

# DEVELOPMENT MANAGEMENT COMMITTEE

1 May 2019

Present: Councillor R Owens (Chair)

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

[Llanion Park, Pembroke Dock 10.00am –1.40pm; 2.00pm - 2.40pm]

When the meeting reconvened at 2.40pm those present were:

Councillor R Owens (Chair), Councillor P Baker, Councillor D Clements, Councillor P Harries, Mrs G Hayward, Councillor M James, Councillor P Morgan, Dr R Plummer, Mr AE Sangster, Councillor M Williams and Councillor S Yelland.

## 1. Apologies

There were no apologies for absence.

## 2. Disclosures of interest

The following Member(s)/Officer(s) disclosed an interest in the application(s) and/or matter(s) referred to below:

<b>Application and Reference</b>	<b>Member(s)/Officer(s)</b>	<b>Action taken</b>
<i>Minutes 6(a)below</i> NP/18/0439/FUL Conversion of existing disused church to 2 residential units of accommodation - Thomas Memorial Congregational Church, High Street, Saundersfoot	Councillor P Baker	Withdrew from the meeting while the application was discussed
	Councillor M Evans	Remained in the meeting while the application was discussed and played a full part in the discussions thereon
<i>Minutes 6(b)below</i> NP/18/0502/FUL Change of use of existing building, including internal	Councillor P Baker Mr AE Sangster	Withdrew from the meeting while the application was discussed



<p>alterations &amp; demolition of existing single storey extension (western &amp; northern elevations) and gate hut. Proposed extension of western elevation of building (three storeys including roof space) to height of existing building) and proposed extension on northern elevation (single storey), to provide visitor centre, exhibition space, plus flexible commercial / exhibition / storage space. Proposed event space plus small commercial units (fifteen), improvement works to vehicular and pedestrian access and landscape works - Coal Building, Cambrian Terrace, Saundersfoot</p>	<p>Councillor M Evans</p>	<p>Remained in the meeting while the application was discussed and played a full part in the discussions thereon</p>
<p><i>Minutes 6(c)below</i> NP/18/0687/FUL Proposed Coastal Schooner Centre (mixed use for education, exhibition space/heritage interpretation, meetings and refreshments facility, use classes D1 and A3) – Events Deck, The Harbour, Saundersfoot</p>	<p>Councillor P Baker Mr AE Sangster</p>	<p>Withdrew from the meeting while the application was discussed</p>
<p><i>Minutes 6(d)below</i> NP/19/0207/DOC Discharge of condition 6 of NP/16/0170/FUL – Jones &amp; Teague, The Harbour, Saundersfoot</p>	<p>Councillor P Baker Mr AE Sangster</p>	<p>Withdrew from the meeting while the application was discussed</p>
	<p>Councillor M Williams</p>	<p>Remained in the</p>



	Councillor M Evans	meeting while the application was discussed and played a full part in the discussions thereon
<i>Minutes 6(e)below</i> NP/18/0622 Proposed mixed-use development comprising of 32 open market units, 7 affordable units, rural enterprise units, biomass district heating system, sewage treatment system & associated infrastructure upgrades – Home Farm, Broad Lane, Lawrenny	Mr AE Sangster Councillor P Harries	Remained in the meeting while the application was discussed and played a full part in the discussions thereon
	Councillor D Clements	Withdrew from the meeting while the application was discussed
<i>Minutes 6(f)below</i> NP/18/748/FUL Conversion of existing vacant building to extend brewery at ground floor & change of use at first floor to A3 use – The Glass House, Sergeants Lane, Tenby	Councillor M Evans	Withdrew from the meeting while the application was discussed
<i>Minutes 6(j)below</i> NP/19/0113/FUL Alterations to existing forecourt to form an additional parking space - Major House & Major Lodge, Upper West Street, Newport	Councillor P Harries	Remained in the meeting while the application was discussed and played a full part in the discussions thereon
<i>Minutes 6(k)below</i> NP/19/0114/LBA Alterations to existing forecourt to form an additional parking space - Major House & Major Lodge, Upper West	Councillor P Harries	Remained in the meeting while the application was discussed and played a full part in the discussions thereon



Street, Newport

### 3. Minutes

The minutes of the meeting held on the 6 March 2019 and 25 March 2019 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on the 6 March 2019 and 25 March 2019 be confirmed and signed.

**NOTED.**

### 4. 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 7<sup>th</sup> December 2011, speakers would have 5 minutes to speak. However on this occasion, where there was more than one person wishing to object to an application, they would each be given 2 minutes.

The Director of Park Direction and Planning added that because of implications of the General Data Protection Regulations it was necessary to revise the policy relating to the right to speak at the Committee and a report would be presented to a future meeting of the National Park Authority.

*The interested parties are listed below against their respective application(s), and in the order in which they addressed the Committee:*

<b>Reference number</b>	<b>Proposal</b>	<b>Speaker</b>
NP/18/0439/FUL <i>Minute 6(a) refers</i>	Conversion of existing disused church to 2 residential units of accommodation - Thomas Memorial Congregational Church, High Street, Saundersfoot	Rowland Williams – objector Cllr Phil Baker – Local Councillor Jes Beynon - applicant
NP/18/0502/FUL <i>Minute 6(b) refers</i>	Change of use of existing building, including internal alterations & demolition of existing single storey extension (western & northern elevations) and gate hut. Proposed	Rowland Williams (Friends of Saundersfoot) – objector Ann Einon - objector Phillip



	extension of western elevation of building (three storeys including roof space) to height of existing building) and proposed extension on northern elevation (single storey), to provide visitor centre, exhibition space, plus flexible commercial / exhibition / storage space. Proposed event space plus small commercial units (fifteen), improvement works to vehicular and pedestrian access and landscape works - Coal Building, Cambrian Terrace, Saundersfoot	Evans/Michael Davies - applicants
NP/19/0207/DOC <i>Minute 6(d)</i> <i>refers</i>	Discharge of condition 6 of NP/16/0170/FUL – Jones & Teague, The Harbour, Saundersfoot	Michael Davies - applicant
NP/18/0622/FUL <i>Minute 6(e)</i> <i>Refers</i>	Proposed mixed-use development comprising of 32 open market units, 7 affordable units, rural enterprise units, biomass district heating system, sewage treatment system & associated infrastructure upgrades – Home Farm, Broad Lane, Lawrenny	Stephen Oates – objector Wayne Reynolds – agent
NP/18/0766/FUL <i>Minute 6(g)</i> <i>Refers</i>	Extension & conversion of existing outbuilding to create a live/work unit to include a ground floor Gallery/workshop (B1 use) with a first floor extension to create subsidiary residential accommodation in association with the B1 use – Building opposite Ty Mawr, Solva	Jeremy Barton - applicant



