

Application Ref: NP/19/0665/FUL

Case Officer Kate Attrill
Applicant Mr & Mrs J & C Evans
Agent Mr A Vaughan-Harries, Hayston Development & Planning
Proposal Change of use of Linked Granny Annexe to Holiday Let
Site Location Red Houses, The Rhos, Haverfordwest, Pembrokeshire, SA62 4AN
Grid Ref 99751465
Date Valid 11-Dec-2019 **Target Date** 20-Mar-2020

This application is being brought back to Committee following the invocation of the 'cooling-off' period following the 29th January 2020 Development Management Committee.

It was originally brought to Committee as the Officers' recommendation was contrary to the views of the Uzmaston, Boulston & Slebech Community Council.

Consultee Response

Uzmaston, Boulston & Slebech C C: Supporting - At their 19th September 2019 meeting, and subsequent after resubmission, Uzmaston Boulston Slebech Community Council agreed to support this application. This support is in regard to economic grounds, benefits to the community and recognition that The Rhos is a centre for tourist destination. Members noted that:

This particular application is fully accessible for people with disabilities, which is in short supply locally and throughout Pembrokeshire. It also offers a more realistic yet sustainable alternative to the urban-centred and nonsensical 'Sustainability Policy' which focuses almost wholly on bus travel as the primary sustainability solution as there is immediate access to cycle routes such as the Wizo trail which passes the property as well as the 'on demand' bus services and Dial a Ride for people with disabilities. In regard to 'Policy 13' the Community Council feel accommodation must be offered in the area to enhance the local area and support the existing tourist attractions such as Picton Castle, Slebech Park the Eastern Cleddau RSPB sanctuary Special Area of Conservation, Millin Chapel and Picton Ferry (both of which are connected to the important Welsh language poet Waldo Williams). The green lanes and off-road cycle route that is being improved between Narberth and Haverfordwest as part of the County Council's green travel proposals also passes immediately through the village and this property.

The Rhos has the following historic assets, and nationally important historic designations that form the historic environment, including: scheduled ancient monuments, listed buildings, registered historic parks, gardens and landscapes within the immediate locality meaning that The Rhos village and surrounds are a tourist destination in themselves and as such this holiday accommodation supports the existing tourism enterprises that are within the locality and therefore the local rural economy:

Listed Buildings: 19409 Millin Cross Calvinistic Methodist Chapel (grade II) 19411 Walled Garden at Picton Castle (grade II) 19412 Gates, Piers and Railings at North Entrance Lodges to Picton Castle (grade II) 19413 1, The Rhos (grade II) 19414 Cresborough (grade II) 19415 Picton Home Farm (grade II) 19416 Zion Baptist Chapel (grade II) 19417 Gates of Baptist Chapel (grade II) 19420 Remains of Grotto in Garden of Picton Castle (grade II) 19421 Raised Terrace at East Entrance to Picton Castle (grade II) 19423 Bridge at Kennel Wood (grade II) 19424 2, The Rhos (grade II) 19425 3, The Rhos (grade II) 19426 4, The Rhos (grade II) 17839 North Wing and Entrance Yard of Picton Castle (grade II) 6043 Picton Castle (grade I) 6099 Stables and Coach-house at Picton Castle (grade II) 6100 North Entrance Lodges to Picton Castle (grade II) Blackpool Bridge Grade: II*, Old church of St John the Baptist Grade: II, Slebech Park (grade II*)

Scheduled Ancient Monuments: PE277 Picton Castle Mound PE279 Hanton Round Barrows Registered Historic Parks and Gardens: PGW (Dy) 42(PEM) Picton Castle (grade II*) PGW (Dy) 43(PEM), Burial mounds on island east of church (Pe 276), Remains of old church of St John the Baptist (Pe 275),

Registered Historic Landscapes: HLW (D) 3 Milford Haven Waterway Uzmaston, Boulston and Slebech Community Council: Supporting - At their 19th September 2019 meeting, and subsequent after resubmission, Uzmaston Boulston Slebech Community Council agreed to support this application. This support is in regard to economic grounds, benefits to the community and recognition that The Rhos is a centre for tourist destination. Members noted that:

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Registered Historic Landscapes: HLW (D) 3 Milford Haven Waterway

PCC - Transportation & Environment: Conditional Consent

Public Response

The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 requires that proposed developments are advertised by way of either neighbour letters or a site notice. A site notice was erected on the 19th December 2019 and displayed until 9th January.

