

Application Ref: NP/18/0346/OUT

Case Officer	David Griffiths		
Applicant	Mr & Mrs W David		
Agent	Mr A Vaughan-Harries, Hayston Development & Planning		
Proposal	Erection of 2 storey detached dwelling (outline)		
Site Location	Sirmione, Lawrenny Road, Cresselly, Kilgetty, Pembrokeshire, SA68 0SY		
Grid Ref	SN05370547		
Date Valid	06-Jun-2018	Target Date	31-Jul-2018

This application is referred to the Development Management Committee for determination on the request of Councillor Clements.

Consultee Response

PCC - Transportation & Environment: Conditional Consent

PCC - Drainage Engineers: Standard Advice

PCC - Head of Public Protection: No adverse comments

Carew Community Council: No adverse comments

PCNPA Planning Ecologist: No adverse comments

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 public response has been received.

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 45 – Affordable housing

LDP Policy 52 - Sustainable Transport

PPW9 Chapter 08 - Transport

SPG08 - Affordable Housing

TAN 18 - Transport

Constraints

LDP Mineral Safeguard

Biodiversity Issue

Pembrokeshire Coast National Park Authority

Development Management Committee – 18th July 2018

Historic Landscape
 Recreation Character Areas
 Low Coal Risk
 Landscape Character Assessment

Officer's Appraisal

Site and Context

The application site is located to the north of Carew on the southern side of Lawrenny Road which runs between the C3064 road to the east and the A4075 road to the west. The application site relates to a levelled lawn area that forms part of the existing side garden curtilage of the residential dwelling known as Sirmione. The site subject to this application lies between two existing dwellings known as Sirmione and Avon Ridge which form a row of nine dwellings along this area of Lawrenny Road. The site is enclosed on three sides by existing hedging and trees and backs onto open fields to the south.

Relevant Planning History

18/0192/OUT – Erection of Residential Dwelling. – Refused 18th May 2018

Description of Proposal

Outline planning permission is sought for a single infill dwelling on land currently used as garden to the property known as Sirmione. All matters of access, appearance, landscaping, layout and scale are reserved for a future reserved matters application. Indicative plans have been submitted proposing a 1.5 storey dwelling with associated garden, parking and turning area within the site.

The submitted indicative scale parameters of the proposed dwelling have been shown as follows:

Main Length (Front) – 10.00m to 11.00m
 Lean-to Wing (Side) – 6.50m to 7.00m
 Lean-to Wing (Front) – 2.75m to 3.25m
 Rear Wing (Side) – 4.00m to 4.50m
 Main Width (Side) – 8.00m to 8.50m
 Rear Wing (Back) – 5.00m to 5.50m
 Height (1.5 Storey) – 7.00m to 8.00m
 Height (1 Storey) – 4.00m to 5.00m
 Potential Footprint Area – 125 metres square

A pre-application (reference PA/17/0215) was submitted to this authority in October 2017 for the proposed development of a single infill plot at the site. Whilst Officers identified the site as an “infill plot” in considering the application, the site was considered ‘inaccessible’ for full residential use due to the its location being outside a Local or Rural Centre as identified by the Local Development Plan and served by a bus route where there were less than 5 return journeys a day.

This planning application is a resubmission of an earlier outline planning application (ref: NP/18/0192/OUT) for the erection of a residential dwelling which was refused under delegated powers on 18th May 2018 due to the site being considered in an inaccessible location and contrary to Policy 7 and 52 of the adopted Pembrokeshire

Coast National Park Local Development Plan as well as National Policy contained in Planning Policy Wales (Edition 9, 2016) Chapter 8 (Transport) and TAN 18 (Transport).

Key Issues

The application raises the following planning matters:

- Policy and Principle of Development
- Scale
- Appearance
- Access
- Landscaping
- Layout
- Other Material Considerations

Policy and Principle of Development:

All planning applications are required by statute to be determined in accordance with the policies with the current development plan, which is the Pembrokeshire Coast National Park Local Development Plan (LDP) unless material considerations indicate otherwise. The LDP is supported by Supplementary Planning Guidance (SPG) on a variety of subjects. National Policy Advice is contained in Planning Policy Wales Edition 9, November 2016 (PPW 9) (November 2016) and accompanying Technical Advice Notes (TAN's).

