

# DEVELOPMENT MANAGEMENT COMMITTEE

27 May 2015

Present: Mrs G Hayward (Chair)

Mr A Archer, Mr D Ellis, Councillor ML Evans, Councillor P Harries, Councillor S Hudson, Councillor M James, Councillor L Jenkins, Councillor R Kilmister, Councillor RM Lewis, Councillor PJ Morgan, Councillor D Rees, Mr AE Sangster, Mrs M Thomas, Councillor A Wilcox and Councillor M Williams.

[Llanion Park, Pembroke Dock 10.00am – 1.20pm]

## 1. Apologies

Apologies for absence were received from Ms C Gwyther and Councillor R Owens.

## 2. Welcome

The Chairman welcomed Councillor M Evans to the meeting of the Committee. Councillor Evans had replaced Councillor Owen James as one of the Pembrokeshire County Council appointed Members on the Authority. The Chairman recorded the Committee's thanks to Councillor James for his work.

## 3. 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>Minute 8(b)below</i> NP/14/0708 – Flood alleviation Scheme, Grove Place, Little Haven	Councillor P Morgan	Withdrew from the meeting while the application was discussed
<i>Minute 8(c)below</i> NP/15/0069 – Retrospective application for camping/touring caravan site, Noddfa Farm, Llanrhian	Councillor D Rees	Withdrew from the meeting while the application was discussed
<i>Minute 8 (f) below</i> NP/15/0145 – Erection	Councillor M Williams	Withdrew from the meeting while the



of 10 dwelling houses,  
Old Cottage Hospital  
Site, Trafalgar Road,  
Tenby

application was  
discussed

#### 4. Minutes

The minutes of the meeting held on the 15 April 2015 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on the 15 April 2015 be confirmed and signed.

**NOTED.**

#### 5. Matters Arising

##### a) St Catherines Island, Castle Beach, Tenby (Minute 6(g))

The Chairman reported that she had written to the Minister as requested by the Committee and had received a reply, which referred to the fact that the Planning Bill currently progressing through the Assembly would set down 21 days as the statutory timescale for responding to such applications. She said that the reply was available for Members to read.

**NOTED.**

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

Reference number	Proposal	Speaker
NP/15/0069 <i>Minute 8(c) refers</i>	Retrospective application for camping/touring caravan site plus ancillary facilities and change of use part of Noddfa Farmhouse for visitor toilets and shower facility – Noddfa Farm, Llanrhian	Cllr David Rees, Supporter Mrs Macalast, Applicant
NP/15/0085 <i>Minute 8(d) refers</i>	Change of use of fort & island to visitor attraction uses including C1, D1 and D2 with	Mr Douglas Frazer, Objector Mr Pete Prosser,



	<p>gift, food &amp; drink &amp; retail uses A1 and A3. Change of use of generator house to ticket and retail use A1 &amp; A3.</p> <p>Restore/replace railings, install 2 cranes, 2 boat landings, construct security residence use C3, construct toilet &amp; pumping facilities, install cliff nature walk, signage, path lighting, operations lighting, replace fort entrance bridge, install services, repair stairs &amp; install new, install CCTV.</p>	Applicant
NP/15/0131 <i>Minute 8(e)</i> <i>refers</i>	<p>Change of use of land to winter storage of 35 caravans from 10<sup>th</sup> January to 28<sup>th</sup> February in any future year (in retrospect) – Buttyland Touring &amp; Tent Park, Station Road, Manorbier</p>	<p>Mrs L Parker, Objector Mr Gerald Blain, Agent</p>
NP/15/0145 <i>Minute 8(f)</i> <i>Refers</i>	<p>Erection of 10 dwelling houses – Old Cottage Hospital Site, Trafalgar Road, Tenby</p>	<p>Mr Mark Williams, Objector</p>

## 7. **Members' Duties in Determining Applications**

The Solicitor's report summarised the role of the Committee within the planning system and stated that planning decisions had to be made in accordance with statutory provisions and the adopted Local Development Plan unless material considerations indicated otherwise. It stressed that non-material considerations had to be disregarded when taking planning decisions and stated that personal circumstances were only very rarely material to planning decisions. Provided members applied the Planning Acts lawfully and in a fair and impartial manner they would also comply with the Authority's duties under the Human Rights Act 1998 insofar as it applies to planning decisions. It was also important that Members applied the guidance contained in the Authority's Planning Code of Good Practice while carrying out their statutory duties. He also noted that this advice would be updated in due course following late Government amendments to the Planning (Wales) Bill, which was expected to pass into law shortly. The amendments introduced an overarching statutory purpose for the planning system linked to the purposes of the Well-being of Future Generations Act 2015.