No third party objections have been received in regard to the application, but a number of letters of support have been received.

Policies considered

Please note that these policies can be viewed on the Policies page Pembrokehire 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 15 - Conservation of the Pembrokeshire Coast National Park
LDP Policy 29 - Sustainable Design
LDP Policy 30 - Amenity
LDP Policy 37 - Self-Catering Development
LDP Policy 52 - Sustainable Transport
LDP Policy 53 - Impacts on traffic
PPW10
SPG20 - Accessibility
TAN 13 - Tourism
TAN 23 - Economic Development

Constraints

Biodiversity Issue
Historic Landscape
Safeguarding Zone
Recreation Character Areas
Affordable Housing Submarkets

Officer's Appraisal

Site and Context

The application site is situated along the northern side of the C3061 between The Rhos and Haveacare Bridge Junction. Red Houses is a detached single storey dwelling sited on the northern flank of the main road, and within a large, well-landscaped garden plot. The application site is surrounded by mature woodland, and there are mature trees and planting within the site.

The existing cottage sits to the east of the garden plot, with the prevailing ground levels sloping down from the main road. The dwelling is orientated with the south gable offset to the main road, and whilst there are views of the dwelling via the driveway and road close to the site, the house is screened by existing woodland in longer ranging views.

Relevant Planning History

NP/12/0606 – Alterations and extensions including new granny annexe and garage. Withdrawn, as the protected species survey was incomplete.

NP/13/0309/FUL – Alterations and extensions including granny annexe.

Approved 4 October 2013

NP/15/0491/NMA – Provision of small wooden framed window into wet room.
Approved 21 September 2015

NP/19/0246/FUL - Change of use of granny annexe to holiday let – Refused
10th July 2019 – the applicants chose to re-submit the same scheme to the

Authority rather than making an Appeal within the 6 month period from Refusal.

NP/19/0483/S73 Variation of condition to change granny flat to holiday let – Cancelled as incorrect form of application

Description of Proposal

Planning permission is sought for the change of use of an annexe to a holiday let. The existing annexe is interlinked to the main property and was previously used as accommodation by the applicant's mother.

Key Issues

The application raises the following planning matters:

- Policy and Principle of Development
- Amenity and Privacy
- Access and Parking

Policy:

An extension to the property known as Red House for use as a granny annexe was permitted under NP/13/0309/FUL in October 2013. Conditions were attached to the permission to ensure that it remained ancillary to the residential use of the main dwelling and that it should not be used for any commercial use. Routine monitoring on holiday letting properties shows that the annexe has been advertised for letting since 2018.

The site is outside of any of the Centres designated in the Local Development Plan and is therefore in the countryside. Policy 7 of the Plan allows for appropriate buildings in the countryside to be converted to a range of uses, including holiday letting. When considering such proposals, accessibility to Centres is an important consideration.

The Authority's Supplementary Planning Guidance on Accessibility sets out the requirements for assessing site accessibility. In this instance the site is located over a kilometre from any Centre and there is no public transport in the area. The Supplementary Planning Guidance lists exceptions where, in line with Technical Advice Note 6, development proposals intended to meet local needs are permissible in locations only accessible by private car – these are affordable housing, farm diversification proposals and rural enterprise dwellings. The approach also allows for consideration of visitor attractions with a demonstrated need to be in a particular location and conversion of buildings that have historic or architectural merit.

This proposal does not comply with any of these requirements and is therefore contrary to Policy 7 of the Local Development Plan and to national planning policy which seeks to reduce reliance on the private car and

ensuring that development is located where it can be easily accessed by sustainable modes of travel and without the need for a car.

