The application is referred to the Development Management Committee for determination as the officers recommendation differs from that of the Town Council.

Consultee Response

Newport Town Council: Conditional consent
PCNPA Tree and Landscape Officer: Conditional consent
PCNPA Planning Ecologist: No comment
PCNPA Park Direction: Contrary to policy
PCC Transportation and Environment: No objection
PCC Drainage Engineers: No objection subject to informative
Dwr Cymru Welsh Water: No adverse comments
Natural Resources Wales: No response received to date
Dyfed Archaeological Trust: No response received to date

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.

One letter has been received from a member of the public which raises concerns about the development having an adverse impact on the existing character of the landscape at this location and also on the loss of habitat which supports the local ecology.

These points have been addressed within the main report below.

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 09 - Light Pollution
LDP Policy 11 - Protection of Biodiversity

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LDP Policy 13 - Historic Landscapes Parks and Gardens
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 31 - Minimising Waste
LDP Policy 32 - Surface Water Drainage
LDP Policy 34 - Flooding and Coastal Inundation
LDP Policy 44 - Housing
LDP Policy 45 – Affordable housing
LDP Policy 52 - Sustainable Transport
LDP Policy 53 - Impacts on traffic

PPW10
SPG04 - Planning Obligations
SPG05 - Sustainable Design
SPG06 - Landscape
SPG08 - Affordable Housing
SPG10 - Safeguarding Mineral Zones
SPG12 - Parking
SPG13 - Archaeology
SPG20 - Accessibility
SPG21 - Recreational and Leisure Activities
SPG22 - Seascape Character
SPG23 - Enabling Sustainable Development in Welsh NPAs
TAN 02 - Planning and Affordable Housing
TAN 05 - Nature Conservation and Planning
TAN 06 - Planning for Sustainable Rural Communities
TAN 10 - Tree Preservation Orders
TAN 12 - Design

**Constraints**

LDP Mineral Safeguard
Biodiversity Issue
Historic Landscape
Potential for surface water flooding
Recreation Character Areas
Affordable Housing Submarkets
Seascape Character Areas
Officer's Appraisal

Background and History

The application site forms part of a parcel of land directly to the east of the host dwelling which has recently been cleared and is in the control of the applicant. The site currently forms part of a larger area to the east and formerly comprised a group of trees based on historical aerial imagery.

- CR2543 – One caravan – Refused 02.03.1972
- CR2916 – Improvements – Approved 11.01.1974
- NP/271/78 – Bungalow (Outline) – Refused 22.06.1978
- NP/00/439 – Glass house for horticulture use – Approved 23.11.2000
- NP/17/0512/FUL – Proposed alterations and extensions – Approved 23.11.2017
- NP/17/0513/FUL – Proposed Stables and implement shed – Approved 23.10.2017
- NP/18/0428/FUL – New entrance to field (Part retrospective) – Approved 20.09.2018
- NP/18/0584/DOC – Discharge condition 3 of NP/18/0428/FUL – Discharged 11.10.2018
- NP/18/0712/FUL - Proposed annex for family overflow – Withdrawn 23.01.2019

Current Proposal

Planning permission is sought for a detached single storey annexe for family occupation. The proposed new building would measure 10.3 metres long by 6 metres wide, with a ridge height of 4 metres eaves measuring 2.15 metres to the upper sections and 1.6 metres to the lower section.

The proposed building would have natural slate cladding to the plinth, vertical larch timber cladding to the remaining walls with timber windows and doors to have a painted finish in a dark brown colour. Corrugated metal sheeting is proposed on the roof also in a dark brown colour together with a roof light on the southern roof slope. Rainwater goods are to have a round profile and provided in black. A flue is also indicated on the plans to serve a stove located within the lounge area but no details are provided on materials or colour.

Key Issues

The application raises the following planning matters:-
- Policy and Principle of Development
- Impact on the Special Qualities of the National Park
- Accessibility
Affordable Housing
- Siting and Sustainable Design
- Amenity and Privacy
- Highway Safety and Access
- Landscaping
- Biodiversity
- Land Drainage and Flooding
- Other Material Considerations

Policy and Principle of Development:

It is noted that the proposed development is described in the application as an annexe and the supporting statement includes reference to case law supporting an annexe as a self-contained unit and remaining in the same planning unit provided that it remains in single family occupation. This, of course, relates to an annexe which is within the residential curtilage of a property and the same case law cited by the applicant also makes reference to the definition of curtilage.