## NOTED

### 8. Report of Planning Applications

The Committee considered the detailed reports of the Head of Development Management, together with any updates reported verbally on the day and recorded below. The Committee determined the applications as follows (*the decision reached on each follows the details of the relevant application*):

- (a) REFERENCE: NP/14/0450  
APPLICANT: GD Harries & Sons Limited  
PROPOSAL: Review of mineral planning conditions (ROMP) under Environment Act 1995  
LOCATION: Syke Quarry, Walwyns Castle, Haverfordwest

The Minerals Planning Officer reported that Schedule 14 of the Environment Act 1995 placed a statutory duty on the National Park Authority to cause Periodic Reviews to be carried out of 'mineral permissions' relating to a 'mining site' every 15 years. The Periodic Review for Syke Quarry was due to be submitted by 23 August 2014 as the previous permission was dated 23 August 1999. The application was received on 21<sup>st</sup> August 2014. He noted that the site was not currently working, and had not for some time, thus there had been no change in the scheme since planning permission had been granted.

He explained that the purpose of Periodic Reviews was to provide an opportunity to ensure that the conditions attached to the previous grants of planning permission were updated to reflect modern standards. Periodic Review applications could not be refused, they could only be granted in accordance with the list of conditions required to be submitted by the applicant or granted subject to conditions different from those submitted by the applicant.

In this case, the conditions submitted by the applicant were not acceptable in their entirety. In particular, but not exclusively, there were issues with submitted conditions in relation to noise, dust, blasting, nature conservation and surface/groundwater. Therefore it was necessary to impose conditions different to those submitted by the applicant. However, none of the recommended conditions were considered to give rise to compensation liability and all had been agreed by the applicant.

Members asked about deterioration of the road surface, as raised by the Community Council, and the officer replied that the situation would continue to be monitored, but that as the site was not currently working any existing deterioration would not have been caused by quarry vehicles.



**DECISION: That the application be approved subject to 57 conditions, as set out in the report covering hours of operation, hydrology, storage, highways, dust, blasting, noise levels, lighting, biodiversity, restoration and community liaison.**

*[Councillor P Morgan had disclosed an interest in the following application and withdrew from the meeting while it was considered]*

- (b) REFERENCE: NP/14/0708  
APPLICANT: Mr E Williams, Pembrokeshire County Council  
PROPOSAL: Flood alleviation scheme to involve the installation of rock armour along the eastern sea wall, with a wave return top section fixed on top. Construction of a new central wall to join the two sea walls, a new culvert built along the existing slipway, installation of a flood gate and a small section of sea wall to be tied into the eastern sea wall. Associated regrading and landscape works to build up beach profile in front of the western sea wall, to extend and landscape the village green and the provision of a replacement timber footbridge. Provision of a site compound within Little Haven car park  
LOCATION: Grove Place, Little Haven, Haverfordwest

Planning permission was sought for engineering works to provide flood defence works for the village of Little Haven. The application site was located on the western coastline, south west of Broad Haven, and fell within the Rural Centre of Little Haven for the purposes of the Pembrokeshire Coast National Park Local Development Plan. The proposed works would be carried out directly adjacent to the Newgale to Little Haven Site of Special Scientific Interest, and the Pembrokeshire Marine Special Area of Conservation.

Following consultation, a number of objections had been received to the proposal, which raised concerns in respect of the impact that the flood defence works would have on the appearance and amenity of the beach itself, and to residents and visitors who used the beach for a variety of activities. Further details of the issues raised were set out in the report.

