

DEVELOPMENT MANAGEMENT COMMITTEE

31 July 2019

Present: Councillor R Owens (Chair)

Mr A Archer, Councillor P Baker, Mrs D Clements, Councillor K Doolin, Councillor M Evans, Councillor P Harries, Dr R Heath-Davies, Mrs J James, Councillor M James, Mr GA Jones, Councillor P Kidney, Councillor PJ Morgan, Dr RM Plummer, Councillor A Wilcox, Councillor M Williams and Councillor S Yelland

[Llanion Park, Pembroke Dock 10.00am – 2.05pm]

1. Apology

An apology for absence was received from Dr M Havard.

2. Chair's Announcements

The Chair announced that today would be the last meeting of the Director of Park Direction and Planning [see *Minute 10 below*]. He also thanked Mrs Helen Lloyd who had been seconded to the role of Democratic and Executive Services Assistant and would now be returning to her previous role within the Authority. He then advised that he had agreed that due to the public interest, application NP/19/0286/ADV – Car Park Enforcement Signs at Freshwater West Car Parks could be taken as the first item on the agenda.

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 7(b)below</i> NP/19/0104/S73 – Variation/Removal of conditions – St Ishmaels Nursery, St Ishmaels.	Councillor P Baker	Withdrew from the meeting while the application was discussed
	Councillor P Morgan	Disclosed a personal interest, remained in the room and played a full part in the voting and discussions thereon.
<i>Minutes 7(c)below</i> NP/19/0257/S73 Amend	Councillor P Harries	Disclosed a personal interest,



design of Plots 10, 11 & 17 within the market residential element from 1 bed bungalows to 2 bed 1.5 storey dwellings – Land north of Feidr Eglwys, Newport

remained in the room and played a full part in the voting and discussions thereon.

Minutes 7(d)below
NP/19/0263/FUL
Demolish existing lean to study and external wc construct single storey flat roofed rear extension with balcony over – Walmer House, Deer Park, Tenby

Councillor M Evans

Disclosed a personal interest, remained in the room and played a full part in the voting and discussions thereon.

4. Minutes

The minutes of the meeting held on the 19 June 2019 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on the 19 June 2019 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 7th 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*):

Reference number	Proposal	Speaker
NP/19/0286/ADV <i>Minute 7(a) refers</i>	10 no Car Park Enforcement Signs at 3 National Trust car parking areas – Freshwater West Car Parks, Castlemartin	Rosie Manning – objector Jonathan Hughes - Applicant



NP/19/0104/S73 <i>Minute 7(b)</i> <i>refers</i>	Variation/removal of conditions – St Ishmaels Nursery, St Ishmaels	John Everett – Supporter Mark Beal – Applicant
NP/19/0257/S73 <i>Minute 7(c)</i> <i>refers</i>	Amend design of Plots 10, 11 & 17 within the market residential element from 1-bed bungalows to 2 bed 1.5 storey dwellings – Land north of Feidr Eglwys, Newport	Ros McGarry – Objector Wyn Harries - Agent
NP/19/0263/FUL <i>Minute 7(d)</i> <i>Refers</i>	Demolish existing lean to study and external wc construct single storey flat roofed rear extension with balcony over – Walmer House, Deer Park, Tenby	David Kinnard – Objector Ken Morgan - Agent

6. Members' Duties in Determining Applications

The Solicitor's report summarised the role of the Committee within the planning system, outlining the purpose of the planning system and relevant considerations in decision making, the Authority's duty to carry out sustainable development, human rights considerations, the Authority's guidance to members on decision-making in committee and also set out some circumstances where costs might be awarded against the Authority on appeal.

NOTED

7. Report of Planning Applications

The Committee considered the detailed reports of the Development Management Team Leader, 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/19/0286/ADV
APPLICANT: Ms R Sula, National Trust
PROPOSAL: 10 no. Car Park Enforcement Signs at 3 National Trust car parking areas
LOCATION: Freshwater West Car Parks, Castlemartin

This application was reported to the Committee at the request of a Member. It sought temporary advertisement consent (12 months) for 10 car park signs at three National Trust car parking areas serving Freshwater West Beach. All the signs would be mounted on metal poles, having a maximum height of 1600mm and were provided on a black background with white writing. All the other existing signs which related to overnight parking at all three sites would be removed together with a sign on the gate leading to the overspill carpark.