The application site is not within a Centre defined in the LDP and therefore Policy 7 of the LDP is relevant. This Policy sets out the types of development that may be acceptable in the countryside and in terms of a new dwelling allows conversion of appropriate buildings, infill and rounding off. Infill is defined in the plan as “development for one or two units of a size compatible with its setting in a small gap in an otherwise built-up frontage”. In assessing these particular proposals the Policy advises that accessibility to Centres identified within the LDP will be an important consideration.

The application site forms the side garden of the existing dwelling known as ‘Sirmione’ and also adjoins the neighbouring property (Avon Ridge) along its eastern side boundary. The plot subject to this application has a width and depth that is similar to the other developed housing plots that form this existing linear row of properties on this section of Lawrenny Road, and as a result gives the appearance of a vacant plot amongst the row of existing dwellings. Sufficient garden amenity area would be retained by the property known as ‘Sirmione’ of which this site currently forms part of the garden curtilage and officers therefore consider that the application site meets the definition of an ‘infill site’.

In respect of accessibility, Planning Policy Wales (Chapter 8 - Transport), paragraph 8.1.4 states that the Welsh Assembly Government supports a transport hierarchy in relation to new development that establishes priorities in such a way that, wherever possible, they are accessible in the first instance, by walking and cycling, then by public transport and then finally by private motor vehicles. In paragraph 8.1.5 of Planning Policy Wales it is recognised that land use planning can help achieve the Welsh Government’s objectives for transport through reducing the need to travel,

especially by private car, by locating development where there is good access by walking, cycling and public transport.

In line with this national policy context, Policy 7 of the LDP advises that accessibility to the Centres identified within the LDP (including those in Pembrokeshire County Council's Local Development Plan) will be an important consideration. This is to maximise opportunities of sustainable travel through walking, cycling and using public transport to reach a range of facilities and services that would normally be beneficial for the end-users of the proposed development.

When assessing accessibility, the authority's Accessibility Supplementary Planning Guidance (SPG) (adopted June 2013) advises that a standard 1km distance between the site and the nearest Centre (as identified in the LDP) where a range of facilities and services are available will be used to determine accessibility. This is measured along appropriate routes and is to maximise opportunities for sustainable travel through walking, cycling and using public transport to reach a range of facilities as referred to previously. Alternatively, the site must be within 1km of a bus route with 5 or more return journeys a day in order to be considered accessible for full residential use.

The site is located approximately 2km away from the nearest identified Centre (Carew, which falls to the South and is identified as a Centre within the Pembrokeshire County Council Local Plan). The site is located less than half a km from the route of a bus service (361), which operates between Tenby and Pembroke Dock, but the frequency of the service is below that required for full-time residential development i.e. a minimum of 5 return journeys a day. Development at this location for full-time residential use is therefore considered to be contrary to Policy 7, criterion (a) of the LDP and the Authority's SPG on Accessibility.

The applicant's agent has suggested various elements within the design of the property to overcome the lack of accessibility. However, private facilities such as electric hook-ups, bicycle storage, home offices etc. are not enforceable. In an appeal decision relating to a site in Taskers Garden (planning ref NP/12/0408) (referred to by the applicant's agent) the inspector commented that

"...although the principle of infill development on the site is acceptable, its location with regard to the distance from a bus route and the frequency and timing of the service make it inaccessible and unacceptable for the residential use proposed. Whilst the circumstances of the appellant and his family in terms of their proposal to work from home may reduce their reliance on private transport, the benefits this might bring are not sufficient to outweigh the inaccessible location of the appeal site."

It was further concluded by the Inspector that

"Paragraph 4.4.3 of PPW confirms that locating developments so as to minimise the demand for travel, especially by private car, remains one of the key policy objectives."

And -

"...the development would therefore not be sustainable in terms of its location, contrary to policies 7 and 52 of the LDP, PPW and TAN18."

The Inspector also commented on the proposed Travel Plan accompanying that application (and similar to the current application at Sirmione) that:

“I am not satisfied that the TP [travel plan] in its current form contains sufficient detail to secure the commitment necessary to ensure car usage would not be relied on in preference to the use of public transport.