## 5. Members' Duties in Determining Applications

The recently updated 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

## 6. 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*):

*[Councillor P Baker disclosed an interest in the following application and explained that he would be speaking on it in his capacity as County Councillor. He then withdrew from the meeting, returning only speak, and then withdrew again.]*

- (a) REFERENCE: NP/18/0439/FUL  
APPLICANT: Mr D Beynon, Monkstone Bay Development  
PROPOSAL: Conversion of existing disused church to 2 residential units of accommodation  
LOCATION: Thomas Memorial Congregational Church, High Street, Saundersfoot

Members were reminded that planning permission had been granted in January 2015 for change of use of the Chapel to a single dwelling, change of use of part of the ground floor of the Manse from Class A2 to residential and erection of a dwelling to the rear of the Chapel and partial demolition of The Manse and Chapel to provide off-street parking and associated works. It was reported that work was ongoing on site. The current planning application proposed subdividing the Chapel to form two residential units rather than the single residential unit granted permission under the original application. The proposal included amendments to the fenestration of the existing church structure and some associated external works.

Officers considered that the siting and design would have no adverse impact on the character of the building, locality or neighbouring properties, however there were significant national and local policy objections to the proposal in terms of affordable housing provision, as the current



application did not include a mechanism to ensure that an appropriate financial contribution was secured towards affordable housing as required under Local Development Plan Policy 45 and the associated Supplementary Planning Guidance. For this reason the application was recommended for refusal.

The first of the three speakers was Mr Rowland Williams, Secretary of the Friends of Saundersfoot. He stated that the Friends were not objecting to development of the site, but wanted to stress the importance of protecting the Conservation Area status at the heart of the village. Outlining a brief history of the building, he informed the Committee that the building was completed in 1834 and was therefore the first Chapel within the village. The Friends appreciated the need for the building to have a new use, but sought a more sympathetic renewal which would retain the historic frontage as much as possible due to the importance of the site within the village and the history of the building.

Councillor P Baker then returned to address the Committee. He stated that he supported Mr Beynon, a well-respected developer who had successfully completed the technically challenging construction of a building to the rear of the current application site. He noted that the matter for Members consideration that day was regarding the affordable housing contribution. He explained that the original development had not been subject to a contribution as it had failed the viability test, however during the course of construction on the site the applicant had felt that conversion to two units would be more appropriate than one. Following a dialogue, officers of the Authority had advised that a contribution would be required on one of the three (net gain) units on site and had suggested that an average of the two new units proposed be taken. This information had been sent to the District Valuer, at the applicant's expense, who had assessed that no contribution was payable. He asserted that the Authority had then tried to revisit the process retrospectively and now required a contribution of £13,000. The applicant had, in an email to the Chief Executive the previous day, offered a contribution of £5000 in order to try and make some progress, however Councillor Baker urged Members to support the view of the District Valuer and approve the application with no contribution.

The final speaker was the applicant, Mr Jes Beynon. He explained that in 2012 he had bought the derelict building in his home village and put his heart and soul, and considerable investment, into the project. The first two units had been sold in 2018 but were currently unoccupied. Despite the fact that they had sold for more than anticipated, the margins remained the same due to time and cost delays. The decision had then been taken to subdivide the church and an application had been submitted. Mr Beynon then referred to his email to the Chief Executive



mentioned previously, and added that his frustrations with the process had probably been reflected in the text of it. However, sticking to the facts, he stated that the pre-application feedback he had received had been contradictory, and the 'external auditor' had adjudicated that there was no contribution to pay. This adjudication had not been accepted by the Authority and he had been told that a contribution of £13,000 was required, although he felt that this was unsubstantiated. In February of this year the Authority admitted that it had mis-managed the process, and that a contribution was still required. Mr Beynon felt that he still had unanswered questions as the process did not seem clearly defined. He stated that he had agreed to accept the District Valuers report whatever its conclusion, however he had now put forward a voluntary contribution and he stood by that offer.

The Director replied to a question from one Member that no response had been made to Mr Beynon's offer. She also pointed out that the Authority had offered to refund the fee of £780 that Mr Beynon had paid to the District Valuer as this had been commissioned incorrectly by the Authority as it was based on the viability only of the two units that would be created by subdivision of the Chapel, rather than the correct approach, based on the three units created on the site as a whole. She also pointed out that Mr Beynon had been advised by officers that PCNPA would pay the District Valuer's fee for the further work to correctly assess the viability of the whole site in order to progress the application. However Mr Beynon had declined to provide the information for the fresh assessment to be undertaken. She also clarified that the offer of £5,000 by Mr Beynon as an affordable housing contribution was not considered acceptable. The Solicitor, Mr Huw Williams, added that he agreed with the officer as the Authority needed to proceed on the basis of an amount properly due and calculated under policy and that this should not be subject to ad hoc negotiation, notwithstanding the errors in the previous process.

