

## **Application Ref: NP/19/0361/OUT**

**Case Officer** Nicola Gandy  
**Applicant** Mr C Pratt  
**Agent** Mr L Hopkins, The Urbanists  
**Proposal** Outline application with all matters reserved for 102 affordable residential units, 8 shared ownership residential units and 34 open market residential units together with associated access, drainage & landscaping.  
**Site Location** Land at Brynhir, Tenby, Pembrokeshire, SA70 8TT  
**Grid Ref** SN1277  
**Date Valid** 27-Jun-2019                      **Target Date** 30-Mar-2020

The application is referred to the Development Management Committee for consideration as the application is classed as major development.

Members will recall that the application was subject to a Committee site visit which took place on 2<sup>nd</sup> September 2019.

### **Consultee Response**

**Tenby Town Council:** Objecting

**Tenby Civic Society Chairman:** Objecting

**Natural Resources Wales:** Concern - requested further information - a verbal update will be provided at Committee

**PCC - Public Protection:** Conditional consent

**PCC - Head of Cultural Services:** The development is of sufficient scale that we would wish to have a contribution towards libraries. We would not require a contribution towards public art.

**PCC - Education Dept:** No contribution required

**PCC - Transportation & Environment:** Conditional Consent

**PCC - Drainage Engineers:** Conditional Consent

**Dyfed Archaeological Trust:** Conditional Consent

**Coal Authority:** Conditional Consent

**Dwr Cymru Welsh Water:** Conditional Consent

**PCNPA Access Manager:** Conditional Consent

**PCNPA Tree and Landscape Officer:** Conditional Consent

**PCC - Waste & Recycling Manager:** Standard Advice - Requested an informative to attached to any permission granted.

**Mid & West Wales Fire Brigade:** Standard Advice - Requested an informative be attached to any permission granted.

**Wales & West Utilities:** Standard Advice

**Tenby Town Council:** Approve

**CADW - Protection & Policy:** No adverse comments

## **Public Response**

The application has been advertised as being out of accord with the Local Development Plan, as the access road is located outside of the housing allocation within the LDP.

The application has been advised on site, in the press and by neighbour notification.

In excess of 75 letters of objection have been received to the application and 2 letters offering comments on the application.

The key points from objections are summarised as follows:-

- Loss of Green Space
- Adverse impact on ecology and wildlife
- Viability of the scheme
- Adverse visual impact on immediate area and wider area
- 2/3 storey buildings will be out of keeping
- Increase in traffic
- Highway and pedestrian safety concerns
- Pollution
- Pressure on existing schools
- Pressure on local health services
- Flooding
- Overdevelopment of site
- Loss of views
- Loss of tranquility
- No demand for housing
- Climate change emergency
- The allocation has been removed from LDP2
- Inappropriate use of materials
- Adverse impact on privacy
- Anti social behavior from potential future occupants
- Noise pollution
- Light pollution
- Impact on historic environment and ancient monuments
- Loss of protected/non protected trees and hedgerows
- Impact on sewage system
- Adverse impact on special character of Tenby
- Concern that the housing will not be affordable and not for local people
- Lack of employment opportunities in the area
- Query on the future maintenance of the play equipment
- Change in the skyline
- Construction phase disruption
- One field is protected as an ancient hay meadow
- Contrary to National Park purposes
- Adverse impact on mental health and well being

The objections and comments received can be viewed in full on the application file. The majority of the objections are addressed in the main body of the report, however, the following comments are offered in respect of those not covered:-