In determining applications for advertisement consent, the Committee was advised that only the impacts on amenity and highway safety could be considered. Although covered by separate legislation, the impact on Biodiversity had also been considered as part of the application.

Officers considered that the proposed signs were modest in scale and would be sited adjacent to existing infrastructure where possible to minimise the visual impact, yet would be visible to motorists entering the parking areas. Although no illumination was proposed, this was not considered to be appropriate and a condition would be imposed to ensure no illumination was provided to the signs.

In respect of Highway safety, the location of the signage did not affect any part of the existing B4319 road which provided access to all three parking areas. The Highway Authority had assessed the scheme and considered it to be acceptable in terms of highway safety.

It was reported at the meeting that 591 letters of objection/concern had been received by the Authority as well as an online petition with 8,188 names, however these raised no additional points, relevant to the application for advertisement consent, to those addressed in the Committee report. Members sought clarification of the size of the proposed signs and these were given as 600mm x 450mm (approx. 2ft x 1.5ft) and it was confirmed that they would be bilingual, however the content of the signs was not a matter for discussion. They were also advised that 4 existing signs would be removed, thereby resulting in an additional 6 signs being erected across the whole site. The signage was proposed for a 12 month trial period.

The first of two speakers was Rosie Manning, an objector, who circulated a series of photographs which suggested how the signs would look in the



environment, through the placing of replica signs as close to the positions set out on the submitted plans as could be determined. She went on to say that it was already clear that there should be no overnight parking, however this was not being enforced. She was concerned that approval of this application would set a precedent for other landowners and believed that erection of the signs would be contrary to Policy 15 of the Pembrokeshire Coast National Park Local Development Plan through the cumulative effects of change, the signs creating a hostile and unwelcome environment which would have a detrimental impact in such a stunningly beautiful location. The position of five of the signs was of particular concern as they were elevated on banks, meaning that they broke the skyline. She agreed that, as stated in the area's Landscape Character Assessment (LCA 8) the area had a feeling of wildness, tranquillity and remoteness which needed to be retained and that local residents were negatively affected by the signage. Ms Manning stated that the contention that the purpose of the signs was to prevent a more significant visual impact was very subjective as the proposals would not prevent the car parks being full during the day and would have little effect on the amount of litter or of strain on the toilets. Also there was no evidence of the necessity for the signage, and she stated that from 11 years of patrols she had seen two pictures of discarded tents and some drone footage of the car parks being full at Easter; there had been no Environmental Assessment undertaken, or data on the numbers of complaints. She questioned how, in the absence of data, the trial could be monitored. She concluded by saying that she believed the signs were designed for use in urban car parks; as there was no lighting at Freshwater West, the signs could be easily missed in the dark. She believed the scheme was insufficiently thought out and poorly consulted upon.

The second speaker was Jonathan Hughes, the General Manager for the National Trust in Pembrokeshire. He stated that he was very familiar with the locality and that this was not a decision taken remotely, but by people who cared passionately about Freshwater West. He agreed with the objectors that it was a special place and recognised their passion for it. He stated that this was not a new issue or a decision that had been taken lightly. In 2000, a meeting of interest groups and organisations had been held in Castlemartin when the issue of overnight parking, tents and caravans was high on the agenda. The National Trust did not want to use a sledgehammer to crack a nut and had been trying to enforce the bylaws and manage the situation softly for a long time by asking people politely to move on, however staff had been met with hostility and aggravation. Consultation had been undertaken with the relevant authorities, including the Community Councils. The proposals had also been promoted on social media in order to solicit comments and a well-advertised drop-in session had taken place, all before submitting the application. The resulting scheme was felt to be an appropriate and proportionate



approach as the area was becoming increasingly popular and the problems showed no sign of abating; the days when the area was 'over busy' had also increased. He believed that the signage was fit for purpose, being bilingual, in plain colours and accompanied by a rationalisation of signage to avoid proliferation and duplication. He believed that the National Trust had genuinely tried to work with local people and had come up with a measured and targeted approach. However he added that this problem was not limited to Freshwater West.