In addition, the proposed Travel Plan (TP) has to be relevant for the life of the development not just for its occupation by the appellant and his family in their current circumstances. Although there is no standard format or content for a TP it should set out a long-term strategy to manage trips to and from the site following its development and occupation and be regularly reviewed to assess its effectiveness. The TP as submitted fails to set out a long-term strategy which could be secured through a planning condition enforceable against any developer who implements the permission or subsequent occupiers of the property or through a planning obligation under Section 106 of the Town and Country Planning Act 1990.”

Whilst a subsequent application at that site found Officer approval for development on the premise of submission of a travel plan, that application failed to take into account the Inspector’s comments on the previous application relating to the inability of the Authority to enforce such conditions.

A further appeal for a dwelling at Pontiago, Goodwick (ref NP/12/0319) also considered accessibility to Centres. Here the Inspector concluded:

“The only public transport is the ‘Strumble Shuttle’ which provides only a limited service between Pontiago and Goodwick unlikely to be of regular practical benefit on a day-to-day basis. Whilst I recognise that other ‘isolated groups of dwellings’ within the national park may have poorer accessibility to day-to-day services and facilities by means other than the car, it appears to be that occupants of any new dwellings at Pontiago would be highly dependent on the private car for access to facilities and services. As such, I find that the accessibility credentials of the site weigh against, rather in favour of the proposal in terms of the provision of LDP policy 7.”

Each planning application should be treated on its merits and against current local and national planning policy and guidance. SPG’s may be taken into account as a material planning consideration.

The applicant’s agent has provided a Green Transport Plan in an attempt to mitigate against the lack of accessibility and is based on the following:

- Provision of secure and covered bicycle storage
- Provision of an electric hook-up / charging point for an electric vehicle
- Space within the dwelling for a home office
- Broadband provision to promote online shopping
- A package of information for residents to include
 - i. Bus timetable for 361 and other local routes
 - ii. Community bus information – <http://www.pacto.org.uk>
 - iii. School bus information – <https://www.pembrokeshire.gov.uk/school-transport>

Paragraph 8.71 of PPW 9 highlighted (amongst other criteria) the need for planning authorities to take into account the willingness of a developer to promote travel by public transport, walking or cycling, or to provide infrastructure or measures to manage traffic in order to overcome traffic objection to the proposed development. In determining whether the Travel Plan can provide a realistic attention to the use of a private car it has to be remembered that planning permission runs with the land and

not the individual, therefore a Travel Plan has to be capable of being and likely to be followed by successive occupiers of the development. Paragraph 9.13 of TAN 18 (Transport) advises that *“the weight to be attached to a Travel Plan when determining a planning application will depend upon the extent to which it (or parts of it) can be secured through a planning condition or obligation and the extent to which it affects the acceptability of the development proposed”*. It further advises that *“development that is unacceptable should never be permitted because of the existence of a Travel Plan if the implementation of that plan cannot be enforced”*.

In this instance, officers consider that a planning condition to ensure the use of suggested alternatives to the private car would not meet all of the six tests of a planning condition (which are necessary, precise, reasonable, enforceable, relevant to planning and relevant to the development) as the Travel Plan could not be enforced in perpetuity.

This has been reinforced following a recent planning appeal decision (ref: APP/L9503/A/18/3196720, dated 25th June 2018) which related to a proposed dwelling within the village of Freshwater East, whereby the Inspector in his conclusions commented

“...I also note the submissions that the development would be accessible to facilities and services, including public transport. However, whilst I acknowledge that such matters weigh in favour of the appeal, I do not consider that the extent of such matters weighs so heavily to justify a departure from the adopted development plan policy in this instance. Indeed, much of the sustainability arguments advanced in favour of the appeal, including the use of an electric/hybrid car, home working, online shopping and car sharing, would be unenforceable through the imposition of planning conditions and would therefore fail to satisfy the requirements of Welsh Government Circular 16/2014: The Use of Planning Conditions for Development Management (October 2014).”

