Members were given a few minutes to read the correspondence. The officer noted that the Community Council had made reference to the process of prior approval not having been followed and explained that this process related to agricultural buildings, not to domestic outbuildings under the permitted development procedure. It was not therefore relevant to the current application.

Officers considered that although it was a large building, more traditionally seen in an agricultural setting, with an appropriate colour scheme the building would blend into the background and the current visual intrusion could be mitigated. An improved landscaping scheme was also suggested by the planning officer. The Highway Authority had replied that it was satisfied that the new access would not be a danger to road users. The impact on the special qualities of the National Park would thus be negated and the application could be supported subject to conditions. Suggested condition 2 would require the building to be powder coated or painted matt black and officers recommended at the meeting that this condition be amended to require the building colour to be maintained and retained thereafter.

Mr Jeremy Percy was the first of two speakers on the application. He explained he was a Community Councillor who was speaking on behalf of local residents at their request. Mr Percy listed some of the policy concerns of residents – that the building was disproportionate to the size of Picton House, being more of an agricultural than a domestic building, and was out of character with neighbouring properties in a rural hamlet with period charm. He pointed out that there were no other commercial properties in the village, nor properties that were out of proportion to the original dwellings and he felt that the shed “stuck out like a sore thumb”.

With regard to policy 11, the protection of biodiversity, Mr Percy explained that residents were concerned at the removal of hedges as what had been a small pedestrian access had become a driveway, making the development more visible and focusing interest on it. They were also concerned about the proposed landscaping as the suggested plants were both slow growing and deciduous meaning that the development would not be screened for part of the year. Residents were not happy with the officer’s suggestion to paint the building black and had suggested that it be clad in wood with a green roof, which would match the treatment of the nearby village hall.

The second speaker was Mr Ian Bartlett, the Agent. He explained that his client had purchased Picton House 18 months previously and had



undertaken extensive refurbishment. The shed, which was within a large rear garden, had been intended to fall within Permitted Development rights but was in fact 6” too high. The building was intended for the personal garaging and storage use of the applicant with no commercial function. With regard to concerns of size and colour expressed by local residents, he pointed out that permitted development allowed for a building with a larger footprint and placed no limit on the appearance of structures, however his clients were keen to cooperate with the Authority and had agreed to paint it and to provide additional landscaping. Mr Bartlett noted that the fallback position was that the height of the building be reduced but in such a circumstance there would be no requirement for painting or landscaping, and therefore only approval of the application would allow the Authority control over the concerns of objectors.

While Members generally agreed that the building did stand out they were of the opinion that a suitable colour for the building and provision of landscaping were essential to soften its impact, if it were to stay, however not all were in agreement that black was the best colour, wondering whether green would be better. They therefore asked that condition 2 be further amended to read “clad, powder coated or painted an agreed dark colour to a specification to be agreed by the Local Planning Authority”. Officers also said that they understood that gates had now been fitted which would also help to screen the building.

**DECISION: That the application be approved subject to conditions relating to accordance with plans, colour of the building to be agreed and maintained thereafter, no commercial use, no external lighting and landscaping.**

- (d) REFERENCE: NP/16/0079/FUL  
APPLICANT: Mr C & J Folland  
PROPOSAL: Extend & modernise ex local authority bungalow to include one further bedroom (upstairs) & provide spacious dining area/sitting room to the garden together with a full bath/shower room, separate wc & working utility room  
LOCATION: 4 Noddfa Dewi, St Davids

It was reported that since writing the report, this application had been determined under the Authority’s scheme of delegation and was not therefore considered by the Committee.

**NOTED.**





- (e) REFERENCE: NP/16/0083/FUL  
APPLICANT: Mr & Mrs S & C Lander  
PROPOSAL: Alterations & extensions comprising stepped extensions to the rear elevation, an extension over existing single storey element to the west gable and new dormer windows to the front roof elevation  
LOCATION: Paulfryn, St Brides Lane, Saundersfoot

Planning permission was sought for the extension and alteration of a detached dwelling house, situated within a long garden plot in a densely developed setting just within the Centre Boundary for Saundersfoot as defined for the purposes of the Local Development Plan. The proposed extension would be to an existing dwelling and within the residential curtilage for the property.

Following consultation, two letters of objection had been received from neighbouring properties, which raised concerns in respect of the proposed scale and mass of the development, and the resulting impact on natural daylight, amenity and privacy currently enjoyed. Saundersfoot Community Council had objected to the proposal on the same grounds, and also on the grounds of the scale of the proposal relative to the surrounding properties and that the development would be unsympathetic to the area.

The proposed extension would be to the rear of the dwelling, which had its aspect toward the harbour. The extension took a stepped form which was subservient to the width of the main part of the house, and while this was visually different, it was not considered to be overwhelming in scale and mass. The main house was relatively modern twentieth century in appearance, thus the proposed alterations were not considered to result in the loss of character. Adequate private amenity and parking space would still be available to the property, and the extension was not considered to have a significantly greater impact on amenity and privacy than was already experienced at this location.