Members asked a number of questions of Mr Hughes, regarding the need for more signage and the consultation process that had been undertaken as well as the evaluation that would take place. He responded that he had been advised that the proposal was the minimum that was required to enforce the overnight parking constraint. If there were insufficient signs, or they were too small there would be no point in erecting them. However he was happy to work with officers to place the signs in locations where they would have the least impact. With regard to the colour of the signs (white writing on a black background), officers added that they understood that this was to allow the wording to be picked up in car headlights. With regard to consultation, Mr Hughes re-iterated that his colleagues had met with Community Councils and had listened to their concerns. He added that there were many reasons for the popularity of Freshwater West. There were multiple landowners, and the National Trust had worked with partners who had an interest in the site to try to find a solution that was good for tourism and local people, enabling people to enjoy the health and wellbeing benefits of visiting Freshwater West. He concluded by saying that in terms of evaluation, the pilot would, in many respects, provide baseline data, so that the number of people parking overnight could be recorded.

Some Members were concerned about the impact of the signs, particularly the number and their location, height and colouring. Officers responded that they had been advised that the number proposed was the minimum needed for enforcement. Members agreed that this was a stunning and sensitive area and some felt that the signs were unnecessary, would be contrary to Policy 15, and also that there was a danger of setting a precedent for other locations. There was disappointment that no enforcement had taken place and that there was no data to identify the scale of the problem. They also felt that more meaningful consultation should take place with the Community Councils. It was proposed and seconded that the National Trust be requested to erect 'mock-up' signs and the Committee undertake a site visit to better understand their impact, however this vote was lost. It was then proposed that the application be approved, with an amendment to the conditions to require the location and height of individual signs to be agreed with



officers, as well as the colour of the lettering and background, given that they were to be erected in a National Park; this was seconded.

DECISION: That the application be approved subject to conditions relating to removal of signage 12 months from the date of decision, being in accordance with plans, agreement of location, height and colouring of signage, no illumination and existing identified signage to be removed within 2 months from the date of planning consent.

[The Committee adjourned between 11.20 am and 11.30 am]

[Councillor P Baker disclosed a personal and prejudicial interest in the following application and left the room while it was discussed.]

- (b) REFERENCE: NP/19/0104/S73
APPLICANT: Mr M Beal, UK Corporate Housing Ltd
PROPOSAL: Variation/removal of conditions
LOCATION: St Ishmaels Nursery, St Ishmaels

It was reported that this site was located a short distance to the west of St Ishmaels and formed part of the existing garden centre. Planning permission had been granted under NP/13/0434 for the demolition of existing redundant glass house and associated buildings, replacement of existing garden centre buildings, plus development of 18 timber clad built lodges for holiday purposes in a landscaped setting. The permission had been approved by the Development Management Committee against officer recommendation and contrary to the policies of the Local Development Plan which sought to resist new camping, caravan and chalet sites in the National Park.

In reaching their decision to approve that development, the Committee had taken into consideration the opportunity to improve the overall appearance of the site through the demolition of the glass houses and redevelopment of the garden centre buildings. Some of this work had been undertaken, but the garden centre had since been sold and was now under separate ownership.

The current proposal sought approval to vary and remove several of the planning conditions attached to planning consent NP/13/0434. The primary purpose of this application was to revise the design of the approved holiday accommodation units to a variety of 5 different design types, although the proposal also sought to revise conditions 2, 4, 6, 7, 12, 14, 17 and 18 and the removal of conditions 5, 9, 10, 11, 13, 15, 20 and 21. Officer consideration of each of these requests was set out in the report before Members that day.



Officers concluded that the change of design to the holiday accommodation units was acceptable and whilst it was agreed that some of the conditions could be amended, were not required or had already been discharged, the proposal by the agent for the severance of the holiday accommodation units from the proposed changes to the garden centre together with other conditions relating to opening hours, goods for sale and fuel storage could not be supported through the removal of the relevant conditions as they were reasonably and justifiably applied to ensure the proper planning of the entire site.

Notwithstanding the above concerns, officers considered that the current proposed scheme was acceptable subject to the relevant conditions as set out in the report.

The first of two speakers was John Everett who represented the view of St Ishmaels Community Council and, by extension, its residents. He stated that in the last 40 years, he was not aware of any other development that had received such support from the community, and he was not aware of any adverse comments being made in the eight years the proposed redevelopment of the application site had been discussed. The Community Council was therefore actively and vigorously supporting the application which it felt would benefit the community. He asserted that outlying villages had suffered due to decline, with the closures of the garage, shop, post office and social club in St Ishmaels having taken place. The village was also lacking in other amenities such as a bus service, mains gas and there were few job opportunities. The Community Council were delighted that the recommendation was to approve the application, however condition 17 linked the permitted number of lodges to capital investment in the garden centre buildings and while this may have been appropriate when these were in the same ownership, they felt this condition to be unreasonable when one party now had no influence over the other. It was noted that the site had been improved and the redundant glass houses had been removed. The Community Council therefore urged all participants to find a mutually acceptable solution so that the application proceeded and delivered benefits to the residents of St Ishmaels, this being part of the Authority's statutory duty to foster the economic and social wellbeing of its communities.