The application site bordered a designated Special Area of Conservation and SSSI; and an Habitats Regulations Assessment (HRA) had been carried out under Regulation 61 of the Conservation of Habitats and Species Regulations 2010, where there was a legal requirement to consider the impacts of a plan or project on a European site where it was not directly connected with the management of the site. In this context the



term 'plan or project' included development proposals or anything else that could result in an activity that could have implications for the integrity of a European site and the Natura 2000 network. The HRA had concluded that an Appropriate Assessment was not required. Officers considered that sufficiently detailed information had been submitted with the planning application to demonstrate that the proposed engineering works were reasonably required for the flood defence of the properties nearest to the beach. The objections received following consultation had been considered in detail – while the proposed development would inevitably impact upon the existing appearance of the small beach, and would result in residents and visitors having to change how they used and enjoyed the beach, on balance, it was considered that the continuing flooding of the properties nearest the beach was disruptive to the use and enjoyment of those properties. In light of this, it was considered that the proposal could be supported, subject to conditions.

Members agreed that there was an overriding need for the work to be carried out and it was therefore inevitable that the nature of the beach would change. However some were concerned about the impact of the rock armour and asked whether any studies had been undertaken to model its likely effect on the beach, as scouring away of the sand would be detrimental to both the village and the local area. It was also questioned whether stone that matched the natural geology of the area could be used for the armour and whether more thought could be given to the design of the floodgate or whether a mural could be painted on it. Officers replied that rock armour was the most effective way of deflecting waves but they were not aware of any studies to model the effect of the rock armour on the beach, however monitoring would take place as part of the Environmental Management Plan. With regard to the type of stone to be used and the design of the floodgate, the Solicitor pointed out that condition 5 required details of the materials used to be agreed by the Authority, however the Committee was not in a position to come to a judgement over the engineering suitability of local stone and the point should be covered by the imposition of the condition.

**DECISION: It was resolved that the application be approved subject to conditions relating to time compliance, accordance with plans, submission of a method statement and Construction Environmental Management Plan, and agreement of materials to be used.**

*[Councillor D Rees had disclosed an interest in the following application and withdrew from the meeting, however he had also registered to speak on the application under the public speaking arrangements and returned, when called, to address the Committee before withdrawing again while the application was considered.]*



- (c) REFERENCE: NP/15/0069/FUL  
APPLICANT: Mr & Mrs N & M Macalast  
PROPOSAL: Retrospective application for camping/touring caravan site plus ancillary facilities and change of use part of Noddfa Farmhouse for visitor toilets and shower facility.  
LOCATION: Noddfa Farm, Llanrhian, Haverfordwest

It was reported that the application site was a detached dwelling and associated land located in a countryside setting, west of the village of Llanrhian. Planning permission was sought in retrospect for the use of the land adjacent to the dwelling as a campsite, together with the provision of ancillary facilities comprising an external fridge and wash area, and washrooms within the existing dwelling itself.

Following consultation, 3 letters of objection, and approximately 34 letters and emails of support had been received. Details of these were set out in the report.

The proposal had been considered against the policies of the Local Development Plan, and while the applicant had put forward strong reasons for the retention of the campsite in this particular instance, the main policy – 38 – Camping, Touring Caravans, Statics and Chalet Sites - which was relevant to this proposal, was not a criteria-based policy, and made clear that no new camping sites would be supported. As a result, the material considerations put forward by the applicant did not outweigh the very clear policy position regarding such developments. As such, the application could not be supported by officers, and the recommendation was refusal of the application.

It was reported at the meeting that although the Environmental Health section of Pembrokeshire County Council had asked to be consulted on this proposal, no further response had been received from them. Also, no response had been received from Welsh Water.

The first speaker was Councillor David Rees who explained he was speaking on behalf of his constituents and had used the provisions of paragraph 4.14 of the Code of Conduct to allow him to address the Committee. He began by outlining the background to the site which had formed part of the Trevacocon Estate. The farm had been divided in two when it was left to two brothers each having 75 acres, and they farmed the land for many years. In the mid-1970s one brother made an application to build a new farmhouse and this was granted on appeal with an agricultural tie condition; the new farmhouse was called Noddfa Farm. When the gentleman died, the farmhouse and approximately 2.5 acres of land were put on the market, with the remainder being farmed by his son



who lived nearby. He went on to say that the house was on the market for a long time due to the condition requiring the occupants to have a connection with farming. The current occupiers wrote to the Authority outlining their circumstances and were told that they met the condition and thus bought the property. As the house only came with 2.5 acres, a camping/touring caravan site was established on the land under the 28 day permitted development right. Councillor Rees concluded by saying that he supported the application because it brought valuable income to the local area and helped people to make a living. He suggested that Members might find a site visit beneficial.