When allowing a building to be used for holiday letting purposes, technically what is being allowed is a new dwelling, albeit with its use controlled by condition to ensure it is only used for holiday accommodation purposes. This application raises the question of the long-term use of annexes previously allowed for ancillary accommodation, given that it was converted to holiday accommodation without the benefit of planning permission and against national and local adopted planning policy. Approval would set a worrying precedent of suitability of conversion to new dwellings, contrary to policy.

However, the policy objection to this proposal is the key consideration in this application. It would create development in a location dependent on car travel and which does not fulfil the criteria for being accessible nor an exception to the need to be accessible, as set out in the Authority's Supplementary Planning Guidance.

Amenity and Privacy

Policy 30 of the LDP states that development will not be permitted where it has an unacceptable impact on amenity.

The site is located in an isolated location and it is not expected that the activity associated with a holiday let would have any detrimental effect on neighbouring amenity as it would remain in the control of the applicants (assuming the ownerships were tied through a legal agreement - Were the application being recommended for approval, the necessity for a S106 Agreement to ensure the two buildings are tied together in perpetuity would need to be considered to protect the amenity of the occupiers of the dwelling attached.)

Access and Parking:

Highways comments have not yet been received on this current application, but on the previously refused application (NP/19/0246) their comments were as follows: there is no objection to the development in principle subject to the following conditions being imposed:

- 1 The access shall be left open unimpeded by gates or any other barrier.
- 2 Details shall be submitted of how the gravel driveway surfacing shall be laid within 5 metres of the edge of the carriageway of the County Road to include how this material will be controlled from entering the Highway.
- 3 The parking and turning area shown on the submitted drawings shall be completed before the development is brought into use and thereafter shall be retained for no purpose other than parking and turning.

Conclusion

Although it is an established principle that each case is considered on its own merits, there have been court and appeal decisions which have established

that it is legitimate for decision makers to give weight to the possibility of creating an undesirable precedent when considering whether to grant permission contrary to planning policy or established principles. So, for example, the importance of precedent and site history as material considerations was underlined in North Wiltshire DC V SoS & Clover [1992]. The judgement included the observation that “One of the important reasons why previous decisions were capable of being material considerations was that like cases should have been decided in a like manner so that there was consistency in the appellate process. Consistency was self evidently important to both developers and development control authorities.”

The statutory duty to decide each application in accordance with the development plan unless material considerations indicate otherwise was intended to underpin a plan led system designed to secure greater consistency.

The application is considered contrary to our adopted Accessibility Policy, therefore the precedent of allowing this proposal would be detrimental to the sustainability of the National Park.

Recommendation

REFUSE, for the following reason:

1. The proposed development by virtue of its location within the countryside is contrary to Policy 7 (Countryside) of the adopted Pembrokeshire Coast National Park Authority Local Development Plan (September 2010), the Accessibility SPG, and the principles of Planning Policy Wales, (Edition 10, December 2018).

Should Committee approve the application contrary to recommendation, the following conditions are suggested and delegated approval would be requested following the submission of an acceptable S106 Agreement to ensure the ownership is tied:

1. The development is hereby approved under Section 73A of the Town and Country Planning Act 1990 (as amended) which allows for retrospective consent.
2. The development shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation. **Reason:** In order to ensure that the accommodation is occupied solely for holiday letting purposes only and not for any other residential purpose. Policy: Local Development Plan – Policy 37

(Self Catering Development).