With regard to the concerns of overshadowing expressed by objectors, officers considered that the differing ground levels in the area and the variable locations of the dwellings in relation to each other would ensure that there would be sufficient daylight and that the development was not oppressive. In addition obscure glazing would be used in balconies and windows to the east and west facing elevations and walls and screening which formed part of the application would prevent direct views into neighbouring properties. The proposal would meet the policy requirements of the Pembrokeshire Coast National Park Local Development Plan, therefore this application was recommended for approval, subject to conditions.



The first of two speakers was Mr Brian Jones, an objector, who explained that his concerns regarding the proposal were outlined in his letter of 25 February and summarised in the report. However he wished to add to his concerns regarding shade and shadow stating that the proposed development would protrude 8.6m to the north of his property and he demonstrated by way of a plan that the sunlight would be obscured from his property until the sun was much higher in the sky. He therefore asked the Committee to visit the site to allow all the issues raised by neighbouring properties to be considered.

The second speaker was Mr Ken Morgan, the Architect. He noted that the officer in her report was satisfied that the depth of the extensions proposed would not be overwhelming. Measures had also been taken to increase neighbours' privacy and panoramic views from their properties would be unaffected. With regard to overshadowing, the guidance of the Planning Officers Society for Wales had been followed and therefore no windows of habitable rooms had been overshadowed. Mr Morgan noted that currently all three properties in the area had views over each other's gardens and the use of obscure glazing on the west elevation of the proposed extension would help the situation. With regard to other concerns raised, his clients had expressed their willingness to make good any damage to the private road by construction traffic and stated that the house would not be doubled in size, with the increase being only slightly more than 50% - this was not out of keeping with other properties in the area. Mr Morgan concluded by saying that he had been working on the project for nearly eighteen months and the size of the extensions had been reduced following consultation with neighbours. Discussions had also taken place with planning officers and he therefore asked Members to endorse their recommendation of approval.

A number of Members expressed concern over the mass and design of the proposed extension as well as the resulting loss of amenity to and overshadowing of neighbouring properties. They acknowledged that it was a difficult site to develop and considered that it would be helpful to undertake a site visit; this was proposed and seconded.

**DECISION: That the application be deferred and the site visited by the Committee.**



*[Councillor ML Evans was not present when the following application was considered]*

- (f) REFERENCE: NP/16/0122/FUL  
APPLICANT: Mr D Williams  
PROPOSAL: Erection of polytunnel for non-commercial cultivation of fruit & vegetables  
LOCATION: Golwg Y Graig, Dinas Cross, Newport

It was reported that this planning application was before the Committee as the applicant was related to a member of staff employed by the Authority.

Planning permission was sought for the erection of a polytunnel for the purpose of growing fruit and vegetables within the rear garden of the above mentioned dwelling house. Ancillary buildings and structures could be built within the curtilage of a dwelling house under 'permitted development' rights subject to certain conditions, and further restrictions and conditions applied to sites within a Conservation Area or a National Park. Planning permission was required in this instance as the ground floor area of the proposed structure exceeded permitted development rights in that it was greater than 10 square metres and was sited more than 20 metres from any wall of the dwelling house.

Officers considered the proposed polytunnels to be acceptable and would not have a detrimental impact upon the character of the property or surrounding amenity. As such the application complied with the relevant policies of the Local Development Plan and was recommended for approval.

**DECISION: That the application be approved subject to standard conditions relating to time and accordance with plans.**

## **8. Appeals**

The Director of Planning reported on 6 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.**

## **9. Other Planning Issues:**

### **a) Tree Preservation Order 129 – St Justinians Church, Little Milford**

A request had been received for a Tree Preservation Order (TPO) on a yew tree within the churchyard of St Justinians Church. The tree had been confirmed as being a veteran specimen in excess of 500 years old



by the Ancient Yew Group and was considered by the Tree and Landscape Officer as being of historic and arboricultural importance which merited inclusion within a TPO. The Order had been subject to consultation and no objections had been received.

It was **RESOLVED** that Tree Preservation Order 129 be confirmed.

*[Councillor P Harries disclosed an interest in the following item and withdrew from the meeting while it was considered.]*

**b) Tree Preservation Order 130 – Keepingstone, Newport**

A request had been received for a Tree Preservation Order (TPO) on a group of spruce trees alongside the highway at Keepingstone, Newport due to their local historical significance. Following consultation, two letters of support and one of objection had been received, with the main issues in objection being that the trees were a Health and Safety hazard, they were non-native and had no particular amenity value. Following consideration of the responses received, the Tree and Landscape Officer considered that although the visual aesthetics of a tree were subjective, the objective guidelines for implementing a Tree Preservation Order were all sufficiently met by the group in question and it was recommended that TPO 130 be confirmed.

One Member remarked that many non-native trees were of great importance and that encouragement of only native varieties would impoverish the treescape of the National Park.

It was **RESOLVED** that Tree Preservation Order 130 be confirmed.