There may be other circumstances which may overcome a lack of accessibility as set out in the authority's SPG although none of those are proposed in this application.

The site may be suitable, in principle for new development for affordable housing even though it may not be accessible other than by a private car. The provision of on-site affordable housing on this site would be considered to be an exception as this would meet local housing needs enabling those that are unable to access open market housing because of the gap between their incomes and house prices/rent in the local area.

The applicant's agent has provided a statement in respect of the affordable housing contribution (commuted sum), however, the dwelling itself would have to be an affordable unit in itself in order to comply with the relevant policies of the LDP and that is not proposed in this application.

The authority's SPG on Affordable Housing requires a contribution of £100 per square metre for new dwellings in this area. As a unilateral undertaking has not been submitted with this application it is also considered contrary to Policy 45 of the LDP and the authority's SPG on Affordable Housing.

Reference has also been made by the applicant's agent that the site may be suitable for new development for holiday units, even though it may not be accessible other than by private car and that occupants of an open market houses have the same

accessibility requirements. When considering holiday letting purposes, the authority accepts that the travelling needs of holidaymakers generally differ to those of permanent residents and as such a less frequent bus service (with at least 3 return journeys a day, within 1km of the site) is generally acceptable as an alternative to car travel.

In view of the above, it is considered by officers, that whilst the proposal is suitable as an in-fill plot and would be in keeping with the surroundings, the proposal for a full residential dwelling for open market would not be considered accessible under Policy 7 and 52 of the adopted LDP and the submitted Transport Plan could not be reasonably enforced in perpetuity.

Scale:

This matter is reserved for a further application, however, the submitted details indicate a 1 ½ storey dwelling with a single storey lean-to addition based on the size parameters - Main Length (Front) – 10.00m to 11.00m; Lean-to Wing (Front) – 2.75m to 3.25m; Lean-to Wing (Side) – 6.50m to 7.00m; Rear Wing (Side) – 4.00m to 4.50m; Main Width (Side) – 8.00m to 8.50m; Rear Wing (Back) – 5.00m to 5.50m; Height (1.5 Storey) – 7.00m to 8.00m; Height (1 Storey) – 4.00m to 5.00m. A site plan has been submitted detailing an indicative footprint of the proposed dwelling within the plot.

Appearance:

This matter is reserved for a future application, however the plans indicate a double fronted 1 ½ storey dwelling with lean-to side addition of traditional design.

Access:

Access to the development is via an existing opening to the property with detailed design reserved for a future application. PCC's Highways Authority has been consulted in respect of the proposed development and no formal response has been received at the time of writing this report.

Landscaping:

The application site is not within a conservation area and there are no tree preservation orders (TPO'S) on the existing trees within the site. The matter of landscaping is reserved for a future application.

Layout:

This matter is reserved for a future application.

Other Material Considerations:

No other issues have been identified for consideration.

Conclusion

The site is located outside any identified Centre but within 1km of a bus route with less than 5 return journeys a day. As such, the development is considered to be inaccessible for full residential use i.e. open market and contrary to policies 7 and 52 of the LDP. The submitted Travel Plan, provided as mitigation for the lack of

accessibility could not be reasonably enforced by planning conditions or obligation and therefore the application does not demonstrate the required accessibility for a full residential property at this location. There are no other material planning considerations that indicate a grant of permission would be appropriate. The application is therefore recommended for refusal.

