

**Application Ref** NP/24/0160FUL  
**Case Officer** Bethan Gledhill  
**Applicant** **Mr P Odley**  
**Agent**  
**Proposal** Change of use of land for the siting of a mobile catering unit  
**Site Location** Coal Building, Saundersfoot, Pembrokeshire, SA69 9HE  
**Grid Ref** **SM13770512**  
**Date Valid** 26-Mar-2024 **Target Date** 17-Jul-2024

**This application is being presented to the Development Management Committee as it is a departure from the Local Development Plan 2, and the recommendation is to grant permission subject to conditions**

### **Summary**

This application seeks consent for the change of use of land to the front of the Coal Building at Saundersfoot Harbour, for the siting of a mobile catering unit. The unit itself would take the form of a French-style van and would be blue and cream in colour. One third party representation has been received in relation to the application.

The Strategic Policy Team has highlighted the fact that the proposal lies outside of the retail centre for Saundersfoot and is therefore, contrary to Policies 56 and 57, however the scale and nature of retail use proposed is not considered to be of a type that would have an adverse impact on the viability of Saundersfoot centre.

The redevelopment of the Saundersfoot Harbour as part of a Welsh Government backed regeneration project has resulted in a movement of the retail Centre within recent years and this proposal is considered to be an ancillary use in support of the wider regeneration of this area. As such, despite its location outside the Retail Centre it is recommended for approval on a seasonal basis.

The relevant plans and supporting documentation can be found online at [Citizen Portal Planning - application details \(agileapplications.co.uk\)](https://citizenportalplanning.co.uk)

### **Consultee Response**

**Saundersfoot Community Council:** No response received at time of writing

**CADW:** No response received

**Natural Resources Wales:** No comments

**Buildings Conservation Officer:** No objection in principle

**Planning Ecologist:** No objection

**PCC Public Protection:** No objection

**Highways Authority:** No objection

**Drainage Engineer:** No adverse comments

**PCNPA Access Manager:** No objection

**Heneb – The Trust for Welsh Archaeology:** No objection

**Saundersfoot Harbour:** Support

## **Public Response**

A site notice and neighbour notification letters were posted, and a notice was placed in the local press in accordance with requirements of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, which requires that proposed developments are advertised by way of either neighbour letters or a site notice. In this case, both methods of notification were utilised in order to ensure notification in an area where many dwellings are only occupied seasonally.

One third representation has been received. The main points raised are briefly noted below:

- Saundersfoot does not need any more catering establishments
- Van would be detrimental to the area as it could be selling chips and burgers
- The land outlined in the original plan was green space and it should be kept that way
- Ocean square is not the artisan, start-up units that were promised originally
- The applicants already have at least six food outlets and retail businesses in the village and it feels like a monopoly.

Where material, these concerns are discussed in the main body of this report.

## **Policies considered**

Please note that these policies can be viewed on the Policies page of Pembrokeshire Coast National Park website - <http://www.pembrokeshirecoast.org.uk/default.asp?PID=549>

LDP2 Policy 01 - National Park Purposes and Duty  
LDP2 Policy 04 – Saundersfoot Local Centre (TIER 2) (Strategy Policy)  
LDP2 Policy 08 - Special Qualities  
LDP2 Policy 11 - Nationally Protected Sites and Species  
LDP2 Policy 14 - Conservation of the Pembrokeshire Coast National Park  
LDP2 Policy 29 - Sustainable Design  
LDP2 Policy 30 - Amenity  
LDP2 Policy 56 – Retail in the National Park  
LDP2 Policy 57 – Town and District Shopping Centres  
LDP2 Policy 60 – Impacts of Traffic  
PPW12  
SPG 02- Landscape Character  
SPG 05 – Seascape Character  
SPG 07- Biodiversity  
SPG17 -Sustainable Design and Development  
TAN 5 – Nature, Conservation and Planning  
TAN 12 – Design  
TAN24 – The Historic Environment  
Future Wales - The National Plan 2040 (FW which was adopted on 24th February 2021)

## **Constraints**

Special Area of Conservation – within 500m  
Special Protection Area – within 500m  
Biodiversity Issue  
Rights of Way Inland – within 50m  
Ancient Monument – within 500m  
ROW Coast Path – within 10m  
Potential for Surface Water Flooding  
LDP Centre 60pc aff housing; 30 units/ha  
Recreation Character Areas  
Surface Coal  
High Coal Risk  
Affordable Housing Submarkets  
Seascape Character Areas  
Within Site of Special Scientific Interest consult NRW / Planning Ecologist  
Conservation Area – Saundersfoot  
Landscape Character Area  
Special Area of Conservation - within 50m