Curtilage does not necessarily comprise all of the land in a person’s ownership or all of the land forming a planning unit. Details of previous planning applications at the property, including photographs and aerial photography, show that until recently when works commenced to clear land for the building of the house extension, the residential curtilage of the property was clearly demarcated by the extent of lawned areas immediately adjacent to the host dwelling. Planning application NP/17/0512 for the extension to the house shows a red line which would be reasonably contiguous with the eastern extent of the property curtilage. Beyond this line (to the east) aerial photography and site photographs show the land to be wooded and of a distinctly different character, more akin to the wider undeveloped area.

The submitted drawings also detail shared parking areas, a separate pedestrian access route from the shared parking to the proposed annexe and also a separate vehicle access together with shared garden areas and a shared garden (vegetables) area to the north. This area also includes an existing greenhouse. After researching the permission of the greenhouse it is clear that it was granted for horticultural use only and not for any change of use to residential curtilage. As such, the annotation on the drawings which label this area as garden area is not accurate.

Aerial photography up to 2017 shows a distinct row of trees/shrubs demarcating the extent of the garden area. The current application extends beyond the original garden area of the host property and into the land described above as being overgrown. The red line demarcating the site on the application plans show it to extend 11m east beyond the original garden area. It is, therefore outside the residential curtilage and not, as asserted in the supporting statement submitted with the application, a matter dictated by case law.

The supporting statement contains details of what are described as ‘fall-back positions’, however none of these form part of the current application and would have to be considered as applications in their own right should the need arise. No further consideration has been undertaken by officers on these elements.
It is outlined in the supporting statement that the annexe would be occupied by the applicant’s daughter and partner. Both are employed and are currently living with the applicant at Penwern however, it is noted that their employment is not linked to the landholding.

A recent appeal (August 2018) against the refusal of a planning application for an annexe in New Hedges, within Pembrokeshire County Council’s planning area, was dismissed on the basis that the building would be a self-contained, detached structure with its own independent access and that the occupants would not need to rely on the host dwelling for any of the day-to-day needs. The Inspector found that “To all intents and purposes, the building would be perceived as a separate new dwelling, albeit of a small scale to those adjoining the site.”

The annex proposes its own kitchen, living room, bedroom and shower room and has the potential for its own separate vehicle access. It is therefore considered as a self contained unit, and can be considered as being tantamount to a separate dwelling. This application would be perceived in a similar vein, particularly in the context of other changes the landowner has recently made to the property to create a new vehicle access into the site from the east which was recently granted part retrospective permission under planning reference NP/18/0428/FUL.

The extension to the property which was granted permission under NP/17/0512 has not yet been built but the agent has indicated that this extension will be built in due course and the current submitted drawings clearly indicate how the property will appear once these works are completed.

Officers have discussed at length with the agent and applicant alternative options to provide additional accommodation to support family living on the site. One option would be to increase the size of the proposed extension to accommodate family members; a second option would be to convert the building to the south of the main dwelling.

The principle of an annexe being achieved via conversion of an existing building is not the same as a new build. National and local planning policies controlling development in the countryside put a strong emphasis on re-using existing buildings whilst strictly controlling new-build dwellings without justification. Paragraph 3.51 of Planning Policy Wales (Edition 10) (PPW) sets out the National Policy on prioritising the re-use of brownfield land over the development of greenfield land. It states – “Previously developed land should, whenever possible, be used in preference to greenfield sites where it is suitable for development.”

The site is outside of any of the Centres defined in the Local Development Plan and is therefore within the countryside. Paragraph 3.56 of PPW states that “new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled.” Furthermore, whilst paragraph 4.2.23 of PPW recognises the contribution that infill and windfall sites can make, paragraph 4.2.24 states that:
“In the open countryside, away from established settlements recognised in developments plans....the fact that a single house on a particular site would be unobtrusive is not, by itself, a good argument in favour of permission;”

Policy 7 of the Local Development Plan deals with development in the countryside (i.e. outside the identified Centres). In line with national planning policy it seeks to control new build development. Residential development is permitted as infill or rounding off within small groups of dwellings but this proposal would not meet the definitions of either. No justification in terms of rural enterprise workers has been given by the applicant. Conversion of appropriate buildings to a range of uses, including residential use is also permitted in countryside locations.