The applicant, Mark Beal, then addressed the Committee. He hoped that the development could move forward and deliver the benefits mentioned. He expressed concern regarding five conditions: condition 5 regarding the finish of the caravans, which he would have preferred to agree in writing rather than through a S73 application; condition 7 – undergrounding of the electricity supply as he was unsure how this could be achieved; and conditions 8, 10 and 17 which linked the proposals to the garden centre. He believed this would have been possible when the sites were in the



same ownership, however as this was no longer the case, and the applicants had no power to implement the conditions, which made the project unviable. Condition 17, which allowed only 12 of the 18 holiday accommodation units to be provided on site prior to the garden centre buildings being replaced, was of particular concern due to financing and operational viability issues as it would lead to a loss of 30% of the revenue. He understood that the conditions were originally intended to secure planning gain, however there had already been improvements to the site through removal of the dilapidated glass houses which had been a particular focus at the meeting when permission had been granted. There had also been improvements to the fittings at the garden centre, which was now thriving. He therefore believed that a significant improvement and planning gain had been realised, and there was no justification to require those buildings to be demolished. Condition 17 was therefore unviable and would prevent the development taking place.

Members asked a number of questions of the applicant, regarding the timescale for delivery of the project, and ownership of the site. Mr Beal replied that, if approved, he hoped the site would be operational by April 2020. Ownership of the garden centre was by someone else, and he was not aware of a codicil on the sale of the garden centre. With regard to conditions 5 and 7, officers advised that amendments could no longer be agreed in writing, and that undergrounding of electricity to the site would only be required if a new supply was needed in the future.

The Director of Park Direction and Planning reminded the Committee that the application was and remained contrary to policy, however the argument had been put forward that if income could be generated, then the garden centre could be upgraded - these were portacabin buildings that were in need of capital expenditure.

One Member noted that this was a Section 73 application which sought permission to carry out development without complying with the conditions imposed. Approval would therefore result in a fresh planning permission for the development being issued. The application before the Committee therefore was not for a separate development, but a new planning permission for the same development with different conditions. The Member therefore commended the officer's report and supported his conclusions. The Director agreed that an application could have been submitted seeking only permission for the lodges, however this had not been done.

Other Members, however, wished to support the development, noting that the garden centre business appeared to be more sustainable than when permission had originally been granted. It was proposed that the



application was approved without conditions 8, 10 and 17 and this was seconded and, upon being put to the vote, won.

DECISION: That the application be approved subject to conditions relating to timing, accordance with plans, tree planting and protection measures, external finishes, lighting, undergrounding of cables, occupation as holiday accommodation only, parking and turning, contaminated ground, fuel/oil storage, permeable surfacing and sewage treatment.

- (c) REFERENCE: NP/19/0257/S73
APPLICANT: Mr P Morgan
PROPOSAL: Amend design of Plots 10, 11 & 17 within the market residential element from 1-bed bungalows to 2 bed 1.5 storey dwellings
LOCATION: Land north of Feidr Eglwys, Newport

Members were reminded that planning permission had been granted in 2016 for a residential development comprising 35 dwellings on land adjacent to Feidr Eglwys, Newport. Of the 35 dwellings proposed, 14 were affordable units, accessed via Feidr Eglwys, a further 2 market dwellings would be accessed via Feidr Eglwys, and the remaining dwellings would be set out in two 'cul-de-sacs' both accessed via Feidr Bentick. The existing field boundaries were to be retained with the housing development laid out between them.

The current Local Development Plan stated that its strategy was to provide for land for development predominantly for affordable housing allowing a sufficient percentage of market housing to subsidise that affordable housing (which otherwise could not be provided through public subsidy). It was noted that this development had already met the policy requirements for the provision of affordable units, and the provision of these units would be unaltered by the current application. Whilst the Authority did have a duty to ensure that development contributed to the well-being of all of the population, it could not enforce a particular mix of tenure for market housing, as there was no evidence base or policy to base a decision upon. In light of this, there was no objection to the principle of the amendment.