- In respect of the concerns raised in regard to pollution, a condition will be attached to any permission granted requiring a Construction Environmental Management Plan and construction times, which will be considered by both NRW and PCC prior to the commencement of any works on site.
- Loss of view is not a material planning consideration
- The design, scale, materials and layout of the proposed development are reserved for future consideration.
- Whilst the fear of crime can be a material planning consideration the comment in respect of potential Anti-social behavior from future occupants is not and cannot be considered as part of this application. The applicant as design satge will aim to achieve 'Secured by Design ' standards.
- Whilst it is noted that additional population will increase numbers registered at local health centres, the NHS is funded in a different way to education and monies cannot be sought for the NHS through the planning system.
- In respect of the comment relating to employment, this application proposes affordable housing of which there is an identified need within the National Park. Furthermore, the construction phase will generate some short term employment opportunities.
- The future maintenance of the equipped areas will form part of any legal agreement.
- The affordable housing will be operated by PCC as a Local Housing Association.
- The proposed residential development is not considered to give rise to such levels of noise pollution as to warrant refusal of the scheme. The Public Protection of PCC have not objected on these grounds. Any future potential issues of noise pollution can be dealt with by PCC under separate legislation.
- The concern relating to viability of the site refers to the use of Council Tax money, this is a matter for PCC and is not a material planning consideration.
- A Climate Emergency has been declared by Welsh Government, It is expected that at reserved matters stage the design of the residential

units will maximise opportunities for sustainable design and renewable energy.

### **Policies considered**

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

LDP Policy 01 - National Park Purposes and Duty

LDP Policy 02 - Tenby Local Service and Tourism Centre

LDP Policy 08 - Special Qualities

LDP Policy 09 - Light Pollution

LDP Policy 11 - Protection of Biodiversity

LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park

LDP Policy 16 - Open Space and Green Wedge

LDP Policy 29 - Sustainable Design

LDP Policy 30 - Amenity

LDP Policy 31 - Minimising Waste

LDP Policy 32 - Surface Water Drainage

LDP Policy 34 - Flooding and Coastal Inundation

LDP Policy 44 - Housing

LDP Policy 45 – Affordable housing

LDP Policy 48 - Community Facilities and Infrastructure Requirements

LDP Policy 52 - Sustainable Transport

LDP Policy 53 - Impacts on traffic

PPW10

SPG04 - Planning Obligations

SPG06 - Landscape

SPG08 - Affordable Housing

SPG22 - Seascape Character

TAN 02 - Planning and Affordable Housing

TAN 12 - Design

### **Constraints**

Special Area of Conservation - within 500m

Contaminated Land

LDP Allocation

LDP Green Wedge

Rights of Way Inland - within 50m

Ancient Monument - within 500m

ROW Coast Path - within 10m

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LDP Centre:60pc aff housing;30 units/ha  
Recreation Character Areas  
Low Coal Risk  
High Coal Risk  
Affordable Housing Submarkets  
Seascape Character Areas

## **Officer's Appraisal**

### **Site/Application Description**

The application seeks outline planning permission with all matter reserved for future consideration for the following:-

102 x Affordable housing (to be controlled by PCC)  
8 x Shared ownership dwellings  
34 x Open market housing  
1 x Multi Use Games Area (MUGA)  
2 x Local Equipped Area of Play (LEAP); and  
Associated open space and a 5m ecological buffer around the central field

The development will be served by associated open space areas and highway infrastructure. Access to the site will be gained by a new access road to the north west of the site from the A478.

All matters of detail, which include, appearance, scale, access, landscaping and layout, are reserved for future consideration.

Scale parameters have been provided, the site will be comprised of a mixture of single and two storey dwellings ranging from 5.5m -9.8m in height and flats ranging from 8.5m – 12.5m in height (3 storey).

The application site is currently a green field, located to the north and east of Upper Hill Park. Footpaths provide pedestrian access to the site from Upper Hill Park and a Bridal Way provides access from the A478 highway to the north west. Slippery Back lane runs along the eastern boundary of the site and a footpath runs along the western boundary.

There are a number of protected trees to the northern boundary of the central field which are proposed to be retained as part of the development.

The site is owned by Pembrokeshire County Council and is agricultural land, however it is understood that local residents have used this site as a recreational/dog walking space for many years and some benches have been placed at the top of the site.