Recommendation

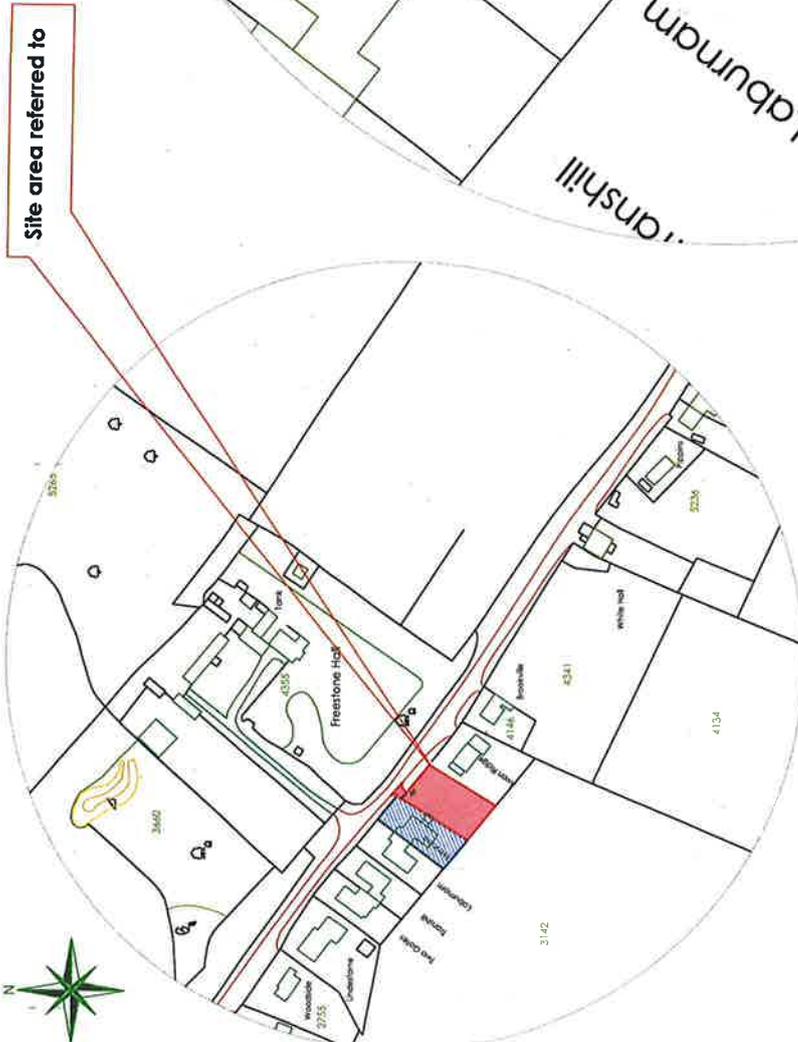
REFUSE, for the following reason(s):

1. The proposed development of a single dwelling would result in occupants of the dwelling being reliant on the use of private motor vehicles, which could not be adequately mitigated by the submitted Transport Plan by virtue that the permission could not be reasonably enforced in perpetuity. As a result, the proposal is considered to be located in an inaccessible location contrary to criterion (a) of Policy 7 (Countryside) and Policy 52 (Sustainable Transport) of the Pembrokeshire Coast National Park Authority adopted Local Development Plan as well as National Policy contained in Planning Policy Wales Edition 9, Chapter 8 (Transport) and TAN 18 (Transport) (March 2007).
2. The application fails to justify the lack of provision of a financial contribution towards affordable housing. The application therefore fails under Policy 45 (Affordable Housing) and Supplementary Planning Guidance for Affordable Housing (adopted 5th November 2014) and is therefore contrary to guidance contained within Planning Policy Wales (edition 9, November 2016).



NP 18 3 4 6

Block Plan - Scale 1:500



Location Plan
Scale 1:2500

Site area referred to

Site area referred to
(Planning Unit)