Some Members disagreed with the Director, considering the offer of £5,000 to be an acceptable and a pragmatic way forward and a motion to approve the application and accept the offer of £5,000 was proposed and seconded. As this recommendation was contrary to the officer recommendation on purely policy grounds, the Director advised that she would invoke the 'cooling off' period. In accordance with the Policy, the Monitoring Officer then sought valid planning reasons for going against the recommendation. This was given as no discussions and negotiations having taken place with the applicant regarding the offer of £5,000 and the late submission of this offer had been due to mistakes made by the Authority. The Director then advised that she did not consider this to be a valid planning reason and Solicitor added that it was important to separate the application of policy from errors in determination of the application as the applicant had separate avenues of redress in this respect. The





Monitoring Officer therefore advised that the Committee should not therefore proceed to a vote on this motion, although he added that Members could vote as they wished, however there were consequences for doing so, as set out in the Solicitors report.

Not all Members agreed that the offer of £5,000 should be accepted, pointing to the Authority's clear policy regarding a requirement for an affordable contribution, with disputes regarding the costs of development, and therefore the viability of such contributions, being resolved by the District Valuer. They felt that this approach should be applied in a consistent way, with the applicant having a right of appeal against a refusal and an option to apply for costs should he feel that the Authority had been unreasonable. Another Member disagreed, believing that a further delay of 6-8 months would be difficult for the applicant in terms of his investment to date and was not acceptable.

While some Members said they would have preferred to vote with their hearts, a motion to accept the officer recommendation and refuse the application was proposed and seconded. One Member sought reassurance that should the application be refused, and the applicant made a subsequent 'free' application, the Authority would make an offer to pay for any new viability test as a gesture of good will. The Director replied that this could be done if Members so wished.

**DECISION: That the application be refused for the following reason:**

- 1. 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 for Affordable Housing (adopted 5th November 2014) and is therefore contrary to guidance contained within Planning Policy Wales (Edition 10, November 2018).**



*[Having disclosed an interest, Councillor P Baker and Mr AE Sangster were not present when the following three applications were considered]*

- (b) REFERENCE: NP/18/0502/FUL  
APPLICANT: Mr M Davies, Saundersfoot Harbour Commissioners  
PROPOSAL: Change of use of existing building, including internal alterations & demolition of existing single storey extension (western & northern elevations) and gate hut. Proposed extension of western elevation of building (three storeys including roof space) to height of existing building) and proposed extension on northern elevation (single storey), to provide visitor centre, exhibition space, plus flexible commercial / exhibition / storage space. Proposed event space plus small commercial units (fifteen), improvement works to vehicular and pedestrian access and landscape works.  
LOCATION: Coal Building, Cambrian Terrace, Saundersfoot

It was reported that this application was before the Committee as it was classed as major development. Two petitions, together with thirteen letters of objection and 10 letters of support had been received, with the main issues set out and addressed in the report. A number of additional letters of objection had been received since the report had been written, and these had been circulated to the Committee prior to the meeting.

The site was located within the centre of Saundersfoot as defined in the Local Development Plan and within the Saundersfoot Conservation Area. The proposals put forward indicated that this scheme comprised phase 2 of a series of phases to redevelop Saundersfoot harbour area. The application included a mixed use commercial building, geared towards providing community facilities for the area. The scheme would result in an enhanced Coal Building, helping to sustain the working harbour activities and providing enhancements to the commercial and leisure activities which would add to the vitality and viability of Saundersfoot as a whole.

Officers considered that the proposed design would sustain and enhance the local character whilst also promoting modern and innovative design and could be supported. It was also considered acceptable in terms of its impact on the character of the Coal Office building and setting of nearby listed buildings, subject to details being agreed through a planning condition for the proposed fenestration, eaves and bargeboard treatments.

In terms of the loss of open space, trees and of the existing stone boundary wall, officers considered that while the loss of the southern garden area removed some attractive softening in this part of the



Conservation Area, the majority of open space was being retained, including the sensory garden. Additional open space had also been created within the harbour area over the existing sluice and this had resulted in an overall increase of open space. While the loss of some of the trees was disappointing, retention/relocation and additional tree planting was proposed along the southern and eastern boundaries and this was considered to be critical to the proposed scheme. The loss of the stone wall was not considered to have any significant impact on the Conservation Area at this location, although it was noted that Conservation Area consent would be required for its demolition.

The report concluded that notwithstanding the objections received, following consideration of the policies contained within the Local Development Plan (LDP) and Planning Policy Wales with its focus on place making; and having regard to all material considerations it was considered that the development would be in keeping with the aims of the LDP, in that the development was considered to provide a new commercial uses within an area that is undergoing regenerations while sustaining the local character.

The first of three speakers was Mr Rowland Williams, Friends of Saundersfoot, who pointed out the flood risk of the site given the issues of global warming and sea level rise, noting that it was within a C2 flood zone. Mr Williams questioned why this application was being recommended for approval when applications in similar locations in Amroth had been refused.

The second speaker was Mrs Ann Eion. She read an extract from a report “The Shared Heritage of Saundersfoot Bay” written by Joan Asby, in 2014 which described the sight on entering Saundersfoot as the sand and sea against a backdrop of the community garden and the harbour – this provided a visual clue to its industrial and economic past. Of concern to her was the loss of the green grassy area and surrounding stone walls which was popular year round for walkers, cyclists and families to enjoy a picnic, ice cream or coffee, the stone wall creating a safe area. She noted that the area was free to use. It also provided a pleasant symmetry with the sensory garden to the other side of the Coal Building which was a quieter area without picnic tables. Mrs Eion questioned the need for an additional events space as this had been provided in the wooden decked area over the harbour sluice.