3. The access shall be left open unimpeded by gates or any other barrier. **Reason:** In accord with Policy 53 of the Pembrokeshire Coast National Park Local Development Plan and in the interests of highway safety.
4. Within 3 months of the date of this decision, details shall be submitted of how the gravel driveway surfacing shall be laid within 5 metres of the edge of the carriageway of the County Road to include how this material will be controlled from entering the Highway. **Reason:** In accord with Policy 53 of the Pembrokeshire Coast National Park Local Development Plan and in the interests of highway safety.
5. The parking and turning area shown on the submitted drawings shall be completed before the development is brought into use and thereafter shall be retained for no purpose other than parking and turning. **Reason:** In accord with Policy 53 of the Pembrokeshire Coast National Park Local Development Plan and in the interests of highway safety. The proposed development by virtue of its location within the countryside is contrary to Policy 7 (Countryside) of the adopted Pembrokeshire Coast National Park Authority Local Development Plan (September 2010), the Accessibility SPG, and the principles of Planning Policy Wales, (Edition 10, December 2018).
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Modified ridge tiles for
Pipistrelle bat access,
(15-20mm high,
20-50mm wide)

New extended lead rolled
flat roof with central rooflight
New s/steel flue from new
log burner painted matt
black

New conservatory
rooflight set into roof

NEW EXTENSION

Outline of existing
extension shown dotted

Access points for Brown Longeared
bats (15-20mm high, 20-50mm
wide, over 2m above ground level.

Painted smooth
sand/bmt render
to match existing

Future greenhouse
dotted

New timber painted french
doors & side screens

REAR ELEVATION

Ridge height not to
exceed existing ridge
of main cottage

Galvanized profiled
Zinc sheet roofing

Cat-slide roof

Horizontal treated
timber boarding

Painted/stained/treated
timber french doors &
windows

New timber Stable door
with cat flap

New external lights to be Tamilite Hurricane
(1x18W2D) ref HUR163, black, included
eyelid hood. Lights positioned as shown 1m
above ground levels. Lights to minimise light
spill up onto soffits/leaves.

New full height
glazed french
doors

Future greenhouse
dotted

New external lights to be Tamilite Hurricane
(1x18W2D) ref HUR163, black, included
eyelid hood. Lights positioned as shown 1m
above ground levels. Lights to minimise light
spill up onto soffits/leaves.