### **Relevant Planning History**

None

## 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
- Highways
- Ecology
  
- Historic Environment
- Landscaping
- Drainage & Flooding
- Other Material considerations

### *Policy and Principle of Development*

National Policy is translated at a local level via the Local Development Plan (LDP), which was adopted by this Authority in 2010.

The application site lies partly within housing allocation HA377 as defined by the Local Development Plan. The allocation requires a minimum level of 60% affordable housing on the site. The principle of housing on this allocated site has already been accepted in the adoption of the LDP in 2010.

The application site is located within the Local service and tourism centre of Tenby, identified by Policy 2 of the Local Development Plan. Where one of the land use priorities is to aim to meet the housing, in particular affordable housing needs of the local area.

The application proposes a total of 144 residential dwellings within the centre boundary of Tenby. The LDP housing strategy identifies that there is not a need for market housing in the National Park as the population projections show the Park population to remain static. At paragraph 4.201 the LDP states:

*'Though there is no reason to allocate housing land in order to house an increasing population, there is in order to build more affordable houses so that the proportion of affordable to market housing better reflects the housing needed in the National Park'*

In terms of housing need, the need identified for Tenby is stipulated in the Housing Background Paper (updated November 2018) which states that the annual housing need for Tenby is 88 units. The proposed development providing 102 affordable dwellings, 8 shared ownership and 34 open market dwellings, goes some way to achieving this figure.

In accord with the adopted SPG on affordable housing these would need to be provided to match as closely as possible the housing needs of those on the housing register. The application is for outline permission only, which

allows a developer sufficient flexibility to provide design of house types at reserved matters stage to meet the housing need at that time.

The affordable housing will be secured by means of a legal agreement.

The proposed access is located outside of the LDP allocation and, as such, the application has been advertised as being out of accord with the LDP for this reason only. The access runs to the north west of the site and is located within an area defined as a Green Wedge by Policy 16 of the LDP. The subtext at para 4.83 of the LDP states that Green Wedges play an important role in maintaining the landscape setting of urban and rural settlements, and preserving openness. The area of the application site within the Green wedge is the access road only, and the road is located towards the southern boundary of the Green Wedge. The Green Wedge was allocated as it was considered important that Tenby, New Hedges, Saundersfoot retain their individual characters. The introduction of the access road with associated landscaping located to the southernmost part of the Green Wedge is not considered to result in harm to the character of Tenby, New Hedges or Saundersfoot. The Green Wedge is of such scale to ensure that this area continues to represent a rural break between the centres, consequently, the departure from the LDP is considered to be acceptable in this instance. Any future reserved matters application should be accompanied by detailed landscaping and levels to ensure that the access is suitable in visual terms.

The objections received highlight that the site has not been allocated for residential purposes in LDP2, which is currently under examination by a Planning Inspector. The Inspectors report on LDP2 has not been received to date; consequently, the application must be assessed against the current adopted LDP and the deposit LDP cannot, at this stage, be taken as a material consideration.

Many objections relate to the loss of green/open space, the application site is not identified as formal open space, although it has been used by residents as informal open space for some time. The site has been allocated for residential development for at least 2 local plan periods, so it has always been anticipated that the site will be developed for housing. Furthermore the site is proposing a sufficient amount of open space, equipped play areas and a MUGA. A public access circular path will also be provided. Having regard to the above, the proposal is considered any loss of formal open space is effectively mitigated.

The principle of the proposed development is considered to be acceptable at this location in policy terms.

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

Policies 8 and 15 of the Local Development Plan seek to protect and enhance the special qualities of the National Park.

Policy 8 (Special Qualities) lists 9 priorities - the most relevant to this application being:

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- a) to ensure that the sense of remoteness and tranquility is not lost and wherever possible enhanced;
- b) the identity and character of towns and villages is not lost through coalescence and ribboning of development or through poor design and layout of development
- c) the pattern and diversity of the landscape is protected and enhanced;
- e) that development restores or wherever possible enhances the National Park's ecosystem; and
- g) to ensure that local biodiversity action plan species and habitats are protected for their amenity, landscape and biodiversity value.