Finally Mr Phillip Evans, Chairman of the Saundersfoot Harbour Commissioners spoke. He explained that he was the seventh generation of his family to have been born in the Parish of St Issells and while the jobs of those who lived in the village had changed over the years, the young people had always moved away; in recent decades they had been



replaced by a retired generation. Full time weekly earnings in Pembrokeshire were the lowest in Wales and 23% of the population was economically inactive. He stated that the project would be creating 110 new jobs, including apprenticeships and a vibrant visitor space where craftspeople could operate in a 'Covent Garden' type environment. He hoped that 'Ocean Square' would become the vibrant heart of the village where January was as important as August in retail terms. In a partnership with Welsh Government and Pembrokeshire County Council, the development at Saundersfoot was the biggest of all the programmes in the Swansea Bay City Region.

Mr Evans noted that the plans for the Harbour had been developed over some seven years and during that time the Commissioners had had an open door policy and had welcomed concerned members of the public and explained to them the work that was proposed. Two public consultation exercises had taken place, in 2015 and 2018. The applicant had listened, explained and adapted their plans and he felt the support from local businesses had been overwhelming. It was hoped that this marine tourism development would be world class and iconic, and he urged the Committee to support the recommendation. Mr Michael Davies added that he wished to thank the community groups that had supported the application and noted that much discussion had taken place with them to reach that point.

Seeking clarification, one Member asked for a breakdown of the figure of 110 new jobs. Mr Evans explained that this was over the whole of the harbour development and included apprentices in the engineering workshops, hospitality posts and in the 12 – 15 shop units that would be created. Also questioned was the loss of the 'free' open space area, however Mr Evans noted that the only difference was that the area would now be covered to make it useable all year round, it would remain a community area.

Members remained concerned about the loss of the green space and asked officers whether the objection of the Tree and Landscape officer had been overcome and were advised that it had not. The planning officer clarified that, in response to the concerns of Friends of Saundersfoot, it was only residential accommodation that was not allowed in a C2 flooding area, and that other types of development could be provided for. Issues of lighting, provision of bike storage and the impact of the new commercial units on existing business in the village were also raised. Officers advised that conditions could be added regarding lighting, and cycle storage, and that a retail impact assessment had been submitted and the Policy Team had considered this to be sufficient and causing no adverse impact. With regard to the relocation of existing trees, the officer advised that this would be covered by proposed



conditions 8 and 9. He added that the deficiency in open space lay in recreational provision and playground facilities rather than in green open space per se and that officers were happy that there would be no significant adverse impact resulting from the application.

One of the Members asked about the email from Mr Hughes regarding the loss of light to residential properties in Cambrian Terrace. The officer explained the calculation and considered that there would be no adverse impact to the residential uses at first floor level or above.

One of the Members expressed the opinion that the application had been carefully and sensitively dealt with and was not out of keeping with the area's industrial heritage, the recommendation was then moved and seconded. However one Member remained concerned about the loss of green space and the large number of objections which had been received to the development.

**DECISION: That the application be approved subject to conditions relating to timing, accordance with plans, accordance with Ecological Survey Report, provision of detailed drawings for the proposed windows, fascia, soffits and verges of the Coal Building, approval of materials, Construction Environmental Management Plan, landscaping scheme, accordance with the Arboricultural Impact Assessment and Method Statement, contamination, hours of operation, waste disposal, surface water drainage, archaeology, lighting and cycle storage.**

*[The Committee adjourned for a short comfort break prior to consideration of the next application]*

- (c) REFERENCE: NP/18/0687/FUL  
APPLICANT: Mr M Davies  
PROPOSAL: Proposed Coastal Schooner Centre (mixed use for education, exhibition space/heritage interpretation, meetings and refreshments facility, use classes D1 and A3)  
LOCATION: Events Deck, The Harbour, Saundersfoot

It was reported that this site formed part of the recently completed events deck within Saundersfoot Harbour which had been constructed over the existing sluices. The application sought approval for the proposed Coastal Schooner Centre, taking the form of a schooner boat with associated masts and rigging, which would be a mixed use space providing for education, exhibition space/heritage interpretation, meetings and refreshment facility. The boat's hull would have a dark woodgrain planking finish to the outer skin fixed to galvanised steel spines with a mix



of rain screen cladding to the inner skin and glazed sections allowing natural daylight into the structure. Internal access would be provided via stair hatch and lift on to the upper deck area which will provide additional space for events and access to fixed rigging.

Officers concluded that following consideration of both National and Local planning policies, and having regard to all material considerations, it was considered that the development would provide a new educational and tourism attraction within the existing harbour while sustaining the local character and not impacting on privacy or amenity of neighbours. As such, and subject to a schedule of suitable conditions, the development was considered to be acceptable and the recommendation was of approval.

Members considered this to be an exciting development and were happy to move the recommendation of approval. They did, however, note that during the winter months the harbour would not be full of boats and the structure would be more prominent, particularly in terms of lighting, and in this respect they were pleased that an appraisal of the scheme from different aspects had been undertaken. The officer reassured the Committee that detailed design finishes and material were set out in submitted design statements and therefore covered by proposed condition 2. An additional condition regarding lighting could be added, however he noted that the harbour area was already well lit for safety.

**DECISION: That the application be approved subject to conditions relating to timing, accordance with plans, disabled parking, drainage and lighting.**

- (d) REFERENCE: NP/19/0207/DOC  
APPLICANT: Mr N Griffiths  
PROPOSAL: Discharge of condition 6 of NP/16/0170/FUL  
LOCATION: Jones & Teague, The Harbour, Saundersfoot

It was reported that it was unusual for discharge of conditions applications to be considered by the Committee as they were normally dealt with by officers under powers of delegation granted by the Authority. However the draft schedule of materials submitted by the applicant's agent proposed the colour for the external rendered walls to be RAL 5015 (dark blue) which officers were not convinced was appropriate, having requested a lighter colour RAL 5024. As no agreement could be reached, the matter had, exceptionally, been brought to the Committee for a decision, with the officer recommendation being one of refusal.