## **Relevant Planning History**

NP/21/0803/FUL - Rationalisation of existing car park. Improve traffic flow and pedestrian areas, remove concrete apron trip hazard adjacent to promenade and replace with new access ramps from car park to promenade level. Re-site existing benches onto promenade level – Approved 21-Sep-2022

NP/20/0524/NMA - Non-material amendment to NP/18/0502/FUL - Approved 21-Dec-2020

NP/19/0584/DOC - Discharge of Condition 14 (Archaeology) in respect of NP/18/0502/FUL – Discharged 19-Dec-2019

NP/19/0536/DOC - Discharge of conditions 4, 5, 6, 7, 8 & 12 of NP/18/0502/FUL – Discharged 19-Dec-2019

NP/18/0502/FUL – 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 of northern elevation (single storey), to provide visitor centre, exhibition space, plus flexible commercial / exhibition / storage space. Proposed events space plus small commercial units (fifteen), improvement works to vehicular and pedestrian access and landscape works – Approved 08-May-2019

## **Officer's Appraisal**

### **Site and Proposed development**

The site is located within the Centre of Saundersfoot, in Saundersfoot Harbour, to the front of the coal building. The area comprises a large car park, with several retail units within the immediate vicinity.

The site is located within Saundersfoot's Conservation Area, and within the river flood zone as defined by Flood Map Wales.

### **Current Proposal**

This application seeks change of use of land to accommodate a French style catering unit. The applicant states that they would like to open the unit during the peak season, and during school holidays.

### **Key Issues**

The application raises the following planning matters:

- *Policy and Principle of Development*
- *Siting, Design and Impact upon the Special Qualities of the National Park*
- *Amenity and Privacy*
- *Impacts of Traffic*
- *Flooding*
- *Biodiversity*
- *Other matters*

### ***Policy and Principle of Development:***

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the National Park comprises Future Wales (the National Plan 2040) and the Local Development Plan 2.

Within Future Wales Policy 4 Supporting Rural Communities states that Strategic and Local Development Plans must identify their rural communities, assess their needs and set out policies to support them. On page 104, Future Wales states that: "National Park Authorities are unique planning entities with a specific remit to reflect the distinctive characteristics of their areas..." and that "Future Wales policies respect the functions of National Parks in terms of their statutory purposes..."

Policy 1 of the Pembrokeshire Coast National Park Local Development Plan 2 (LDP2) sets out the National Park's purposes and duty, in order to ensure that development within the Park is compatible with these.

The proposal is for a minor development. Proposals are permissible where they are compatible with:

- a) the conservation and enhancement of the natural beauty, wildlife and cultural heritage of the Park, and
- b) the public understanding and enjoyment of the special qualities.

The application site lies within the centre boundary of Saundersfoot, as defined by the Local Development Plan 2. Policy 4 of the Plan (Saundersfoot Local Centre) sets out the land use priorities for Saundersfoot and includes permitting proposals for small scale employment opportunities to meet the need of the local area and visitors, to ensure developments permitted contribute to the protection and enhancement of the village's special qualities, to protect and enhance the harbour and to assist Saundersfoot in preparing for and adapting to coastal change.

Policy 56 (Retail in the National Park) states that within defined retail centres, proposals for the new retail development which are of a scale and design appropriate to the Centre and accord with the retail hierarchy will be supported. Proposals that would undermine the retail hierarchy or have an unacceptable adverse effect on the character or appearance of the Centre and / or the amenity of neighbouring properties will not be permitted.

Policy 57 supports changes of use, redevelopment or development of new buildings within specific locations. It supports A1, A2 and A3 uses or community facilities where they are located within a Rural Centre. This reflects national planning policy and the principle of town centre first locations for A class use proposals. Policy 57 also states at criterion e) that proposals for A3 uses (hot food and drink) will only be permitted where they would not individually or cumulatively cause an unacceptable adverse effect on amenity.

The land subject to this application is located outside of Saundersfoot retail centre, as defined by the LDP2. As such, an A3 use in this location is considered to be a departure from the Local Plan. It is however located in close proximity to the retail centre and in a location which has been a focus for regeneration as part of the wider Saundersfoot Harbour. The Harbour regeneration is one of 12 projects undertaken under the Welsh Government's Tourist Attractor Destinations (TAD) scheme. As part of this regeneration project, retail units have been developed at Ocean Square which is also located outside of the district shopping centre. Given the small floorspace and nature of A3 unit applied for it is not considered that there would be an unacceptable cumulative impact upon amenity or a significant adverse impact on the viability of the established retail centre.