The second speaker was Mrs Macalast, the applicant. She explained that she had bought the farm eight years previously and although from a farming family, had known she herself would not be a farmer due to a medical condition. However she wanted to bring up her children on a farm. Unfortunately her husband's business had shut down, and although they had tried to get jobs, due to the minimum wage this was not sufficient to support their family. A campsite had therefore been opened under the 28 day rule, and this had been successful. It was a small campsite, attracting mostly couples and families in tents as the land was not suitable for caravans. A website had been designed and they regularly turned away customers, suggesting other local campsites as alternatives. There was also a 'trickle down' effect to pubs and restaurants in St Davids and to passengers on the coastal bus service, which passed the door. On the suggestion of officers, they had sought membership of the Camping and Caravan Club, however that had been unsuccessful due to the proximity of an existing Camping and Caravan Club site. Mrs Macalast concluded that if the campsite could not remain open the family would have to leave Pembrokeshire and this would take away 4 teenagers from the local school. She also pointed out an error in the paperwork explaining that the family had invested approximately £15,000 not £315,000 in the site as stated.

One Member began by asking about the policy position regarding Camping and Caravan Club sites as it seemed that sites run under the auspices of that organisation could operate, but not individuals. Officers replied that Camping Clubs were certificated sites under Permitted Development legislation which allowed up to 3 caravans and 15 tents for use by club members. The Member felt that this situation was unfair and also asked about the sustainability of the agricultural tie on a dwelling with 2.5 acres of land. Officers clarified that there was no correlation between an agricultural tie and the amount of land owned by the householder as its purpose was to provide accommodation for anyone employed or last employed in agriculture including retired farmers and farmworkers. The Solicitor added that the current application did not seek removal of the





agricultural tie, and it should be assumed for present purposes that the applicants still qualified to live in the property.

Another Member acknowledged that the policy was quite clear, but very harsh and proposed that the application should be approved as this would allow the family to remain in the community, support the school and the local economy. This proposal was seconded for development on the same basis as a certificated site ie up to 15 units. Another Member questioned the viability of such a site, as the application was for 24 pitches

Officers confirmed that any approval would be contrary to adopted policy and the officer recommendation and would be subject to the Authority's 'cooling off' procedure. The Solicitor proceeded to read details of the requirements of that policy. The proposer and seconder agreed that their reasons for moving approval of the application were that material considerations regarding the economy and the social implications of the application outweighed LDP policy. It was not considered that the development would affect the special characteristics of the National Park.

Other Members noted that while they had some sympathy with the applicants, the policy position was clear and did not allow any exceptions. They were concerned that approval could set a dangerous precedent as the applicants' personal circumstances could be replicated in many places across the National Park.

Considering the applicants' personal circumstances, another Member asked whether such circumstances would be a material consideration in this case. The Solicitor advised that personal circumstances could, exceptionally, be a material consideration, but he was unsure whether there was any information before the Committee beyond what had been stated by the applicant in her presentation, to enable the Committee to consider if there were material personal circumstances here.

In response to a question from another Member, the Solicitor confirmed the advice in the standing report of the Solicitor that personal circumstances were only very rarely material to planning decisions. The Member who originally raised the question of personal circumstances then proposed an amendment to the existing motion to include the personal circumstances of the applicant as a reason for approving the application as well as support for the Welsh language. The proposer and seconder indicated their agreement to this. An alternative proposal, that a personal permission be granted only for the duration of the applicant's occupancy of the property, was also proposed and seconded. As either motion would be that Members were minded to grant permission,



conditions would be considered at the next meeting, however it was requested that those requested by the Highway Authority be included.

A vote was then taken on the first motion proposed (which had been amended to add the reference to personal circumstances) that the application be approved as material considerations regarding the applicants' personal circumstances, the economy and the social implications of the application, including the Welsh Language, outweighed LDP policy that the development of new camping sites would not be supported; and it was not considered that the development would affect the special characteristics of the National Park. This motion was carried with 2 abstentions.