The applicant, Mr Michael Davies, then addressed the Committee. He agreed that colour was a sensitive aspect of a building, and in delivering



the brief for an iconic 'green' development that would be an exemplar, a number of colours had been sampled. The blue that had been chosen matched that of the logo of the International Centre. This was a strong, vibrant colour which could give a lift to the design, and when combined with the roof cladding and stone would highlight the building itself. He noted that in the village there were a number of buildings painted in vibrant colours and he circulated some images of these. While he understood the sensitivity of the site, he felt that the strong colour chosen would give the building an iconic feel. Mr Davies also confirmed that this was the first of a number of Coastal Centres around Wales and the branding would be replicated at each of these.

Members agreed that this was an iconic development and noted that the design details and materials were important in controlling the impact of developments, however they were disappointed that no compromise could be reached. Officers replied that as this was a public building in an iconic location they had considered that the compromise solution would be for the darker blue colour found in the logo to be used to 'pick out' elements of the scheme. It was considered that in design terms darker colours generally work better toward the base of a building, whereas in this case the coloured cladding was found towards the top of the building above areas of stone and wood. Unfortunately in this situation compromise was not possible as the applicant had specifically chosen the colour to match that of the branding rather than in consideration of the design, conservation area or historic surrounding.

**DECISION: That the provision of RAL 5015 (darker blue) be refused and a preference expressed for RAL 5024 (lighter blue) paint application on the rendered elements of the proposed building with regard to the discharge of condition 6 attached to planning permission NP/18/0141/S73.**

*[Councillor D Clements disclosed an interest in the following application and withdrew from the meeting while it was considered]*

- (e) REFERENCE: NP/18/0622/FUL  
APPLICANT: Mr Lort-Phillips, Lawrenny Developments Ltd  
PROPOSAL: Proposed mixed-use development comprising of 32 open market units, 7 affordable units, rural enterprise units, biomass district heating system, sewage treatment system & associated infrastructure upgrades  
LOCATION: Home Farm, Broad Lane, Lawrenny, Kilgetty

It was reported that this application proposed a mixed development of residential development, commercial development and a biomass heating system shed. Part of the application site was an allocated housing site



within the Local Development Plan (LDP) and this would accommodate the proposed 32 open market housing and one landowner controlled affordable house. The proposed 6 affordable residential units controlled by a Registered Social Landlord, the commercial units and the biomass heater shed would be on land outside of the LDP allocation. The proposed dwellings would be a mixture of two and one and a half storey with associated private garden areas and car parking, with a community square located centrally within the residential site.

At the meeting it was reported that regarding the objection relating to landownership outlined in the report, the applicant had confirmed that he was content that the land was within his ownership; matters of trespass lay outside of the remit of the Committee. It was also reported that the Tree Officer was content with the proposed landscaping, however he had requested an alteration to the wording of condition 9 to provide for tree and hedgebank protection zones.

The first of two speakers was Mr Stephen Oates who lived adjacent to the scheme who advised he was also speaking on behalf of another neighbour Michelle Williams. He explained that he was a former Head of Highways and Transportation with a Unitary Authority and was familiar with such large schemes. His first concern was with the size of the development, noting that the allocation was for 30 units, and that the application for 39 units increased the size of Lawrenny by 40%. He felt this would cause problems of social cohesion, particularly as this was a private estate with no rights of access for the local population, including access to the community square. He also noted that, as a private scheme, residents would have no recourse to Welsh Water if the sewers became blocked or to the Highway Authority if there were problems with the roads. His greatest concern, however, related to traffic as he anticipated that most traffic would come through the village, and he argued that the new entrance to the estate should be the main access to the development. One of the existing accesses was adjacent to his house and this would have a width of 2.7m at one point compared to 4.1m as recommended in the Manual for Streets. He also believed that the junction of this road with Broad Lane was substandard. While the applicant had proposed narrowing the carriageway to the north of his property to deter southbound traffic, and provision of a 'no return' system, a one-way system had not been created, and he did not believe that the proposals were viable.

Mr Oates' neighbour, Michelle Williams, was concerned regarding site levels and overlooking of the existing Long Barn. He believed that the screening proposed would be ineffectual and there was no control over maintenance of the trees planted in private gardens. He also stated that





the reference to restrictive covenants raised by objectors was correct as he had seen these for himself.

The second speaker was Wayne Reynolds, the agent. He commended the officers on a comprehensive report and explained that it had taken a long time to bring forward the present scheme, which aimed to protect the National Park and the village of Lawrenny. The scheme had been the subject of a national architectural competition and had been described by the Design Commission for Wales as an exemplar project. Mr Reynolds stated that the estate was committed to the village, having brought fibre optic cabling to the village, and through the provision of a new square for village events, the biomass scheme and other infrastructure.

In response to a question from Members regarding access to the community square, Mr Reynolds explained that none of the unadopted roads would be restricted as such. He suggested that a paragraph could be added to the S106 agreement to secure public access to the proposed Square. With regard to vehicular access to the development, he explained that the new access had been added following the consultation exercise. The current access which the objector had mentioned would be close to an area of parking and was currently subject to a high level of farm traffic. It was hoped that the new access would divert some traffic away from this area and a pinch point and 'no return' fitting on the road had been suggested to alleviate the objector's concerns.

Another Member asked whether the affordable units would have a 'local connection' condition attached to them. Mr Reynolds replied that the properties would be for rent, and discussions had indicated a preference for tenants to have a local connection in the first instance, however letting would be controlled by the Housing Association. The planning officer confirmed that the local 'cascade' process would be applied to the occupation of the affordable housing.

The final question related to the types of businesses expected in the proposed commercial units. Mr Reynolds replied that there had been a significant level of interest in these since the Estate had brought in the fibre optic connection. The buildings were modular in make-up and a flexible approach could be taken regarding occupancy. Professionals such as media and digital consultants who owned property in the village were already expressing an interest.