The level of accommodation that would be provided in the proposed development further highlights the degree of separateness and independence from the main dwelling. It can therefore be concluded that a separate residential unit would be created. The Inspector at the recent appeal decision in New Hedges stated ‘Welsh Government Circular 016/2014 ‘The Use of Conditions for Development Management’ (“the Circular”) advises that it may be appropriate to impose a planning condition to ensure the annexe is only used as ancillary accommodation to the main dwelling house and to prevent its occupation independent of the main house. In this case however, and as the development would effectively comprise a totally separate and independent new dwelling, imposing conditions to control the use of the building in this way would be difficult to enforce in the long term. It would not therefore be appropriate to do so in this instance having regard to the nature of the development and the advice in the Circular.’ The application is similar to the appeal case in that is a standalone annexe as such it is considered that the use of the building as an annexe would be difficult to enforce long term.

Based upon the conclusion that the proposal would in reality be a separate unit of residential accommodation, the principle of a new residential unit in this location needs to be considered. The proposed residential unit would provide new open market housing within a countryside location without specific justification and not, as described within the application, as an annexe for family occupation located within existing residential curtilage. Therefore, the principle of the development is not considered to be acceptable in this instance and the proposal is considered to be contrary to both National and Local planning policy.

**Impact on the Special Qualities of the National Park:**

Correspondence has been received which raises concerns and objections on the resulting landscape impact and loss of character of this area of the National Park from the proposed development.

In considering the application the impact of the proposal on the National Park landscape is a key consideration and therefore Policies 8 and 15 of the Local Development Plan (LDP) are particularly relevant. Policy 15 aims to control development causing a significant visual intrusion.

In addition to these policies the Authority has adopted a Landscape Character Assessment (LCA) and Seascape Character Assessment (SCA) Supplementary...
Planning Guidance (SPG) and the current site is within the boundary of LCA 22 (Mynydd Carningli) and SCA 4 (Newport Bay).

LCA 22 recognises that this upland area is the westward extension of the Preseli range of hills, sharing many of its visual characteristics, but merits classification as a separate LCA in its own right, with its distinctive rocky summit and dominating position above the coast. There is a pervading sense of remoteness and wildness, resulting from the strong sense of exposure on the open moorland and heathland, together with the close proximity of the sea. The relative inaccessibility imparts a sense of tranquility.

SCA 4 recognises that the area is located on the north coast at Newport Bay, which is a shallow, sheltered, north facing bay of muddy sand 3km wide enclosed and defined by Dinas Island to the west, small indented cliffs to the south and east, with the small Nyfer estuary extending inland and a strong hill backcloth of Mynydd Carningli. The fine medieval town of Newport lies back from the estuary in the rural hinterland, but extends down the hill to the edge of Newport Sands at The Parrog. Inland, pasture is the dominant rural landcover, with Mynydd Carningli and Mynydd Caregog acting as a strong backcloth with prehistoric remains with strategic commanding views of the sea and coast.

Management guidance seeks to retain the landscape character whilst rehabilitating historic boundary hedgerows and hedgebanks and to encourage landowners to participate in agri-environment schemes and leave overgrown areas around the margins of arable fields for the benefit of wildlife.

The proposal will be visible within the surrounding area and from Mill Lane to the south east. The removal of the group of trees formerly on the site has resulted in the existing site becoming more visible within the wider landscape given its location rising up the northern side of Mynydd Carningli.

Therefore, officers raise concerns about the proposal and its resulting visual impact on this area of the National Park. The development is considered to be contrary to Policies 8 & 15 of the Local Development Plan and to Supplementary Planning Guidance.

Accessibility:

When considering applications for development in the countryside for new residential units or holiday let units, accessibility to Centres is an important consideration. In this instance the proposal is considered to constitute a new residential unit and the proposed site is located more than 1km away from the nearest Centre of Newport where the nearest public transport routes are available. As such, the site is not considered to be accessible in accordance with the Authority’s Supplementary Planning Guidance on Accessibility and is therefore contrary to Policy 7 of the Local Development Plan. Affordable Housing:

As an annexe there would be no requirement for an affordable housing contribution on this property. However, as the proposal is considered by officers to represent a separate and new dwelling in the countryside, a contribution of £250 per square

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metre is therefore required to support the application and based on the proposed floor area of the unit this contribution would be in the region of £11,800.

It is noted that no section 106 planning obligation has been submitted to date in support of the application to ensure this affordable housing contribution can be secured. However, given that the current proposal is not considered to be acceptable in principle and contrary to both Local and National policy controlling development in the countryside, officers have not requested the submission of a planning obligation as it is considered that it would be unreasonable for the applicant to incur additional costs at this time.