Furthermore, the catering unit would not be in situ all year round. During discussions with the applicant, they confirm that it would be located in front of the Coal Building, and in use during the peak season and during the school holidays. Therefore, during the winter months, and term-time, the van would not be in use. A planning condition to control this seasonal use will be applied which would further mitigate any potential adverse impact on the retail centre or on wider amenity.

Whilst the proposal is not in strict accordance with the policies of the LDP2, on balance, it is not considered that it would cause significant adverse impact upon the retail centre of Saundersfoot given the small footprint of the unit, and in considering that the unit would not be a destination in and of itself. Rather, the unit would be reliant upon the existing footfall in and around the harbour. The ancillary nature of the use in supporting a wider established regeneration project at Saundersfoot Harbour is considered a material consideration which can be given some weight.

On balance, and having regard to the points raised above, it is considered that the proposal, whilst not in strict accordance with the LDP2, is acceptable, subject to appropriate conditions relating to seasonal use.

***Siting, Design and Impact upon the Special Qualities of the National Park:***

Policy 8 of the Pembrokeshire Coast National Park Local Development Plan (LDP) is a strategy policy which refers to the special qualities of the National Park and lists priorities to ensure that these qualities will be protected and enhanced.

Policy 14 of the LDP seeks the conservation of the Pembrokeshire Coast National Park, resisting development that would cause significant visual intrusion, be insensitively or unsympathetically sited within the landscape, and/or fail to harmonise with, or enhance the landform and landscape character of the National Park.

Policy 29 of the LDP requires all development proposals to be well designed in terms of place and local distinctiveness.

The proposal seeks a change of use of land to the front of the Coal Building in order to site a French van style catering unit.

The site is located within the Saundersfoot Conservation Area and within Seascape Character Area 40 (Carmarthen Bay West). The Seascape Character Area SPG for this area notes that key factors to be taken into account when assessing sensitivity to change include the coast path as a receptor, the historic character of settlements including Saundersfoot with its harbour, and the presence of intensive recreational use at resort and other beaches and spreading along coast and coastal waters.

There would be no significant adverse impact upon the appearance of the area, given that at present, it is a largely developed seafront, including a car park, the nearby retail outlets of Ocean Square, RNL hut (during the summer) and ice cream booth. The catering unit would be seen in the context of the existing development. The coastal path does run past the application site. However, again, the view from the coast path would not be adversely impact upon by the proposed development given the existing structures / development within this area. The seasonal nature of the proposed use is also considered to mitigate any visual impact.

The Buildings Conservation Officer has been consulted on this proposal, and does not wish to raise any adverse comments in relation to the proposal's impact upon the Conservation Area.

Saundersfoot is a well-established tourist destination, and it is not uncommon to see mobile catering units, such as the one proposed, in and around seaside locations.

Nor is it uncommon for the smells of food to be present in such locations. Whilst it is acknowledged that the unit would be located outside of the retail centre, it would be in close proximity to the retail units of Ocean Square, which are also located outside of the defined retail centre but which contribute to a WG backed regeneration scheme for the Centre. As such, it is not considered that the catering unit would harm the character of the area.

A concern has been raised by a third party about the location of the unit, and that the area was shown as open space on "the plan". However, it is unclear as to which plan this comment relates. The area does not fall within the designated open space of the LDP2 (sensory garden).

Overall, it is not considered that the development will have an unacceptable impact on the character and appearance of the host dwelling and will not cause an unacceptably detrimental impact to the special qualities of the National Park. As such, the development complies with policies 8, 14 and 29 of the LDP and can be supported.

***Amenity and Privacy:***

Policy 30 of LDP2 seeks to protect the amenity of people living in the National Park and states that development will not be permitted where it has an unacceptable adverse effect on amenity, particularly where:

- a) the development would have a detrimental impact on the quality of the environment currently enjoyed by people living, working or visiting the Park; and /or
- b) the development is of a scale incompatible with its surroundings; and / or
- c) the development leads to an increase in traffic or noise or odour or light which has a significant adverse effect; and/or
- d) the development is visually intrusive

As previously mentioned, the site is located at Saundersfoot Harbour. Given the developed nature of the harbour, with its retail and food outlets, it is not considered that the mobile catering unit would result in a significant impact upon the amenity of those living nearby. The Pollution Control Team have been consulted on this application and confirm that the proposal would not pose any long-term environmental health risks, and that they have no objections to the proposal.

Given that the site is within a popular tourist destination, it is not considered that the change of use of land here would be of a scale that is incompatible with the surroundings, and it is not deemed that it would result in visual intrusion since it would be seen in the context of other developments within the harbour.