Members expressed regret that a greater number of affordable properties had not been provided. They asked whether the provision of communal refuse sites was due to the narrowness of the roads. The officer replied that the reason was because the roads were not adopted and refuse vehicles were normally required to use only adopted roads, they added



that the Highway Authority was content with the access for emergency vehicles. The Solicitor added that the Welsh Local Government Association was currently writing a report on the issues surrounding unadopted roads in Wales. The Director of Park Direction and Planning added that developers could construct roads to adoptable standards so that they could be adopted at a later date, however the Authority had no control in this respect; it was the duty of the Highway Authority to ensure that adopted roads and streets were properly lit and paved. Similarly it was the responsibility of prospective purchasers to assess the suitability of the private sewerage system.

Members were also concerned about the ability of facilities, such as public transport and the school, to cope with the large increase in numbers. The officer replied that the village was classed as a rural centre and it therefore had the facilities (such as a shop and a pub) to serve its population; there was no bus service. There had been a request for a contribution from the Education Authority, however this had not come forward due to the limited viability of the scheme.

In response to the concerns raised regarding traffic circulation, Members asked that condition 5 be made as robust as possible and also conditions 7, 8 and 10 in relation to construction traffic. Landscaping was also important. It was noted that there was a condition regarding site levels.

Notwithstanding the above comments, one Member commended the community biomass heating system and noted that the greater community cohesion this could generate was to be welcomed. It was moved and seconded that the application be delegated to officers as set out in the report subject to an addition to the S106 Agreement regarding management of the community square and include robust highway conditions.

**DECISION: That the application be delegated to the Chief Executive/Director of Planning/Team Leader to grant planning permission subject to an acceptable appropriate assessment, and completion of S106 Agreements in respect of provision of affordable units, reassessment of viability and provision/maintenance of play equipment and public access to the community square. If the Agreements were not completed within 3 months of the date of the meeting, officers were authorised to use their discretion to refuse the application under delegation procedures. The application also to be subject to conditions relating to timing, accordance with plans, lighting, archaeology, site levels, footpath access, construction of access and estate roads, visibility splays, Construction Traffic Management Plan, communal refuse areas, private treatment plant, Pollution Prevention Strategy, contaminated land, hours for**



**construction, dust control, burning, landscaping scheme, commercial units to B1 use class, Construction Environmental Management Plan and permitted development.**

*[Mr A Archer tendered his apologies and left the meeting at this juncture.]*

*[Councillor M Evans disclosed an interest in the following application and withdrew from the meeting while it was discussed.]*

- (f) REFERENCE: NP/18/0748/FUL  
APPLICANT: Mr M Evans  
PROPOSAL: Conversion of existing vacant building to extend brewery at ground floor & change of use at first floor to A3 use  
LOCATION: The Glass House, Sergeants Lane, Tenby

It was reported that this application was before the Committee as the applicant was a Member of the Authority.

The application site comprised an existing two storey stone building recently used as a joinery workshop, which formed part of a range of historic commercial properties along Sergeants Lane. The adjacent building had been converted into a micro-brewery and visitor centre under application NP/14/0194 and permission was sought for the change of use of the building into an extension of the adjacent commercial business with the micro-brewery extending into the ground floor and the visitor experience, which include a food and drink (A3) Use Class at first floor level. A new external terrace would be provided at first floor level.

Officers considered that, having regard to all material considerations, the development would be in keeping with aims of the Local Development Plan, in that development was considered to provide a new commercial use within an area that was in need of regeneration, while sustaining the local character. The recommendation was therefore one of approval subject to conditions.

Members agreed that the proposals would enhance the area and the recommendation was moved and seconded.

**DECISION: That the application be approved subject to conditions relating to timing, accordance with plans, scheme of external colours and hard landscaping, delivery hours and no use as a hot food take-away.**



- (g) REFERENCE: NP/18/0766/FUL  
APPLICANT: Mr Barton  
PROPOSAL: Extension & conversion of existing outbuilding to create a live/work unit to include a ground floor Gallery/workshop (B1 use) with a first floor extension to create subsidiary residential accommodation in association with the B1 use  
LOCATION: Outbuilding Opposite Ty Mawr, Solva

This application was reported to the Committee as the officer recommendation was contrary to that of the Community Council.

It was reported that the application site was a detached, single storey, long outbuilding bordered to the rear, and elevated above, the River Solva. The building was a traditional stone building which the applicant stated was likely to have been a pair of cottages originally, but latterly used for storage and garaging in association with Ty Mawr.

Officers agreed that this was a structure worthy of retention and conversion to a new use, however the building was within a C2 flood zone. Advice in Welsh Government Technical Advice Note (TAN) 15, was that highly vulnerable development (eg residential accommodation) should not be permitted in a C2 flood zone.

For this proposal, while the ground floor accommodation was less vulnerable commercial space, highly vulnerable residential accommodation was proposed at first floor, which would necessitate access and egress through the flood zone. For this reason the proposal was considered to be contrary to both national and local policy and the recommendation was one of refusal.

The Chair then called Mr Jeremy Baron to speak, however the gentleman who came forward identified himself as Mr Ifor Thomas, Vice Chair of Solva Community Council which supported the application. The Chair assumed that Mr Thomas was speaking on Mr Baron's behalf. Mr Thomas stated that the application would continue the rejuvenation of a derelict part of the village following the applicant's regeneration of the nearby Cambrian Inn, which had a good reputation and had increased employment, and this had shown his commitment to the village. Mr Thomas pointed out that this building was a derelict outhouse that had previously been cottages, however there was a two storey house next door. The Community Council believed that providing a live-work unit might attract a niche/craft unit and any occupant would be safe from the flood water living on the first floor. He believed that refusing the application would send the wrong message to those who lived and ran



businesses in Lower Solva and he asked the Committee to interpret the policy on flooding and support the application.