Land in client ownership highlighted thus



Br

4146

Sirmione

Laburnam

Avon Ridge

06 JUN 2018
Awdurdod Parc Cenedlaethol
Ardforir Penfro



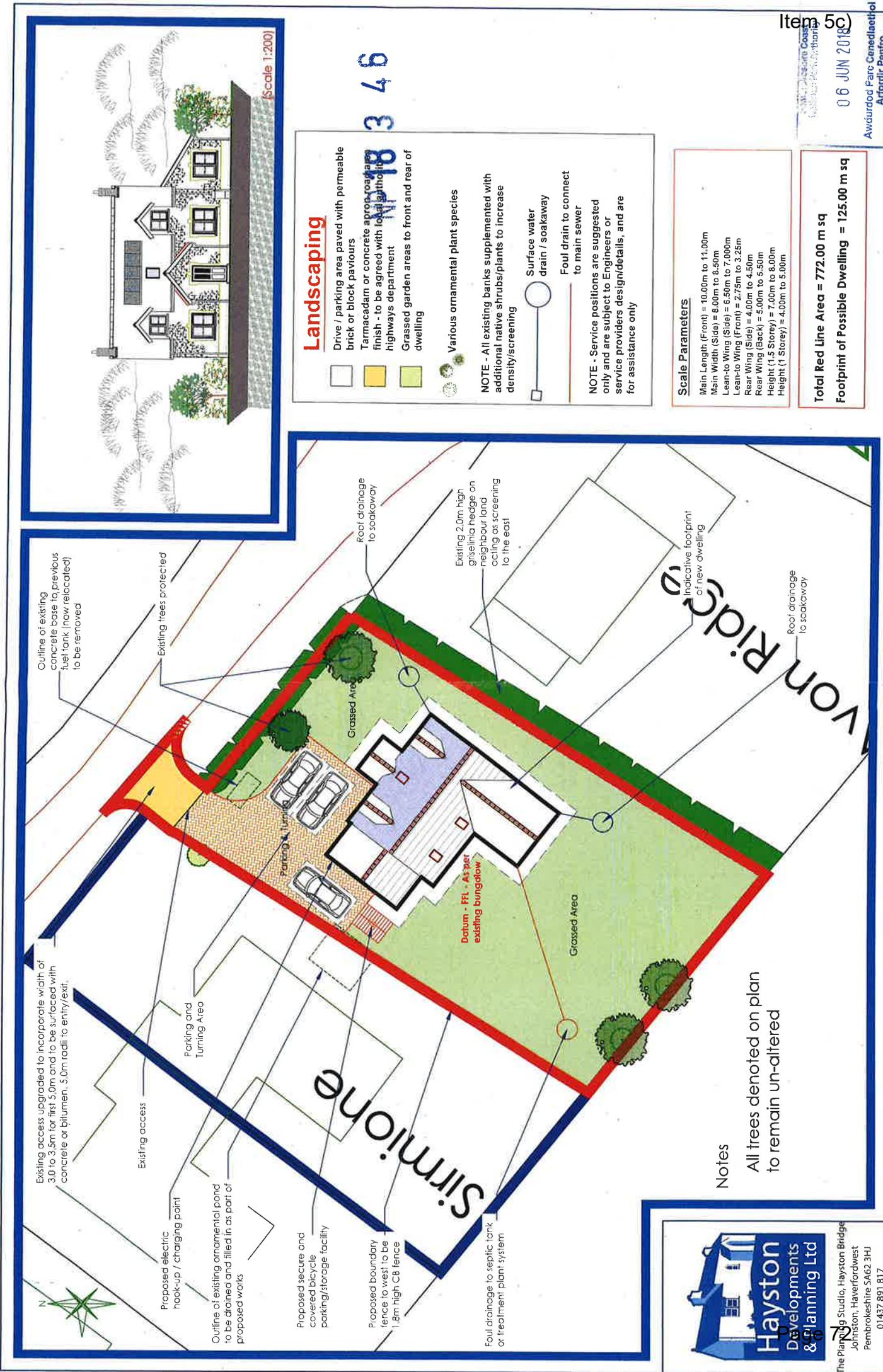
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Designed by	Checked by	File name	Date	Scale	Client
		AVH_426	09.02.2018	A3 - As Shown	Mr William David

Outline Application
Proposed Development of Single Infill Plot
Sirmione, Lawrenny Road, Cresselly, Kildgety, Pembrokeshire SA68 0SY

Location Plan and Block Plan

Dwg No. 01a



Landscaping

- Drive / parking area paved with permeable brick or block paviours
- Tarmacadam or concrete appropriate finish - to be agreed with local authority highways department
- Grassed garden areas to front and rear of dwelling
- Various ornamental plant species

NOTE - All existing banks supplemented with additional native shrubs/plants to increase density/screening

NOTE - Service positions are suggested only and are subject to Engineers or service providers design/details, and are for assistance only