In addition, Policy 15 seeks to prevent development that causes significant visual intrusion, is insensitively and unsympathetically located within the landscape, introduces / intensifies a use that is inappropriate to its location, that fails to harmonise with the landscape character of the National Park, and that loses or fails to incorporate important traditional features.

The application site is within Landscape Character Area 2 as defined in the Landscape Character Assessment Supplementary Planning Guidance. Area 2 states *'the town features an attractive Georgian architectural seafront overlooking the adjacent beaches and harbour, and a traditional old walled town and castle remains. These are surrounded by dense urban development.'*

Whilst the design, layout and scale of the development are reserved for future consideration, the applicant has indicated that the proposal will comprise of 144 dwellings, of a mixture of single storey, two storey and some three storey properties. Whilst the surrounding built form is mainly a mixture of one and two storey dwellings, with careful consideration of layout at reserved matters stage it is considered that the site could also accommodate three storey properties, as such the proposed development is not considered to raise any concerns in respect of scale as to warrant refusal of the scheme.

The design and layout of the scheme at reserved matters stage will have to ensure that the site is not overdeveloped, in order to address the applicant has indicated that flats are proposed to make best use of land available. The LDP at policy 44 sets a minimum density of 30 dwellings per hectare and not a maximum density, the Authority should be supportive of efficient use of land where it does not give rise to any unacceptable impacts.

There will be a step change in the immediate landscape and dependent on design and layout, which are reserved for future consideration, there may also be a change in the skyline. The site is a long standing allocated site for residential development within the current LDP and previous plans, the principle of development has previously been agreed as part of the LDP process and as a consequence a change in the landscape has been accepted at this location.

NRW have commented on the landscape impact of the development and whilst they consider the details submitted by the agent in respect of landscape



impacts are somewhat underestimated, NRW do not consider effects of the development would be significant other than on the immediate site and consider that the development would not have an adverse impact on the Special Qualities and purposes of the National Park.

The proposed development is not considered to have an adverse impact on the special qualities of the National Park.

### *Amenity*

Policy 30 of the LDP seeks to avoid development that is inappropriate for where people live or visit, of an incompatible scale with its surroundings, leads to an increase in traffic or noise or odour which has a significant adverse impact.

Design and layout are reserved matters, only once these details have been submitted can amenity issues in respect of neighbouring properties be properly considered. The future reserved matters scheme should be designed so as to ensure there is no adverse on privacy, overshadowing or dominance and that the properties are served by sufficient level of private amenity space for future residents.

In terms of construction impacts, the scale of development is likely to result in construction activities that will last for a significant period of time. As noted the site is in proximity to residential properties and accessed through residential streets. This combination of circumstances is considered to give rise to a potential detrimental impact on residential amenity from construction. Appropriate locating of onsite operations such as earth moving, aggregate mixing, crushing, screening, and onsite storage and transportation of raw material will help to reduce impacts. Appropriate locating of the storage of heavy plant and equipment, including vehicles and car parking facilities for construction site operatives and visitors and appropriate working practices will also reduce amenity impacts. These measures can all be secured through the imposition of a planning condition requiring a construction management plan. Construction and demolition operations, (including deliveries) can also be restricted to between the hours of 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturday with no operation on Sunday or public holidays. It is considered that subject to the submission of appropriate management and hours of operation the impact on neighbouring properties will be mitigated to an acceptable level.

### *Highways*

Although access is a reserved matter for future consideration, a Traffic Assessment (TA) has been submitted with the application for assessment.

In terms of accessibility the application site is located 2000m from Tenby. The National Cycle Network runs along the eastern perimeter of the site, a bridleway runs from Spericomb Lane to Slippery back and bus stops are located at Upper Hill Park and Serpentine Road.