**DECISION: That Members were minded to approve the application subject to conditions as material considerations regarding the applicants' personal circumstances, the economy and the social implications of the application, including the Welsh Language, outweighed LDP policy that the development of new camping sites would not be supported; and it was not considered that the development would affect the special characteristics of the National Park.**

**As the decision was contrary to the officer recommendation and was a significant departure to the adopted Local Development Plan, it was subject to the Authority's 'cooling off' procedures and would be reconsidered at the next possible meeting of the Committee.**

- (d) REFERENCE: NP/15/0085/FUL  
APPLICANT: Mr P Prosser  
PROPOSAL: Change of use of fort & island to visitor attraction uses including C1, D1 and D2 with gift, food & drink & retail uses A1 and A3. Change of use of generator house to ticket and retail use A1 & A3. Restore/replace railings, install 2 cranes, 2 boat landings, construct security residence use C3, construct toilet & pumping facilities, install cliff nature walk, signage, path lighting, operations lighting, replace fort entrance bridge, install services, repair stairs & install new, install CCTV.  
LOCATION: St Catherines Island, Castle Beach, Tenby

Members were reminded that at the meeting of the Development Management Committee the previous month, officers had reported that due to the lack of a complete response from Natural Resources Wales (NRW), this application had been deferred. Since that meeting the applicant and officers had met with NRW, who had advised that, subject to the Test of Likely Significant Effect under the Habitats Regulations



being undertaken by the Authority, and by the use of conditions to address - (1) a watching brief and (2) a method statement for works within the SSSI boundary, NRW's outstanding concerns would be addressed. Officers confirmed that the required Habitats Regulations Assessment had been carried out and completed and therefore the planning application now contained sufficient information on which a decision could be made.

This planning application had been brought before the Development Management Committee because it was a major application, as defined under the terms of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

It was reported that the application was a resubmission of a proposal for works comprising the restoration and conversion of the fort, the provision of new buildings to provide supporting facilities/services, and the improvement of access to and on St Catherine's Island to create a family visitor attraction.

Planning permission had originally been sought in 2013 for a number of works to allow St Catherine's Island to become a tourist attraction. Following the consultation on the application, and the consideration of all material considerations and the relevant national and local development plan policies, the application was recommended for refusal on the grounds that the application had been submitted with ambiguous, insufficient, and contradictory information, meaning that the impact of the proposal on the special qualities of the National Park, the Tenby Conservation Area, the Scheduled Ancient Monument, the listed buildings and the settings of nearby listed buildings, and on national and internationally important habitats and protected species could not be ascertained; that the scheme proposed an unacceptable level of lighting that was harmful to the special qualities of the National Park; that the proposed new dwelling in the open countryside had not been robustly justified in terms of it being essential for the use of the site, and that the proposed solar panels, roof-top shops and new dwelling would be harmful to the special qualities of the National Park.

A subsequent appeal made to the Planning Inspectorate had been dismissed on the sole ground that the Inspector, whilst satisfied that there was sufficient evidence to indicate that there was on-going use of the fort by bats, felt it was insufficient, on a precautionary basis, to establish the extent of or to assess the impact of the project on that use. He concluded that 'Despite there appearing to be little doubt that the potential impact could be mitigated, it would not be appropriate to leave this matter to be dealt with by planning conditions. For that reason, planning permission should not yet be granted.'



Otherwise, the Inspector considered, in his conclusion set out in paragraphs 110 to 116 of the appeal decision (which was appended to the report), that the proposed use was acceptable, that the uncertainty arising from potentially incompatible uses could be resolved by the use of planning condition(s), that the proposed external lighting could be further considered by use of a planning condition, and that he was satisfied that the proposed cabin would be for use by staff and visitors, and it would provide necessary security for the project.

The re-submission was, therefore, as originally presented, with the addition of a new protected species survey. There had been no other change in the information submitted in this application therefore the appeal decision was a significant material consideration.

In light of the Inspector's findings and conclusion, the proposal, subject to a detailed scheme of conditions to control the use and details, was now recommended for approval in accordance with the aims and requirements of policies of the Pembrokeshire Coast National Park Local Development Plan.

It was reported at the meeting that a number of letters and petitions had been received in respect of the application, and the main points raised were summarised in the report. A further letter had been received raising issues of marine logistics submitted by businesses operating from Tenby harbour.