It then became apparent that the applicant, Jeremy Baron, still wished to speak, and, as he had given due notice, this was allowed. He explained that he had purchased Ty Mawr in 2008 and had upgraded it such that it enhanced the built environment, and he lived there without fear of drowning. He had subsequently purchased the Cambrian Inn and, alongside a small Welsh Government grant, invested in it substantially to grow the business, providing a quality food and lodging offer and creating 10 jobs. He noted that the outbuildings in question were quite prominent and not very appealing. He had considered a variety of uses for them, including commercial, however these had not proved viable. He had then engaged the engineers Francis Sant to produce a flood consequences assessment report and they had also advised him that Natural Resources Wales (NRW) would have no objection to first floor residential, especially if the access was via an external staircase. Mr Baron felt that this would be a positive development for the building and having consulted with the Community Council and the Authority's Building Conservation Officer, a suitable design had been achieved. He noted that NRW had an excellent early warning system for flooding and that in any case local residents could find out when the tide would be high and a lot of rain expected. If an occupant chose to ignore all the warnings and to remain in the building and needed to be rescued, there was an external stair case and many boats in the village. He argued that he was not intending to introduce a lot of new people to the area and this was not a new building in a flood plain, and he wanted to provide a new live work space which would bring employment to the village and find a new use for and improve a derelict building. Referring to the applications considered earlier in the meeting at Saundersfoot, he questioned the plan for evacuating large numbers of people from that development, and asked that small investors could receive a bit of understanding also.

In answer to Members' questions, Mr Baron explained that it was not so much that the residential element provided the value that would allow conversion of the building, but that this was a use which he believed was commercially viable. He did not doubt that the building would flood, however he emphasised that in reality there was so much warning if this was to happen.

Officers clarified that it was the remit of NRW to consider the flood consequences assessment only, but not to object on policy grounds which is the remit of the planning authority. Officers noted that this division of responsibilities does cause confusion for applicants.. Also as the previous residential use had ceased when the building was used for storage, planning permission was required for it to be residential again.



Members acknowledged that these difficult decisions with regard to development in the C2 flood zone would continue. One Member felt that NRW was leaving the decision to planning authorities without giving guidance, however he was interested to learn of their flood warning system. Listening to the facts that the maximum flood level in 100 years was 1.5m, he noted that individuals living on the first floor would be safe and could wait until the flood receded. The development would bring regeneration and economic activity to a building in the heart of the village. Other Members agreed, seeking consistency with the development at Saundersfoot, where letting accommodation had been approved as part of the application for the Coastal Centre of Excellence, and consideration of the 'little man' as opposed to the big business. A motion to approve the application was therefore moved and seconded with the reasons given as economic regeneration of an existing building as set out in section 6 of TAN 15 Development and Flood Risk.

Officers repeated that the TAN did not allow for residential development in C2 flood zones and advised that a commercial use only of the building would have been acceptable. The Director stated that people should feel safe in their homes and the need to rescue people from flooded buildings only put additional pressures on emergency services. She advised that if Members were minded to approve this application it would be subject to the Authority's 'Cooling Off' Procedure.

**DECISION: That Members were minded to approve the application.**

The Director advised that a report on this application would be brought back to the next Committee.

- (h) REFERENCE: NP/19/0029/FUL  
APPLICANT: Genguard Ltd.  
PROPOSAL: Enveloping part of existing single storey flat roof structure on a steel frame to be clad with colour coated box profile sheets to new pitched roof and walls  
LOCATION: Newgale House, Newgale, Hill, Newgale, Haverfordwest

It was reported that this application was before the Committee as the applicant was related to a member of staff. It was also noted that the reference to Lower Solva on page 170 should have read Newgale.

The application site was a detached, two-storey property. Newgale House had been much altered and extended and currently comprised a retail unit at ground floor with office/residential accommodation at first floor. To the rear was a large single storey, flat roof extension and a



further detached single storey pitched roof building. There was an vehicular access to the north of the building which led to the rear.

While the building lay in a C2 flood zone, as it was a pre-existing commercial building and the proposed development was to improve the existing structure rather than change the use to one that was highly vulnerable, the proposal was considered to be in accordance with national and local policy, subject to the completion of a Personal Flood Plan prior to use of the development.

Officers considered that design and materials were acceptable and the proposal would not adversely impact on the special qualities of Newgale. An objection had been received with regard to the impact on amenity of neighbouring properties. While it was acknowledged that there would be an inevitable change in aspect from a variety of views from the north, these could not be protected under the planning system, being civil matters, and the change in roof profile was not considered so dramatic as to tangibly harm amenity to the properties to the north.

Following consideration of the planning issues identified, the proposed development was considered to be in accordance to both national and local planning policy and was recommended for approval subject to conditions as set out in the report.

While some Members were disappointed in the design and the proposed UPVC fenestration, the recommendation of approval was moved and seconded.

**DECISION: That the application be approved subject to conditions relating to timing, accordance with plans, submission of personal flood plan and lighting.**

[The Committee adjourned for approximately 20 minutes at this juncture.]

- (i) REFERENCE: NP/19/0049/FUL  
APPLICANT: Mr H Reynolds  
PROPOSAL: Two storey extension & new garage  
LOCATION: 1 Belle Vue, Square and Compass, Haverfordwest

It was reported that this application was before the Committee as Mathry Community Council had recommended refusal contrary to the officer recommendation.

The development proposed a widened parking area through the demolition of a store to the side of the house (which had already occurred), the construction of a detached garage to the rear of the



property and a double gabled two storey extension to the rear incorporating a balcony.

It was noted that the frontage of the development would not be impacted by the current proposals and officers considered that the proposals would not impact on the special qualities of the National Park and there were not considered to be any issues of overlooking. The Community Council had objected on grounds of highway safety, however the Highway Authority considered the work to be an overall improvement and had recommended conditional consent. The application was therefore recommended for approval.

It was requested at the meeting that condition 4 as set out in the report be amended to add that the garage be retained for car parking thereafter.

**DECISION: That the application be approved subject to conditions relating to timing, accordance with plans, parking, garage to be retained for car parking thereafter, sample of materials and lighting.**

[Councillor P Harries disclosed an interest in the following two applications but remained in the meeting and played a full part in the discussions.]