The application proposes that all vehicular traffic will solely access and egress the site via the proposed access to the north west linking to the A478. A formalized priority junction is proposed to serve the development at this point. All 3 existing pedestrian links to the neighboring residential area of Lady Park/ Upper Hill Park will be retained and the northern and mid point accesses to the west will be developed further into 3m wide footpath links. The existing communal walk way bordering the site will be retained.

The submitted TA found that the development will have a negligible impact on the highway network surrounding the proposed site, the site is located in a sustainable location with good accessibility to public transport.

The Highway Authority was consulted on the development and raised no objection subject to conditions.

A number of objection received raise concerns in respect of construction traffic, in order to address these concerns a condition requiring a Construction Management Plan to be submitted with any future reserved matter application is recommended. All construction traffic should enter and serve the site via the proposed new access road and not through et existing residential area of Upper Hill Park/Lady Park.

Concerns were also raised in respect of parking provision , the application is in outline and design and layout are reserved for future consideration, details of parking spaces will be considered at this stage.

Having regard to the above the proposed development is not considered to result in an adverse impact on highway or pedestrian safety subject to conditions.

### *Ecology*

Policy 11 refers to the protection of biodiversity, and requires that development that would impact on habitats and species will only be permitted subject to suitable mitigation.

The application site proposes a 5m wide wildlife corridor along the boundaries of central field.

The application site itself is not located within any European Sites, but is located within close proximity to a number of Special Areas of Conservation ( SAC) and Special Areas of Scientific Interest (SSSI). However, the nearest component of a SAC, the Waterwynch SSSI, is located approximately 760m south of the site. Consequently, the application was accompanied with a series of ecological surveys, which identified at least 11 bat species using the site for foraging and commuting and identified that Dormice were present.

The surveys found , in the absence of mitigation, there was the potential for impacts on nearby SACs and SSSIs and mitigation was required. The proposed appropriate mitigation measures include:-

- Construction Environmental Management Plan
- Ecological Management Plan
- Specific/targeted mitigation measures to avoid or minimise the impacts of construction and operational disturbance on bats
- Pollution prevention controls
- Landscape Strategy; and
- Lighting Strategy

Given the sensitivity of the site the appropriate screening under the Habitats Regulations is required. The Appropriate Assessment will consider whether an adverse effect on the integrity of the two SACs is likely to result, the appropriate information has been submitted and is currently being considered by the Authority's Ecologist.

The Authority's Ecologist at the point of writing this report is considering the additional information received and the Appropriate Assessment a verbal update will be provided at Committee.

Natural Resources Wales (NRW) commented on the application and raised concerns in respect of lacking information, this information has since been submitted and at the point of writing this report is being considered by NRW, a verbal update will be provided at the Committee meeting. A number of ecological conditions have already been proposed including a lighting scheme, a Landscape and Ecological Management Plan, and a Construction Environmental Management Plan.

NRW have assessed the proposed mitigation in respect of protected species , together with the native tree and scrub planting proposed along the access road, which will act as an ecological buffer zone, and consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned.

Although landscaping is reserved for future consideration a condition is recommended which includes a belt of thorny shrubs which skirts the retained hedgerow habitat, the details of which will be agreed at reserved matters stage.

NRW highlighted the importance of minimizing any illumination of the northern section of the wildlife corridor and reducing the impacts of street lighting, security lighting and lighting at MUGA, as such a condition in respect of a lighting plan is required. Again this will be considered in detail at reserved matters stage.

At reserved matters stage ecological enhancements will be expected to form part of the design.

Subject to an acceptable Appropriate Assessment in terms of the ecological impact the scheme is considered acceptable subject to conditions.

### *Historic Environment*

The application site lies within immediate proximity to 'Howells Castle' a pre historic defended enclosure and a second defended enclosure 'Meadow Farm' lies to the north east, however these are not scheduled ancient monuments. Tenby Conservation area adjoins the site to the south.

