

REPORT OF THE DEVELOPMENT MANAGEMENT TEAM LEADER ON APPEALS

The following appeals have been lodged with the Authority and the current position of each is as follows:-

NP/18/0134/FUL One Planet Development – land adjacent to Castle Hill, Newport
Type Hearing
Current Position The initial paperwork has been submitted to the Planning Inspectorate.

NP/18/0169/FUL Track for mobility scooter & engineering works (retrospective) – Penberry, Little Haven
Type Written Representations
Current Position The appeal has been dismissed and a copy of the Inspectors decision is attached for your information

NP/18/0665/FUL Dan y Garn, Treleddyd Fawr, St Davids
Type Written Representations
Current Position The initial paperwork has been submitted to the Planning Inspectorate.

EC/18/0034 Material change of use of land to Booking Office & overnight camping – Abereddy Beach, Abereddy
Type Inquiry
Current Position The initial paperwork has been submitted to the Planning Inspectorate

EC/16/0124 Unauthorised caravans on site – Hendre, Newport
Type Written Representations
Current Position The initial paperwork has been submitted to the Planning Inspectorate.

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 18/03/19

**gan Richard Duggan BSc (Hons) DipTP
MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 29.03.2019

Appeal Decision

Site visit made on 18/03/19

**by Richard Duggan BSc (Hons) DipTP
MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 29.03.2019

Appeal Ref: APP/L9503/A/18/3218749

Site address: Garden at Penberry & parcel of land opposite Heddfan, Blockett Lane, Little Haven, Haverfordwest SA62 3UH

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Davies against the decision of Pembrokeshire Coast National Park Authority.
 - The application Ref NP/18/0169/FUL, dated 15 March 2018, was refused by notice dated 19 June 2018.
 - The development proposed is described as 'Retrospective planning permission for a track for a mobility scooter together with planning permission to complete some works and to re-instate other areas'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I observed that the development has already been undertaken. As such, the appeal before me seeks retrospective consent and I have considered the appeal under section 73A of the Town and Country Planning Act 1990 as amended.
3. I saw that a static caravan was sited on the appeal site. However, it is clear from the evidence before me that it has been on the site for a number of years and was not subject to the planning application determined by the National Park Authority. Therefore, the siting of the caravan does not form part of the appeal before me.

Main Issues

4. The effect of the development on the character and appearance of the area and on the special qualities of the National Park (NP); and whether the proposed development would preserve or enhance the character or appearance of Little Haven Conservation Area (CA).
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Reasons

5. Engineering works commenced in 2017 to create an access for a mobility scooter from Blockett Lane to a static caravan located in the south-western corner of the appeal site. The track is proposed to be used by Dr Davies to access the caravan so that he can socialise with family who may be staying there. At my site visit I saw that a wide entrance has been created from Blockett Lane and a large flat plateau is located adjacent to the access. The stone track, which measures between approximately 3m – 4m in width, then runs down and across the sloping land towards the rear of the Lifeboat Station and public car park until it reaches the existing caravan which stands on a large area of raised flat ground surfaced with stone.
6. Although the Design and Access Statement (DAS) refers to a clause in the land deeds that permits a driveway along a former leat, and the map attached to the DAS shows an existing track, the photographs provided by the Appellant prior to any engineering works being undertaken do not show any evidence of a track. Indeed, the photographs show that the land previously consisted of bracken, fern undergrowth and brambles bordered by hedges with mature trees.
7. It is clear from my site visit and from the photographs submitted by objectors that significant engineering works have been undertaken to regrade and reprofile the land to create the track. There has been significant 'cut and fill' on the site and the disturbed ground of the uphill 'cuts' have yet to become overgrown, as is undisturbed ground alongside the track. Opposite the 'cuts' there are short steep slopes covered by stone that has spilled over from the track. I also note that a lot of vegetation and undergrowth has been cleared as part of the reprofiling of the land.
8. In my view, altering the natural contours of the land to create a level surface for the track has intruded into the landscape. This is most apparent when on the track itself. The track is also clearly visible in views from the access on Blockett Lane and from the public car park and lifeboat station immediately below the appeal site. The trees along the periphery of the appeal site contribute to the wooded character of the valley side, but there are clear views of the access track and associated engineering works through these trees. From the public vantage points it is not the track surface that is particularly visible but the changes that have been made to the natural contours of the land through the excavation works. Previously, ground levels rose naturally up across the land and then up through the residential garden area. The natural contours of the land have now been disturbed by the creation of the track and this disturbance of ground levels has been exacerbated by the introduction of a depth of stone, and this has led to a harmful impact on the character and appearance of the land.
9. I note that it is intended to reduce the width of the Blockett Lane access from approximately 13m to 7.5m and the access track reduced in width to 1.5m, and that vegetation would be allowed to grow over the track. I am also mindful that the trees along the western boundary would help obscure views of the appeal site during the summer months, and the excavated and reprofiled land would to some extent become greener over time. Nevertheless, this would not overcome the concerns I have raised regarding the impact of the engineering works on the natural contours of the land.
10. Overall, I find that the engineering works to create the access track is seen as an inappropriate form of development in an elevated and visually prominent location within Little Haven and represents a visually intrusive form of development that causes material harm to the character and appearance of the area, with consequent harm to the special qualities of the NP. In addition, having regard to the duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas)

Act 1990, I find that the works neither preserve nor enhance the character and appearance of the CA. For these reasons, I consider the development to be contrary to Policies 1, 7, 8 and 15 of the Adopted Pembrokeshire Coast National Park Local Development, 2010, and the Authority's Adopted Supplementary Planning Guidance 'Little Haven Conservation Area Proposals', 2011.

11. I have had regard to the personal circumstances of the Appellant and family, and I appreciate that the proposed development would provide easier access for the mobility scooter. However, this does not carry sufficient weight to overcome the concerns I have identified in respect of the appeal.
12. The Appellants have also drawn my attention to the pre-application discussions they held with the National Park Authority prior to undertaking any work on the site. Although the outcome of these discussions may be frustrating to the Appellants this is not a material consideration that I can take into account or give any weight to in the determination of this appeal.

Conclusion

13. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive, resilient, healthier and equal communities.
14. Having regard to the above and considered all other matters raised, I conclude that the appeal should be dismissed.

Richard Duggan

INSPECTOR