The first of two speakers on this application was Mr Douglas Frazer who was speaking on behalf of the Lexden Terrace Conservation Group. While he supported the opening of the island to visitors under existing arrangements, he was concerned that excessive development would detract from the site. He was also concerned that the Environmental Assessment submitted with the application was incorrect; it stated that only the backs of the houses faced the island, however Mr Frazer pointed out that this was where the majority of residents slept due to late night disruption in the streets in front of their properties. He also pointed out that sound travelled well over the open beach and he therefore asked for a minimum of two conditions to minimise disturbance to residents and these were a closing time no later than 11pm and a ban on amplified sound, however he also supported many of the conditions outlined in the officer's report which would protect this historic asset and allow its use to coexist with neighbours.

Mr Prosser, the applicant, then addressed the Committee. He said that his intention was not to upset his neighbours or other residents in the town, but to bring a derelict building back to life. He stated that it had



been closed for 38 years and many people wanted to visit, finding majesty and beauty in the place. Development of the island would offer Tenby tourism something that was good, and by expanding the dwell time of visitors and it therefore increased the money spent in the town and the value to other businesses. He acknowledged that this was a complex application with many things to consider, and a long list of conditions was to be expected. He took into account concerns expressed by Mr Frazer and others, but pointed out that the island was 200m from its nearest neighbour. However the application would be taken forward step by step with local consultation.

Some Members found it regrettable that a response had still not been received from Cadw, given that the fort was both a Scheduled Ancient Monument and a Listed Building, as this would have been helpful to the Committee in taking its decision. The impact of the proposed solar panels was one aspect on which it would have been helpful to have received a view. Officers replied that both Listed Building and Scheduled Ancient Monument consent had been granted by Cadw and sufficient time had been available for them to make any comments should they have wished.

While Members were pleased to see a viable use for the building, they felt it was important that conditions were imposed and enforced. A request was made to condition the placing of the solar panel and also to control signage as well as advertisements. Some concern was expressed with regard to the Grampian condition recommended by Dyfed Archaeological Trust as it was feared that a large bill could limit the viability of the project. The Building Conservation Officer reassured the Committee that archaeological matters were usually dealt with by a written scheme of investigation agreed by the Authority.

Finally, there followed a long discussion regarding the hours of opening and whether it was appropriate for these to be conditioned by the National Park as planning authority, or left to the licencing authority. The report stated that as the range of conditions to be imposed required further consideration by officers to ensure they met the six tests of effectiveness, it was recommended that the application be delegated to the Chief Executive (National Park Officer) / Director of Park Direction and Planning or Head of Development Management to grant planning permission subject to conditions. While happy to delegate to officers, Members asked that they be given the opportunity to comment on the conditions before they were finalised.

**DECISION: That the application be delegated to the Chief Executive (National Park Officer) / Director of Park Direction and Planning or Head of Development Management to grant planning permission**



**subject to conditions.**

- (e) REFERENCE: NP/NP/15/0131/FUL  
APPLICANT: Mr D Brown  
PROPOSAL: Change of use of land to winter storage of 35 caravans from 10<sup>th</sup> January to 28<sup>th</sup> February in any future year (in retrospect)  
LOCATION: Buttyland Touring & Tent Park, Station Road, Manorbier

It was reported that planning permission was sought for the storage of 35 touring caravans at Buttyland Touring and Tent Site during the closed period which runs between the 10th January and 28th February in each calendar year. The application was retrospective, and had been submitted in order to remedy a breach of condition 3 of the planning permission reference NP/464/93, which stated that 'There shall be no use of the site for touring caravans or tents during the period 10th January to 28th February in any year'. This application was a re-submission, following the withdrawal of a planning application, made in 2014, for the storage of 50 touring caravans.

Following consultation, the Community Council had recommended refusal of the application, reiterating its earlier reason for refusal on the previous submission NP/14/0693 on the grounds that the retention of the touring caravans would have an impact on the visual amenity and special (environmental) qualities of the National Park, and that approval of this application would also set a precedent for year round touring caravans that would impact (including on visual amenity) on many other sites in the National Park area. A letter of concern had also been received from a neighbour, who had raised issues in respect of the breach of the original condition, the impact on the landscape of the National Park, the visual impact on neighbours and on-going unauthorised works.