Dyfed Archaeological Trust were consulted on the application and raised no objection to the proposal subject to a condition requiring a written scheme of investigation.

Cadw were also consulted on the scheme, and advised that there are no scheduled ancient monument's that would be affected by the proposal.

The application site is screened from Tenby cemetery, an element of the conservation area, by trees, which are to be retained, it is therefore considered that the development will not have an adverse impact on Tenby Conservation Area. Furthermore the impact of design, layout and landscaping on the conservation area will be considered in detail at reserved matters stage. Subject to a condition requiring a written scheme of archaeological investigation the proposed development is not considered to have an adverse impact on the historic environment.

### *Lighting:*

Policy 9 of the LDP relates specifically to light pollution and states that proposals that are likely to result in a significant level of lighting shall include a full lighting scheme and will be permitted where the lighting relates to its purpose and where there is not a significant adverse effect on the character of the area, local residents, vehicle users, pedestrians and the visibility of the night sky.

It is noted that there is a significant amount of lighting columns in the neighbouring residential development and along the adjoining highway. As previously mentioned in order to ensure there are no adverse ecological impacts or impacts on landscape a condition will be attached to any permission granted requiring a detailed scheme of lighting to be submitted to and approved in writing, consideration of the scheme will be done in conjunction with the Authority's Ecologist, NRW and the Highway Authority.

### *Landscaping*

The application site is currently comprised of a field and part of two adjoining fields. The main central field is surrounded along all boundaries by dense trees and hedgerows. The trees surrounding the boundary of the central field are protected by a Tree Protection Order as are a number of trees along the bridal path located to the north east of the site.

Whilst landscaping is a matter reserved for future consideration the application has been accompanied with an Arboricultural Impact Assessment, which states that a total of 31 trees will have to be removed to accommodate the proposed development. An indicative landscaping plan was also submitted which indicate that additional native tree planting and scrub planting will take place, however, as this is a reserved matter the detail will be considered at a future stage. The plan also indicates that hedgebanks will be provided along the proposed access route and species rich grassland areas and wildflower areas will also be incorporated in the landscaping of the scheme.

### *Drainage*

Policy 29 of the LDP requires all development proposals to be well designed in terms of water and drainage (criterion 'h'), Policy 32 requires development proposals to incorporate sustainable drainage systems for the disposal of surface water on site.

The application was accompanied with a drainage strategy developed following on site infiltration tests for soakaways, which suggested permeability and therefore infiltration. It is proposed that surface water will be channeled to a watercourse to the south west corner of the site.

Foul water drainage from the site is proposed to connect to the existing public sewer network operated by Dwr Cymru Welsh Water. Mains water is also proposed to be provided by Dwr Cymru.

The Infrastructure department at PCC have assessed the details submitted and have advised that permission will be required from PCC if watercourses are proposed to be filled in, culverted or the flow impeded and advised that Sustainable Drainage Approval will be required from PCC. PCC have also advised that they are not aware of any historic flood event affecting the site.

Dwr Cymru have assessed the application and have raised no objections to the proposal subject to a condition. Separate consent will be required under the Water Industry Act 1991 in respect of connections and water supply. The developer will be advised to contact Dwr Cymru to arrange such consents.

The application site is located outside of any flooding zone.

### *Other material planning considerations*

Part of the application site has areas of thick coal seam outcrops which may have historically been worked. The Coal Authority have assessed the application and recommend a condition be attached to any permission granted requiring a scheme of intrusive site investigations in order to properly assess the ground conditions on site and details of any required remedial work required.

A land contamination report was submitted with the application. Although the land has historically been used for agricultural purposes there is evidence of coal seams with the potential to have been mined. Consequently with this and the historic agricultural use there is a risk of contamination, a number of investigation conditions are, therefore, recommended to address this issue.