- (j) REFERENCE: NP/19/0113/FUL  
APPLICANT: Mr & Mrs J Morris  
PROPOSAL: Alterations to existing forecourt to form an additional parking space  
LOCATION: Major House & Major Lodge, Upper West Street, Newport

It was reported that this application was before the Committee as the officer's recommendation differed to that of Newport Town Council. Since writing the report a letter of support had been received.

Major House and Major Lodge were Grade II listed and situated within the Newport Conservation Area. The proposal comprised alterations to the existing forecourt to form an additional parking space. This involved the demolition of an existing wall and building a replacement rendered brick wall set back to provide a parking space, returning to retain garden space to the front of Major Lodge with gateways incorporated to serve both lodge and house. The existing gate piers and gates facing Upper West Street were to be reconstructed like-for-like further west along the line of the existing wall, the intervening wall between the gates and Major House shortened. The proposed surface of the new parking space was tarmac, to match the existing. A listed building application (NP/19/0014/LBA) for





this development was to be considered later in the meeting (*minute 6(k) refers*).

Officers considered the proposal to be acceptable in terms of preserving the architectural and historic character of the property and its setting and also the character of the Conservation Area. It was considered to be appropriate in terms of size scale and detail and was recommended for approval.

One Member stated that he understood the reluctance of the Town Council with regard to the proposal as he agreed it was currently a nice forecourt.

**DECISION: That Planning permission be granted subject to conditions relating to timing, accordance with plans and surface water drainage.**

- (k) REFERENCE: NP/19/0114/LBA  
APPLICANT: Mr & Mrs J Morris  
PROPOSAL: Alterations to existing forecourt to form an additional parking space  
LOCATION: Major House & Major Lodge, Upper West Street, Newport

A planning application (NP/19/0113/FUL) for this development had been approved immediately prior to this application (*minute 6(j) refers*).

Officers considered that the proposal to be appropriate in terms of size, scale and detail and to comply with the requirements of Technical Advice Note 24 and Cadw's Conservation Principle. As such it could be supported.

**DECISION: That Listed Building Consent be granted subject to conditions relating to timing and accordance with plans.**

- (l) REFERENCE: NP/19/0173/FUL  
APPLICANT: Mr R Scourfield, Trustees of Pisgah Baptist Chapel  
PROPOSAL: Change of use of land to east to cemetery  
LOCATION: Pisgah Baptist Chapel, Cresswell Quay, Cresselly

It was reported that this application was before the Committee as the applicant was an officer of the Authority.

The application site comprised part of the land to the eastern side of Pisgah Chapel and was currently in agricultural use and classified as Grade 3b. The proposal was a small-scale, logical and otherwise



acceptable extension to an existing cemetery which would meet the necessary requirement for an expanded community facility which would not compromise the landscape setting of this location. It therefore accorded with the policies of the Local Development Plan. However as the consultation period was still underway at the time of writing the report, the recommendation was one of delegation to approve the application subject to conditions, and to no new issues being raised as a result of the consultation process.

It was reported at the meeting that the Highway Authority had no objection and no third party comments had been received. However comments were still awaited from Dyfed Archaeological Trust. A ground water and surface water risk survey had been carried out and this had been forwarded to Dŵr Cymru / Welsh Water but their comments were awaited.

Some Members were concerned that the proposed post and rail fence looked quite stark and wondered whether this could be softened with planting, however they did not wish to incur additional cost for the Chapel. It was therefore agreed that the planting of trees along the fence line be included as an informative on any permission.

**DECISION: That the application be approved subject to conditions relating to time, accordance with plans and landscaping and a boundary informative.**

## **7. 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 reported that a decision had been received regarding Penberry, Little Haven which had been dismissed. Officers advised that enforcement action would now be taken in respect of these works.

With regard to the Aberiddi Beach appeal, an application had now been submitted and the appeal had therefore been deferred for 3 months.

Finally it was noted that an appeal at Buttyland against the refusal of a certificate of Lawfulness application for 140 pitches had been withdrawn by the appellants and the Authority had sought and been awarded costs.

**NOTED.**

## **8. Unauthorised works to a listed building: Medical Hall, Tudor Square, Tenby**



It was reported that it had come to light in May 2016 that this Grade II listed building had been the subject of a catalogue of unauthorised building alterations, both internally and externally at ground floor level as set out in the report.

The Building Conservation Officer had spent a significant amount of time attempting to find a solution with the owner with regard to reinstating certain details of the building, however works were never commenced. Reluctantly the Authority served a formal enforcement notice on the owner on 9 June 2017 giving 6 months to comply with the requirements within the notice. The owner appealed against this enforcement notice, however this was dismissed and required the enforcement notice requirements to be undertaken within 6 months. To date these works had not been undertaken.

Carrying out unauthorised work to a listed building is a criminal offence. The officers considered that they had adopted a proportionate approach in attempting to come to a solution with the owner by agreement rather than through legal proceedings. Notwithstanding the efforts of officers over a considerable period, which had included taking account of the owner's personal circumstances, there was regrettably no evidence that the owner intended doing any of the works required by the enforcement notice, therefore officers had reluctantly concluded that the only solution remaining to reinstate the integrity of this listed building was to seek authority to prosecute the owner.

Members agreed with the officers' assessment of the significance of the building and expressed their support for the recommendation to prosecute.

It was **RESOLVED** that the Chief Executive/Director of Park Direction and Planning/Development Management Team Leader be authorised to instruct solicitors to commence prosecution proceedings.

## **9. The Value of Planning**

The Director of Park Direction and Planning reported that on 3 April 2019 Roisin Wilmott from the Royal Town Planning Institute had presented a workshop to Members about the Value of Planning. A document setting out the Value of Planning in the Pembrokeshire Coast National Park in 2016/17 as presented at that workshop was appended to the report for Members' information.

**NOTED.**