Overall, the development is considered to have an acceptable impact on amenity and is in accordance with Policy 30 of the LDP.

### ***Impacts of Traffic***

The Highways Authority has been consulted on this application. They have confirmed that there be no impact to the highway network associated with this proposal.

Overall, there are no concerns as to the impacts of traffic.

### ***Flooding***

The application site is located within the river flood zone as defined by datamap Wales.

The unit is mobile and could be easily moved in the event of a flood, therefore, it is not considered that this development would increase flood risk to property.

However, the applicants will be required to sign up to receive NRW flood alerts as a condition of any permission, in order to mitigate any flood risk.

### ***Biodiversity***

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

In order to comply with Planning Policy Wales (2024) and the Environment (Wales) Act 2016, planning authorities are expected to ensure every development positively contributes to biodiversity. Indeed, Planning Policy Wales 12 states that all development must result in a net benefit for biodiversity.

A Green Infrastructure Statement has been received as part of this application. It is proposed that 2 planters be situated to the front of the Coal Building in order to provide a net benefit to biodiversity. Given the scale of the development proposed, this is deemed to be proportionate and acceptable.

The applicant confirms that they have the landowner's permission to locate the planters proposed.

Whilst in close proximity to the Marine Special Area of Conservation, the nature and location of the proposed use which is within the built environment of Saundersfoot mean that no adverse impacts on the Marine SAC are anticipated and a Habitats Regulations Assessment has not been undertaken.

Overall, the proposed development is considered acceptable in terms of its impact on biodiversity and as such is considered to comply with Policy 11 of the LDP.

## **Other matters**

Officers have considered the level of bin provision available within the immediate surrounding area and have concluded that adequate provision of bins exists to meet any waste generated by the proposal.

## **Conclusion**

Whilst the application site is located outside of the defined retail centre of Saundersfoot, it is deemed that the proposed scheme is acceptable in terms of its siting, its impact upon the special qualities of the National Park, and visual amenity. Given that the catering unit would not be in situ year-round, and would represent a limited floor area, it is deemed that the development will not cause an unacceptably detrimental impact to the special qualities of the National Park. Ecology and landscape features will not be adversely affected by the development and adequate local bin provision exists.

In reaching a recommendation, regard has been given to the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. It is considered that this recommendation is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities.

Whilst the proposal does not strictly comply with Policy 57, it does comply with Policies 1, 4, 8, 11, 14, 29, 30, 35, 38 and 60 of the adopted Local Development Plan 2 (2020), and can be supported.

## **Recommendation**

### **APPROVE subject to the following conditions:**

1. The development shall begin no later than five years from the date of this decision.

**Reason:** Required to be imposed pursuant to Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2. The development shall be carried out in accordance with the following approved plans and documents:

Location Plan, received 18<sup>th</sup> March 2024

French van details, received 18<sup>th</sup> March 2024

Ocean Square Tenant Unit Plan, received 18<sup>th</sup> March 2024

Biodiversity Enhancement Detail, received 18<sup>th</sup> March 2024

**Reason:** In order to be clear on the approved scheme of development in the interests of protecting visual amenity and the special qualities of the National Park. Policy: Local Development Plan 2 – Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 14 (Conservation of the Pembrokeshire Coast National Park) and 29 (Sustainable Design).

3. Prior to the commencement of the development hereby permitted, a biodiversity enhancement plan shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that animal and plant species and habitats listed under the Conservation of Habitats and Species Regulations 2017 are adequately protected, and to protect and enhance the character and appearance of the site and its setting within the Pembrokeshire Coast National Park. Policy: Local Development Plan 2 – Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 10 (Sites and Species of European Importance); Policy 11 Nationally Protected Sites and Species and 14 (Conservation of the Pembrokeshire Coast National Park).

4. The catering unit to be located on the application site shall be sited and used between April and September, and during the school holiday dates only, between the hours of 08:00 and 23:00.

**Reason:** In the interests of amenity. Policy: Local Development Plan – Policy 30 (Amenity).

5. Prior to operational use of the mobile catering unit, the applicants are required to provide the Local Planning Authority with a written statement demonstrating that they have signed up to NRW's flood advice warning service.

**Reason:** In order to ensure appropriate flood risk management steps are in place.

**NP/24/0160/FUL**

Land to the front of Coal Building,  
 Saundersfoot, Pembrokeshire, SA69  
 9HE Land to the front of Coal Building,  
 Saundersfoot, Pembrokeshire, SA69 9HE



Parc Cenedlaethol  
 Arfordir Penfro  
 Pembrokeshire Coast  
 National Park

Graddfa/Scale: 1:1,250