### *Planning Obligations*

PCC education department were consulted in respect of potential contributions to education based upon the open market houses, PCC advised that there is sufficient capacity in both primary and secondary schools in Tenby to accommodate pupils, as such, there is no requirement for a contribution.

### **S106 Requirements:- Heads of Terms**

1. 102 x Affordable units and 8 x shared ownership to be provided on site and, including the timing of their completion
2. Management scheme for open space, MUGA and equipped play areas
3. Contribution towards libraries

### **Conclusion**

Notwithstanding the objections raised, following consideration of the policies contained within the Local Development Plan and National Planning Policy in the form of Planning Policy Wales (Edition 10, 2018) and having regard to all material considerations it is considered that the proposal will be in keeping with the aims of the LDP in that the development is considered to provide new affordable and open market residential properties, whilst sustaining the local character of the National Park and not adversely impacting on ecology or highway safety. As such, and subject to S106 Agreements, an acceptable Appropriate Assessment and a schedule of suitable conditions, the development is considered to be acceptable and complies with the requirements of policies 1, 2, 8, 9, 11, 15, 16, 29, 30, 31, 32, 34, 44, 45, 48, 52 & 53, of the adopted Local Development Plan ( 2010).

### **Recommendation**

That the application be delegated to the Chief Executive/Director of Planning / Team Leader to grant planning permission subject to an acceptable appropriate assessment, conditions as set out below and completion of a S106 Agreements in respect of the heads of terms as set out above. The completed Section 106 legal agreements will be required within six months of the date of the meeting, and if not completed within this timeframe, officers will be able to use their discretion to refuse the application under delegation procedures as the proposal would be contrary to LDP policies 11, 45 & 48 .

1. Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. **Reason:** Required to be imposed pursuant to Section 92 (2) of the Town and Country Planning Act 1990

2. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later. **Reason:** Required to be imposed pursuant to Section 92 (2) of the Town and Country Planning Act 1990.
3. Details of the appearance, landscaping, layout, access and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved. **Reason:** The application, in outline form, does not give sufficient detail for consideration of these matters at this time.
4. The reserved matters submission shall be in accordance with the parameters of scale for the development and broadly in accordance with other considerations as set out on Plan No. R462 0P04 **Reason:** In order to be clear on the scale of development approved in principle in the interests of visual amenity and the special qualities of the National Park. Policy: Local Development Plan - Policies 8 (Special Qualities), 15 (Conservation of the Pembrokeshire Coast National Park) and 30 (Amenity).
5. No development shall commence until a qualified and competent archaeologist has submitted a written scheme of investigation (WSI) for approval in writing by the local planning authority . This WSI will describe the different stages of the work and demonstrate that it has been fully resourced and given adequate time. On behalf of the local planning authority, Dyfed Archeological Trust will monitor all aspects of this work through to the final discharge of the condition. This work will not be deemed complete until all aspects of the WSI have been addressed and the final report submitted and approved in writing. **Reason:** To protect the historic environment interests whilst enabling development. Policy: Local Development Plan - Policies 8 (Special Qualities), 15 (Conservation of the Pembrokeshire Coast National Park)
6. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system. **Reason:** To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment. Policy: Local Development Plan Policy 29 Sustainable Design & Policy 32 Surface Water Drainage.

7. Prior to any development work hereby approved commencing on site the undertaking of the scheme of intrusive site investigations, designed by a competent person and adequate to properly assess the ground conditions on the site and establish the risks posed to the development by past coal mining activity, shall take place. A report of the findings arising from the intrusive site investigation and any remedial works and/or mitigation measures considered necessary shall be submitted to and approved in writing by the local planning authority. The mitigation measures and/or remedial measures shall be implemented as approved. **Reason:** In the interests of public safety . Policy: Local Development Plan – Policy 30 ( Amenity)
8. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development work begins. **Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors. Policy: Local Development Plan - Policies 30 ( Amenity)
9. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby approved shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. **Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Policy: Local Development Plan - Policies 30 ( Amenity)
10. Following completion of measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the local planning authority. **Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Policy: Local Development Plan - Policies 30 ( Amenity)