Officers therefore concluded that the proposed amendment to the 3 market houses did not affect the deliverability of affordable housing, which was a major priority for the Authority. The change in design and scale would still be acceptable to the development, and would not be considered to have an adverse impact on visual and physical amenity. As such, there was no objection to the application. The Committee was reminded that the application would still be subject to legal agreement and



planning obligations, and an additional sum would be due in respect of the education planning obligation as a result of the proposed change to two-bed dwellings.

It was noted that a letter had been received from Sandra Bayes which raised a question about the provision of a pedestrian access through the site from the affordable housing, and one Member asked officers for an update on this matter. The officer advised that this did not form part of the current application, however she would speak to the agent and update Members at a future date.

The first of two speakers was Ros McGarry. She recalled that at the meeting of the Committee in 2015 when the original application was approved, the agent had stated that there were few opportunities for staff working in local business to live in the town and that people were struggling to get on the housing ladder. Smaller units would also allow households to downsize and that these properties would start at £100,000. The developer was now seeking to increase the size of the small units which would cause them to be out of reach of those who worked in Newport and into the 'second home' bracket. Ms McGarry believed that what had been envisaged as a small sensitive development had turned into a monster. The social rented proportion of the overall development was small, and most of these were 4-bed dwellings, and the delivery of affordable housing had allowed development of the rest of the site. She stated that the applicant had constantly argued about the viability of the site and had elevated the prices to support the current application as there was little difference between the suggested prices of the 1 bed and 2 bed properties. The application appeared to be all about profit rather than viability or deliverability. She believed that the developer should accommodate the needs of the community for the benefit of the resident population and future generations by continuing to provide 1 bed bungalows.

The second speaker was Wyn Harries, the agent. He explained that delivery of the 14 affordable units was well advanced and they should be occupied by the end of the year – seven of these were 1-bed properties which would meet local housing need. The development had taken place in accordance with the approved development plan (LDP) and approved drawings. The application would generate an affordable housing contribution and money in respect of open space and education, the latter would be increased if this application was approved. He noted that there was no control over the size, value or occupation of open market housing. The current applicant was committed to delivering the plan for the site and had not been the original applicant; he had met with the local community and been well received by them. The application before the Committee that day complied with planning policy and had a strong evidence base for



the change in dwelling type; this had resulted from local people having expressed an interest in acquiring local market housing prior to any marketing having taken place, and this interest was in 2 bed units. Mr Harries did not believe that 1-bed units had any greater community value than 2-bed units. He therefore asked Members not to restrict the occupancy of market housing on the site as there was no planning reason to turn down the application.

Members noted that the arguments for and against the application were finely balanced, however some Members agreed that in the original application there had been support for open market housing that was more affordable, and that these smaller units would also allow people to downsize and therefore release larger houses. There was also concern that the proposals could lead to an increase in second homes. It was noted that there was greater emphasis on more equal and cohesive communities in Planning Policy Wales 10 (PPW10) and the Future Generations (Wales) Act and it was suggested that 1-bed properties would better serve the health and wellbeing of the community as 2-bed properties would raise the cost of housing above what local people could afford. It was therefore moved and seconded that the application should be refused. Others, however, felt that Members should not interfere with open market housing.

The Director of Park Direction and Planning advised the Committee that even though a decision to refuse the application would be contrary to the Officer recommendation, the Cooling Off procedure would not be invoked as the decision did not go to the heart of the Local Development Plan. She did, however, ask for Members' reasons for wishing to refuse the application, and these were given as the development being contrary to PPW10 and Policy 20 of the Local Development Plan in respect of placemaking and provision of a balanced community. A vote was then taken on the proposal to refuse the application but this was lost. A substantive motion to approve the application subject to conditions as set out in the report was then put to the vote and this was won.

DECISION: That the application be approved subject to conditions relating to timing, being in accordance with plans (amended condition), phasing, site clearance, samples of materials, construction method statement, tree protection, planting, archaeological investigation, access, parking and turning, surface water drainage, junction improvement, foul water discharge, water supply, external lighting, protected species, contaminated land, undergrounding of cables and permitted development rights.



- (d) REFERENCE: NP/19/0263/FUL
APPLICANT: Mrs L Middleton
PROPOSAL: Demolish existing lean to study and external w.c.
construct single storey flat roofed rear extension with
balcony over
LOCATION: Walmer House, Deer Park, Tenby

It was reported that this application had been referred to the Committee as Tenby Town Council had supported the scheme, contrary to the officer's recommendation.