The application site was described as a long established caravan and tent site, located in Manorbier Station, and the touring caravans were located to the south and east of the main entrance and reception building. A planning application had been submitted in 2014 for the storage of 50 touring caravans, however, this was withdrawn as officers expressed concern that the additional caravans would not be removed from the site once the site re-opened. This proposal sought consent for the winter storage of 35 caravans, which related to the same number of caravans allowed on the site at any one time.

The caravans to the south of the site fell within the settlement limits for Manorbier Station, but the caravans extending to the east fell within the countryside. It was clear from aerial photographs dating from 2000,



however, that these caravans had historically been located on this part of the site. The concerns raised by the Community Council and the neighbour had been considered, however, these concerns had to be balanced with the existing site characteristics. The existing touring caravans were already able to stay on site for ten months of the year, and there was no restriction on the length of stay by any one unit. The winter storage would not be considered to have a harmful effect on the existing landscape setting – the appearance of the site as a tourist facility was established; and while the storage of caravans in rural areas where there would be a clear visual conflict with an undeveloped landscape setting would not be supported, in this instance, there would be no significant change in the character of the site, where caravans would be stored on exactly the same pitches.

In light of this, the proposal was not considered harmful to its setting, nor would it harm the special qualities of the National Park setting. The application could be supported by officers, and the recommendation was, therefore, of approval, subject to conditions.

The first speaker on this application was Mrs L Parker who introduced herself as a local resident and retired member of the Royal Town Planning Institute. She expressed concern regarding the development on site without planning permission and the impact it had on the landscape and the visual amenity of the National Park. She circulated both recent and historic photographs of the site to the Committee. She felt that the biggest impact was due to the numbers of caravans and tents on site and that there were currently more than were permitted and that these were there all year. Mrs Parker stated that numbers had increased from 50 to 85 in recent years due to established use as no action had been taken by the Authority, which was also of concern.

In purchasing her property, consideration had been given to a previous refusal for a change of use to provide 110 touring unit pitches, and a subsequent approval for 35 touring unit pitches and 15 tent pitches, with an expectation that these conditions would be enforced in the National Park. Mrs Parker pointed out that the breach of condition notice had cited the special qualities of the National Park and protection of landscape as reasons. She believed that caravan parks were eroding the visual character of the National Park and referred to the landscape character assessment for the area and the Manorbier Registered Landscape of Special Historic Interest. She did not feel that a site in the National Park was an appropriate place to store caravans over the winter, unless they were stored within a building. Finally she expressed concern over the impact on her amenity and the effect on views from her property as well as the precedent this would set for other sites.



The second speaker was Mr Gerald Blain the agent. He urged Members to support the recommendation of approval and explained that he had worked with his client and the Authority in submitting this application. His client would continue to work to improve the site as there was a commitment to invest in the business and therefore improve the product and tourism in general in the National Park.

Asking officers for their view on issues of amenity, Members were told that in the view of officers there was no direct harm to the amenity of neighbouring property as there were buildings in between. With regard to enforcement, it was pointed out that the application had been submitted in order to remedy a breach of condition and that the retrospect nature of the application was not a reason for refusal.

Some Members were concerned that conditions imposed as part of a planning consent were being ignored and then permission was sought to regularise the situation, which they considered to be unfair. Officers clarified that the purpose of the condition had been to prevent year round occupation of the caravans. There was also some concern about the nature of a 'touring' caravan which remained on site, effectively becoming a static caravan. It was therefore proposed and seconded that the application be refused.

Other Members, however, pointed out that Authorities tended to encourage winter storage of caravans as this helped repeat business for sites. They received assurance that the caravans could not be used during the period for holiday purposes and the recommendation of approval subject to condition was also moved and seconded.

A vote was then taken on the motion to refuse the application, but this was not carried. A vote was taken on the motion of approval and this was carried.

**DECISION: That the application be approved subject to a condition requiring development to be carried out in accordance with deposited plans.**

[Councillor M Williams disclosed an interest in the following application and withdrew from the meeting while it was considered.]