NP 19.6.65

S/steel flue from new log
burner in Living room
painted matt black

Natural slate roof
covering

New Conservatory

New water
butt

New contrasting
s/cmt plinth

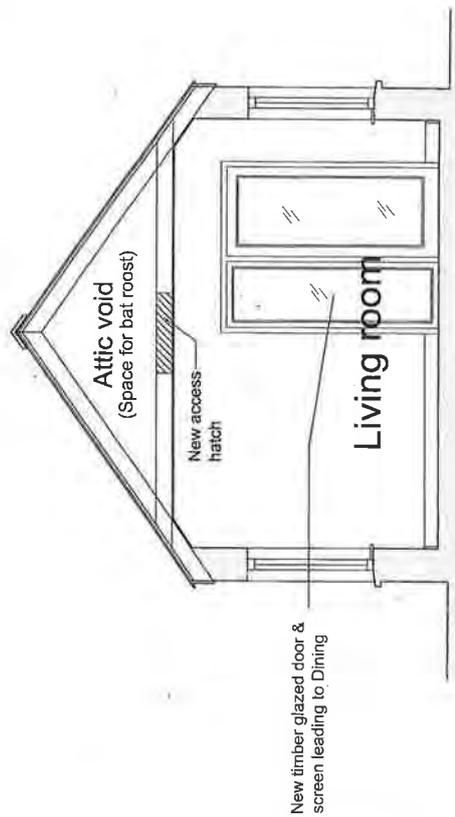
Black upvc
rainwater goods

NEW GRANNY ANNEXE

SIDE ELEVATION

Galvanized profiled
Zinc sheet roofing

Horizontal treated
timber boarding



SECTION BB

EXTERNAL LIGHTS AWAYED

BAT ECOLOGISTS REQUIREMENTS ADDED

BAT ECOLOGISTS REQUIREMENTS ADDED

CLIENT ADDITIONS & BAT MITIGATION ADDED

CLIENT ADDITIONS & BAT MITIGATION ADDED

REVISIONS NOTES

Drawn: Pembroke Design Ltd 2012

PROPOSED ELEVATIONS / SECTION

PROJECT
PROPOSED EXTENSION /
ALTERATIONS TO RED HOUSES,
THE RHOS, PEMBROKESHIRE

CLIENT
MR & MRS J. EVANS

PEMBROKE DESIGN

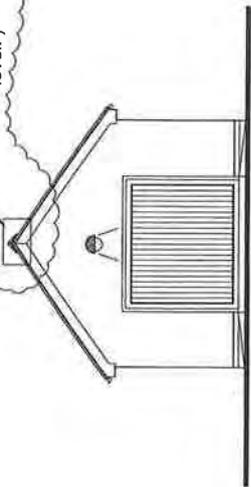
ARCHITECT	PEMBROKE DESIGN
PROJECT NO.	150/100
DATE	OCT 2012
DESIGNER	GUS / PNW
CHECKED BY	PNW

DATE	DESCRIPTION
JAN 14 E	
SEP 13 D	
AUG 13 C	
JUN 13 B	
NOV 12 A	
DATE	

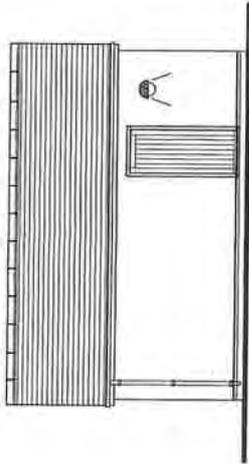


Proposed elevations/section

Locations of modified ridge tile access points for Pipistrelle bats. (15-20mm high, 20-50mm wide at approx 4m above ground level.)

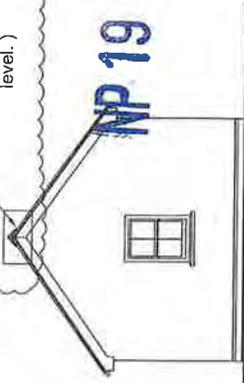


FRONT ELEVATION

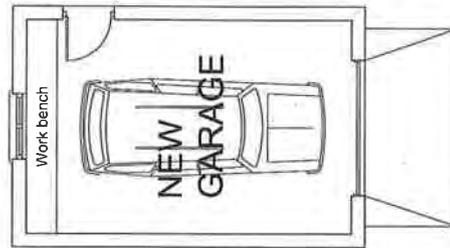


SIDE ELEVATION

Locations of modified ridge tile access points for Pipistrelle bats. (15-20mm high, 20-50mm wide at approx 4m above ground level.)

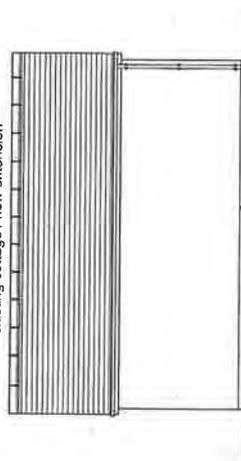


REAR ELEVATION

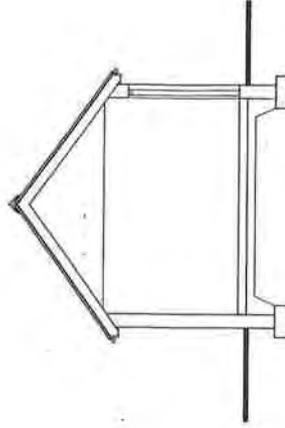


PLAN

Note - All finishes to match existing cottage / new extension



SIDE ELEVATION



SECTION

NP 19 6 6 5

BAT ECOLOGISTS REQUIREMENTS ADDED
 CLIENT ADDITIONS & BAT MITIGATION ADDED
 CLIENT ADDITIONS ADDED
 REVISIONS NOTES
 © Pembroke Design Ltd 2012

PROPOSED SINGLE GARAGE DETAIL

Project
 PROPOSED EXTENSION / ALTERATIONS TO RED HOUSES, THE RHOS, PEMBROKESHIRE

Client
 MR & MRS J. EVANS

PEMBROKE DESIGN
 L I M I T E D

Drawn
 GJS / PNW
 Scale
 1:100
 Original Size
 A3

Checked by
 JOCT 2012

Job No
 837

Draw No
 008



Proposed Single garage