The three storey gabled property, which adjoined the neighbouring Deer Park Baptist Church was Grade II listed, of group value with the Church (which was also Grade II listed) and formed an important feature within the streetscene of Deer Park, which was part of the proposed extended Tenby Conservation Area. The house was set on a long, narrow plot which gave access to a substantial garden and private off-road parking area.

The proposal was for removal of a number of structures to the rear of the property and construction of a large single storey flat roofed rear extension. The extension would use the entirety of the flat roof area as an external terrace over, with glazed balustrade on two sides. The structure would be built within the rear amenity space of the dwellinghouse and provide additional living, shower room and utility room accommodation. The proposed extension would be of contemporary form, style and finishes incorporating slate cladding, which took reference from the character of the historic host property.

The proposed extension was considered to be of a suitable contemporary design, scale and siting which would be suitably juxtaposed to the historic character of the host property and would not cause an adverse impact on the wider landscape. The structure would be suitably sited within the rear garden of the dwellinghouse and provide ample amenity space still remaining within the plot. Therefore, the proposal was not considered to detract from the surrounding landscape nor the Conservation Area, the setting of 2 no. listed assets, nor the special qualities of the National Park.

Notwithstanding the above, 16 objections had been raised to the proposal citing adverse amenity, privacy and encroachment impact, along with inappropriate design. In terms of the interrelationship between the proposed extension and 3 no. south-east facing windows of the ground floor of Deer Park Baptist Church, Officers considered that the proposed development would cause an unacceptable level of adverse impact upon the privacy and amenity of the adjoining Church. The development was considered to cause an unacceptable level of encroachment and



overshadowing on the windows in question which served the community room, and would create an overbearing and oppressive outlook from these windows. A direct line of sight would be created into the community room below from users of the proposed external terrace above, causing an unacceptable level of adverse impact on privacy and amenity for the Church. As such, the development was contrary to Policy 30 of the Local Development Plan and could not be supported.

The first of two speakers was David Kinnard, a Deacon and Trustee of Deer Park Baptist Church, who was also representing regular users of the Church hall. The concerns raised in a Church meeting related to loss of light and serious overshadowing of 4 south east facing windows as the height of the structure would be 1.15m above the height of the windows. This would lead to a loss of privacy and safeguarding issues as anyone reclining on the decking would have a view of two thirds of the hall, and equally hall users would be able to see those using the decking. He stated that the hall was used for the following purposes: Mother and Toddler Group, Messy Church, holding services during winter months, a space for fellowship and refreshment, bible study and all other Church meetings. There was an annual two-day bible study and the hall was currently being used for a two week beach mission. There were also occasional wedding and funeral receptions. There were fears regarding intrusive noise from the open sun-deck and the close proximity of the building was not felt to be sympathetic in terms of design.

Mr Kinnard was given the opportunity to respond to some of the points raised in a document from the agent, which had been circulated to the Committee that morning. He noted that the “stereotyped” letters referred to in that document would have been written following the Church meeting he had referred to earlier in his address and the hours of use of the hall provided in the document were inaccurate. He also felt it was impertinent of the writer to suggest how the hall users should open and close blinds and windows and the use of obscured glass would in any case reduce daylight.

The agent, Ken Morgan, then addressed the Committee. He drew Members’ attention to one of the photographs in the officer’s slideshow which showed that Walmer House already caused overshadowing of 3 windows in the community room. He stated that the circulated drawings showed the shadow line for the existing situation and the proposed scheme and this demonstrated that the shadow from the proposed building would not obscure the windows. In fact, late in the afternoon Walmer House was in shadow from the Baptist Church. He also stated that his client was entitled to erect a 2m fence and as the garden was at a higher level than the ground floor of the Church this would obstruct the Church’s view of his client’s garden. He pointed out that obscured glazing



on the lower panes of the windows was currently deemed to give an acceptable level of lighting and further obscured glass would not require the use of candles. Mr Morgan referred to the pre-application advice that he had received which had requested that any extension be moved further away from the Church building, and this had been carried out; the height of the extension had also been lowered as requested. He noted that the Town Council had approved the application and the Building Conservation Officer had approved the design and this included the impact on the Church. He concluded by asking the Members to visit the site. One of the Members asked the agent whether creation of the terrace was necessary and he replied that it would provide an additional amenity area for his client.