- (f) REFERENCE: NP/15/0145/FUL  
APPLICANT: Mr M Thomas  
PROPOSAL: Erection of 10 dwelling houses  
LOCATION: Old Cottage Hospital Site, Trafalgar road, Tenby

This planning application was reported to the Committee as the scale of development was considered a major development. The application site was the former Tenby Cottage Hospital site, which was situated within a densely developed, residential part of Tenby. Planning permission was sought for the construction of 10 dwellings, with associated garden and parking spaces.

Following consultation, three letters had been received which, in summary, did not object in principle to the proposal, but raised issues relating to parking provision, the proposed ridge heights and rainwater run-off to Trafalgar Road.

The proposal had been considered against the policies of the adopted Local Development Plan; there was a housing allocation for 10 houses on this site stated in the Plan, and thus the principle of the development was established. In respect of affordable housing, which was considered under Policy 45, discussions in respect of the viability of the proposal were carried out at a recent pre-application consultation. The Authority accepted that the current scheme would not be sufficiently viable to provide for affordable housing at the present time. However, the applicant had indicated that they would enter into an Agreement that would require an Assessment of Viability to be carried out on the scheme, on a specified assessment date. A draft agreement had been submitted with the planning application.

The proposed development would comprise two short terraces, together with a single detached dwelling at the entrance to the new row. The siting of the dwellings was 'staggered' to ensure that reasonable levels of amenity and privacy could be maintained. The design had taken reference from the surrounding terraces, and the external appearance of the dwellings reflected subtle variations and details to prevent the dwellings appearing uniform and regimented. The dwellings each had private amenity space and a single parking space, and there was a space allocated for the storage of bicycles and recycling facilities.

It was considered that the scale, design and external appearance of the development was appropriate to the site dimensions and character. Adequate access could be provided, and the site provided sufficient private amenity space for each property. In light of this, the development would accord with the policies of the current development plan, and could be supported. The recommendation was, therefore, to approve subject to



standard conditions and conditions recommended by statutory consultees.

There was one speaker on this application. Mr Mark Williams lived in a street nearby and explained that he paid for residents parking – one space per dwelling was permitted. He was concerned that with the erection of ten 2-3 bed properties there would be demand for more than one car parking space per property and also that no allowance had been made for visitor parking. Therefore this additional parking would take place in the streets around the development displacing existing residents. Although he understood that residents at this development would not be eligible to apply for a street permit, Mr Williams was disappointed by the lack of communication within Pembrokeshire County Council as he had recently met with the Highway Department to look at ways to provide more on-street parking spaces, which were oversubscribed by 100%. He therefore asked that more onsite parking be provided.

Members were pleased to see this site coming forward for development and were happy with the design which avoided overlooking and the innovative approach taken regarding the Assessment of Viability. Officers clarified that any difference of opinion at the time of the assessment would be resolved through arbitration by an independent, nominated person.

One of the Members requested that the developer would talk to Pembrokeshire County Council to discuss ways of reducing the impact of runoff causing flooding, that consideration be given to putting in a pedestrian gate to the large privately owned car park at the rear of the development and that landscaping be included on the boundary of the site and Culver Park. A request was also made for a financial contribution through a S106 Agreement towards the play area which was located nearby and officers reminded Members that any contribution had to be reasonably required from the development. There was no requirement for additional public open space as there was sufficient within Tenby to serve this development. Officers had raised the issue of the provision of play equipment within the existing local play area with the applicant who had agreed in principle that he would consider this within the legal agreement if it could be justified. Officers would need to reassess this issue.

Other Members raised the issue of additional car parking and the lack of chimneys on the dwellings. The Director of Park Direction and Planning replied that officers had spent considerable time negotiating for a high quality scheme on the site, which balanced many elements, including car parking, landscaping and the detailing of the dwellings. She hoped that the balance achieved was acceptable to the Committee.



**DECISION:** That the application be delegated to the Chief Executive (National Park Officer)/Director of Park Direction and Planning/ Head of Development Management to grant planning permission subject to the interested person(s) first entering into a satisfactory Section 106 Legal Agreement regarding the reassessment of viability during the construction phase of the development, and that the Agreement also provided a contribution towards play park provision if this was found to be reasonable and being subject to appropriate conditions.

**9. Appeals**

The Director of Park Direction and Planning reported on 3 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.

**NOTED.**