Siting and Sustainable Design:

The proposed new residential building is not considered to have an acceptable siting within the site or the surrounding area given that it is considered to represent a separate and new dwelling in the countryside without appropriate justification.

However, whilst the siting is not considered to be acceptable the proposed design of the new building, using sustainable materials and traditional building detailing, would be considered acceptable. In addition, the proposed colours indicated within the drawings are also considered to be appropriate for such a building in this instance.

Amenity and Privacy:

The siting and orientation of the proposed structure within the site is considered to be acceptable in terms of protecting the amenity and privacy of nearby residential dwellings.

Highway Safety and Access:

Pembrokeshire County Council Highways Development Control officer has indicated that the proposed site is close to the Unclassified Road (Mill Lane) and currently accessed off a private lane which is approximately 50 metres long. The submitted drawings indicated 4 shared parking spaces within the existing residential curtilage to the front of the host dwelling. Given that the existing pedestrian and vehicle access is to be retained as part of the proposed application no objections have been raised on highway grounds to the current proposal.

Landscaping:

The proposed site plan indicates a limited amount of detail in respect of hard and soft landscaping and no details have been provided in respect of a tree survey, tree protection, pre-development tree work and details of any new landscaping and new planting. As such, further information would normally be required to consider the protection of these features and would need to include a tree survey, tree protection details, Arboricultural method statement, pre-development tree work and details of any landscaping and new planting. The lack of information on the above aspects constitute a further reason for refusal.
Biodiversity:

Correspondence has been received which raises concerns about the loss of habitat which currently supports local ecology.

PPW, TAN5 and LDP Policy 11 require biodiversity and landscape considerations to be taken into account in determining individual applications. The presence of a species protected under UK or European legislation is a material consideration when dealing with applications that are likely to result in disturbance or harm to the species or its habitat.

Whilst the site has been recently cleared the Authority’s planning ecologist has not raised any comments on the current proposed scheme. As such, the proposal conforms with the relevant requirements of PPW, TAN5 and LDP Policy 11.

Land Drainage and Flooding:

Correspondence has been received which raises concerns on existing water supply to the existing group of properties which are located within the immediate area. It is noted that the fresh water supply is sourced via an existing spring and concerns are raised in relation to the loss of supply/interruption to future supply, given the extent of development proposed on the application site. Welsh Water has confirmed that there is no mains water supply within this area and based on the concerns raised in relation to a private water supply it is considered that this matter is a third party issue which will need to be appropriately resolved outside of any planning process.

The development indicates that the foul water from the proposed new building will connect into the existing septic tank system (high capacity) which is located to the north of the host dwelling. Welsh Water has not raised any adverse comments in this respect.

The preferred method of surface water discharge from all additional impermeable areas created by development would be through the use of soakaways or some other form of sustainable drainage system. These methods of surface water disposal would be in accordance with TAN 15.

The Ordnance Survey Map indicates the presence of an ordinary watercourse within the site and Pembrokeshire County Council Drainage Engineers indicate that these existing watercourses should not be filled in, culverted, or the flow impeded in any manner. In addition no development should be built over or within 3metres from the top of the bank of any watercourse without prior written consent.

Based on the submitted details the proposed construction area appears to be less than 100m², therefore in accordance with the Sustainable Drainage (Approval and Adoption) (Wales) Order 2018 the proposal will not require separate SAB approval.

Other Material Considerations:

Newport Town Council supports the current proposal subject to conditions being imposed to ensure that:

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- The authorised use of the proposed annexe is limited to family members of the applicant or their successors in title.
- The proposed annexe should not be disposed of as a separate unit from the main dwelling.
- The area immediately to the east of the proposed annexe is planted with native trees to a density to be approved by the National Park with a view to restoring the pre-existing woodland.

Officers recognise that Newport Town Council seeks to impose specific controls on any annexe development at this location if granted approval. However, the points raised by officers above relating to the proposal being considered to constitute a new residential dwelling within the open countryside without sufficient justification, result in the proposal being contrary to National and Local planning policy and therefore cannot be supported by officers.

Conclusion

The application has been made for an annexe, however the site extends beyond what would reasonably be considered to be the residential curtilage of the property and within which an annexe could be considered as incidental to the main dwelling house. Thus, the property, which is designed to be a self-contained unit, therefore needs to be considered as a separate dwelling. New dwellings are strictly controlled in the countryside and an application for such would be contrary to well-established national and local planning policies.