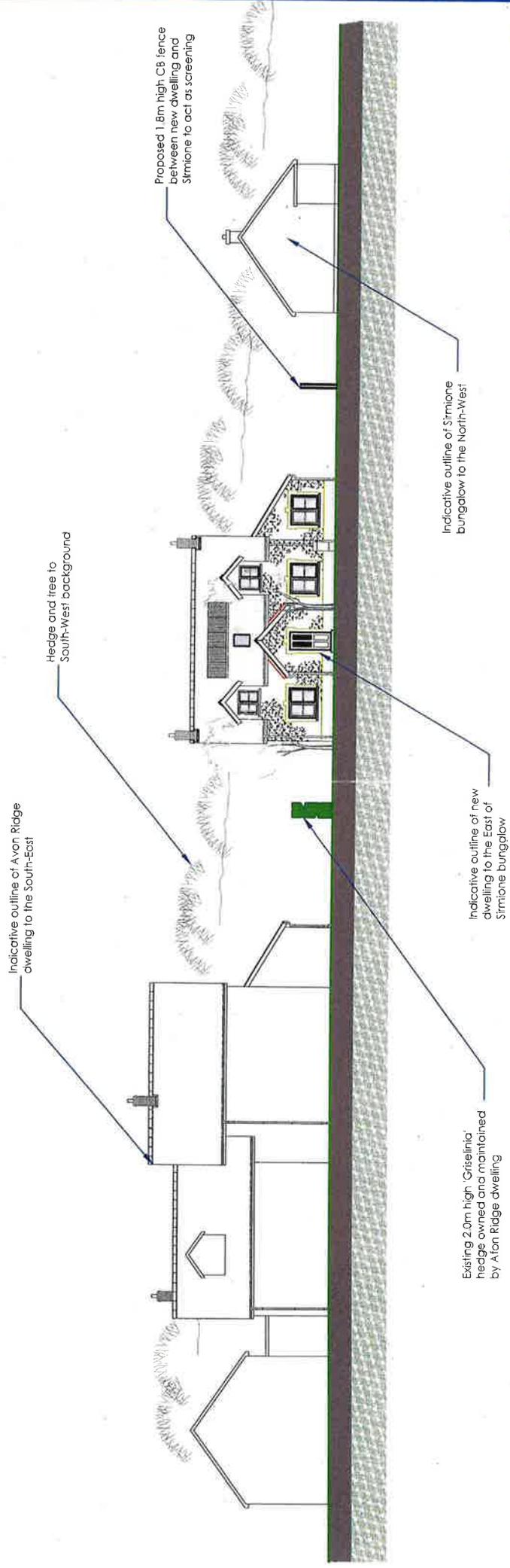
Scale Parameters

Main Length (Front)	= 10.00m to 11.00m
Main Width (Side)	= 8.00m to 8.50m
Lean-to Wing (Side)	= 6.50m to 7.00m
Rear Wing (Front)	= 2.75m to 3.25m
Rear Wing (Side)	= 4.00m to 4.50m
Rear Wing (Back)	= 5.00m to 5.50m
Height (1.5 Storey)	= 7.00m to 8.00m
Height (1 Storey)	= 4.00m to 5.00m

Total Red Line Area = 772.00 m sq
Footprint of Possible Dwelling = 125.00 m sq

Item 5(c)
 06 JUN 2018
 Awdurdod Parc Cenedlaethol
 Arfordir Penfro

Designed by	Checked by	File name	Date	Scale	Client
		AVH_426	17.03.2018	A3 - 1:250	Mr William David
Drawing Title					
Site Plan					
Outline Application Proposed Development of Single Infill Plot Sirmione, Lawrenny Road, Cresselly, Kilgetty, Pembrokeshire SA68 0SY					
The Planning Studio, Hayston Bridge Johnston, Haverfordwest Pembrokeshire SA62 3HJ 01437 891 817 07515 851 704 andrew@haystonplanning.co.uk www.planningpembrokeshire.co.uk					
Dwg No. 02b					



NP 18 3 46

Pembrokeshire Coast
National Park Authority
06 JUN 2018
Awdurdod Parc Cenedlaethol
Arfordir Penfro



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Designed by	Checked by	File name	Date	Scale	Client
		AVH_426	09.02.2018	A3-1:1000	Mr William David

Outline Application
Proposed Development of Single Infill Plot
Sirmione, Lawrenny Road, Cresselly, Kigetty, Pembrokeshire SA68 0SY