Officers clarified that as the Church and property were both listed, permitted development rights to erect a fence did not apply within the curtilage of a listed building. They also clarified that the height of the extension was 2.1m, however this would be set 1.4m above the external ground floor level of the hall and there was also a 0.9m balcony on top. However it was noted that even without the balcony, the built element would still reach the head height of the windows.

DECISION: that the application be refused for the following reason:

- 1. Policy 30 of the Pembrokeshire Coast National Park Local Development Plan states that development will not be permitted where it has an unacceptable impact on amenity. The development is considered to cause an overbearing and oppressive outlook for 3 no. ground floor windows of the adjoining church and will create an unacceptable level of overlooking into the windows of the community room below from users of the proposed external terrace above. The development is therefore considered contrary to adopted policy.**

- (e) REFERENCE: NP/19/0284/FUL
APPLICANT: Mr DC Matthews
PROPOSAL: Replacement of timber sash windows in front elevation with "Heritage Sash" white uPVC
LOCATION: 1 St Mary's Street, Tenby

This application was reported to the Committee as Tenby Town Council had recommended refusal, contrary to the Officer's recommendation.

It was reported that 1 St Mary's Street was a terraced two-storey house within the Tenby Conservation Area. Although the property was not a listed building, the majority of the surrounding buildings were listed and



this building fell within their settings. The façade was rendered and fenestrated with painted timber sash windows.

Given the poor detail of the existing windows, the traditional design of the proposed windows and the relatively recent construction of the property (having been largely rebuilt in 1993), officers considered the proposal to be acceptable in terms of preserving the architectural and historic character of the property, as well as preserving the character and appearance of the Conservation Area.

Tenby Town Council had objected on the grounds that the proposed material was unacceptable within the Conservation Area, however the proposal was compliant with the Authority's householder guidance on the Article 4(2) Direction whereby replacement in non-traditional materials in post 1939 houses would usually be approved subject to agreement on the detailed specification. There were relatively few comparable properties within the Conservation Area and it was not considered that a negative precedent had been set.

DECISION: That the application be approved subject to conditions relating to timing, detailed specifications of the fenestration and being in accordance with plans.

- (f) REFERENCE: NP/19/0361/OUT
APPLICANT: Mr C Pratt
PROPOSAL: Outline application with all matters reserved for 102 affordable residential units, 8 shared ownership residential units and 34 open market residential units together with associated access, drainage & landscaping
LOCATION: Land at Brynhir, Tenby

It was reported that the above-mentioned site was comprised of undeveloped parcels of land to the north of Tenby. The site was allocated for residential development within the Local Development Plan, although the access road proposed lay outside of the allocation. All matters were reserved for future consideration, and therefore little detail had been submitted with the outline application, nevertheless this was a major development and was of public interest. Members were therefore requested to undertake a Committee site visit to view the site and its surroundings prior to consideration of the planning application at a subsequent meeting.

DECISION: That the Committee undertake a Site Visit before consideration of the application at a future meeting.



8. Appeals

The Development Management Team Leader reported on 5 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.

It was noted that the appeal in respect of Dan y Garn, Treleddy Fawr, St Davids had been dismissed and a copy of the Inspector's report was included in the Committee report. It was also noted that the appeal in respect of unauthorised caravans at Hendre, Newport had been withdrawn.

NOTED.

9. Exclusion of the public

It was **RESOLVED** that the public should be excluded from the meeting during the consideration of the following item due to the likely disclosure of exempt information as defined in Paragraph 18 of Part 4 of Schedule 12A to the Local Government Act 1972.

10. Enforcement

It was reported that there had been a successful prosecution in respect of development at the site in question. Officers were currently considering all options, with legal advice being to pursue an injunction followed up with direct action to remove the development if necessary, in order to implement the enforcement notice.

It was **RESOLVED** that the Chief Executive/Director of Planning and Park Direction be authorised to instruct solicitors to proceed with an injunction and, if this did not result in action to remove development, to proceed to direct action.

11. Thanks

The Chair expressed the thanks of the Authority to the Director of Park Direction and Planning, Jane Gibson, for her outstanding work and professionalism over the last nine and a half years. He wished her well for her future and said she was leaving the Authority with everyone's love and appreciation. He went on to say that the Authority was fortunate to have an excellent replacement in Nicola Gandy, who became the outstanding candidate under Jane's leadership. The Officer thanked the Chair for his kind words and said that it had been a pleasure to work with both Members and colleagues.