Even within the residential curtilage of the host dwelling, a building in this location would appear as a separate (albeit smaller) dwelling, similar to the proposal in the New Hedges appeal referred to above, and particularly in the context of other changes the landowner is undertaking to the land. Therefore the proposal is contrary to national and local planning policy and cannot be supported.

Recommendation

REFUSE, for the following reasons:

1. Policy 1 (National Park Purposes and Duty) of the Local Development Plan states that development must be compatible with the conservation or enhancement of the natural beauty, wildlife and cultural heritage of the National Park. Policy 7 (Countryside) deals with development in the countryside. In line with national planning policy it seeks to control new build development. Residential development is permitted as infill or rounding off within small groups of dwellings but this proposal would not meet the definitions of either. In addition, no justification in terms of rural enterprise workers has been given by the applicant. Planning Policy Wales (Edition 10) indicates that development in the countryside should be located within and adjoining those settlements where it can be accommodated in terms of infrastructure; access, habitat and landscape conservation. However, the proposal is for new building in the open countryside away from existing settlements. The principle of the development for a new residential dwelling in the countryside cannot be supported and is considered to be out of character.
of this part of the National Park which the Authority has a statutory duty to conserve and enhance. As such, the proposal is considered to be contrary to Policy 7 of the Local Development Plan (adopted September 2010) and Planning Policy Wales (Edition 10, November 2018).

2. The proposed development forms a visually intrusive and discordant addition to this rural area that is harmful to the special qualities of the National Park and therefore contrary to policies 1, 8, 15 and 30 of the Local Development Plan Policy (adopted September 2010) and Supplementary Planning Guidance on Landscape Character Assessment (adopted 22nd June 2011) and Seascape Character Assessment (adopted 11th December 2013).

3. Policy 7 (Countryside) of the Local Development Plan deals with development in the countryside and when considering applications for new residential units, accessibility to Centres is an important consideration. In this instance the proposal is considered to constitute a new residential unit and the proposed site is located more than 1km away from the nearest Centre of Newport where the nearest public transport routes are available. As such, the site would not be considered accessible as set out in the Authority’s Supplementary Planning Guidance on Accessibility (adopted 26th June 2013) and is contrary to Policy 7 of the Local Development Plan (adopted September 2010).

4. The application fails to justify the lack of provision of a financial contribution towards affordable housing. The application therefore fails under Local Development Plan Policy 45 (Affordable Housing) and Supplementary Planning Guidance on Affordable Housing (adopted 5th November 2014) and is therefore contrary to guidance contained within Planning Policy Wales (Edition 10, November 2018).

5. The proposal fails to provide the relevant landscaping information relating to survey of the trees within and adjacent to the site, details of tree protection, details of pre-development tree work and details of landscaping and new planting. The Local Planning Authority is unable to properly assess the impact on the trees without this information. The application therefore cannot be supported and fails to comply with Policies 8 (Special Qualities), 11 (Protection of biodiversity) and 15 (Conservation of the Pembrokeshire Coast National Park) of the Local Development Plan (adopted September 2010).
EXISTING SOUTH ELEVATION WITH PROPOSED APPROVAL
REF: 17/0512/FUL.

PROPOSED ANNEX AT:
'PEN-WERN',
NEWPORT, SA42 6QT.

LIAM SIGGINS, BUILDING CONTRACTOR,
DESIGN & BUILD.
'AHNRYN', EGLWYSWRW, CRYMYCH, PEMBROKEHIRE, SA41 3UJ.
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Drawing Title: EXISTING SOUTH ELEVATION WITH PROPOSED APPROVAL
Project: PROPOSED ANNEX AT: 'PEN-WERN', NEWPORT, SA42 6QT.
Date: NOV 2018
Scale: 1:100
Revision: PWA/03
EXISTING NORTH ELEVATION WITH PROPOSED APPROVAL
REF: 17 / 0512 / FUL.

PROPOSED ANNEX AT:
'PEN-WERN',
NEWPORT, SA42 0QT.

drawing title: EXISTING NORTH ELEVATION
project: PROPOSED ANNEX

date: NOV 2018
scale: 1:100 ax5

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17 APR 2019
Akinson & Co Architects
Autobagh Precision Printers
South Elevation.
North Elevation.

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PROPOSED NORTH ELEVATION AGAINST MAIN HOUSE.

PROPOSED ANNEX AT: 'PEN-WERN', NEWPORT, SA42 0QT.

MARCH 2018

1:100 S/A3

revised.
dwg No.

PWA/10