11. If during the course of development any contamination is found that has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures before the development is occupied. **Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Policy: Local Development Plan - Policies 30 (Amenity)
12. Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to and approved in writing by the local planning authority. Following completion of an approved monitoring scheme, in the event that gases are being generated the proposed detail of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing by the local planning authority.
- All required gas protection measures shall be implemented as approved and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the local planning authority agrees in writing that the measures are no longer required. A copy of the verification certificate should be submitted to the local planning authority prior to the first beneficial use of the site. **Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Policy: Local Development Plan - Policies 30 (Amenity)
13. During the construction phases of the development works (including deliveries) shall not take place outside 08.00 hours to 18.00 hours Mondays to Fridays and 09.00 hours to 13.00 hours Saturdays and at no time on Sundays and Bank Holidays. **Reason:** To protect the amenity of local residents from excessive noise, vibration and dust. Policy: Local Development Plan - Policies 30 (Amenity)
14. No development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details. **Reason:** To ensure

that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area. Policy: Local Development Plan - Policies 1 (National Park Purposes and Duty), 15 (Conservation of the Pembrokeshire Coast National Park) and 29 (Sustainable Design).

15. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (relating to extensions to , and changes to external appearance of, the dwelling and to development within the curtilage of the dwelling house) , no development of Parts 1 and 2 of Schedule 2 to that Order (or any Order revoking or re-enacting that Order) on the dwellings hereby approved shall be carried out without specific planning permission being obtained. **Reason:** To preserve the character of the area and in amenity interests . Local Development Plan – Policies 1(National Park Purpose and Duty), 15 (Conservation) and Policy 30 (Amenity)
16. Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 195 (or any order revoking or re-enacting that order) any electricity or telephone supplies to the site shall be by underground cables. **Reason:** To preserve the character of the area. Policy Local Development Plan - Policy 1 National Park Purposes and Duty and Policy 15 Conservation of Pembrokeshire Coast National Park.
17. As part of the reserved matters application for the development full details of the proposed vehicular access shall be submitted to and approved by the Local Planning Authority and prior to commencement of development of the proposed access it shall be completed in all respects in accordance with the details approved under this condition, and shall be retained as such thereafter. **Reason:** To ensure an adequate vehicular access in the interests of highway safety. Policy: Local Development Plan Policy 52 & 53( highways)
18. As part of the reserved matters application for the development full details of the vehicular parking and turning facilities shall be submitted to and approved by the Local Planning Authority and prior to commencement of development of the proposed access it shall be completed in all respects in accordance with the details approved under this condition, and shall be retained as such thereafter. **Reason:** To ensure an adequate vehicular access in the interests of highway safety. Policy: Local Development Plan Policy 52 & 53( highways)
19. The proposed development shall be served by an estate road laid out and constructed, including pedestrian links and crossing points and a means of surface water disposal, in accordance with the current Pembrokeshire County Councils Highway Requirements for Development and guidance contained within Manual for Streets, details of which are to be submitted to and approved in writing by the Local

Planning Authority and prior to first occupation the road will be brought up to base course level and prior to final occupation the road shall be surfaced to wearing course level. **Reason:** To ensure an adequate access in the interests of highway safety. Policy: Local Development Plan Policy 52 & 53 (highways)

20. As part of the reserved matters application, a fully detailed scheme of transportation infrastructure works in relation to the development shall be submitted. Such a scheme shall include:

- Provision shared use path links to NCN 4 Slippery Back and Lady Park
- Footways up to and uncontrolled crossing point of the A487 junction to ensure continuous pedestrian linkage from the development to the existing footway network .

The scheme shall be implemented as approved prior to first beneficial occupation of the dwellings and retained as such thereafter. **Reason:** To ensure the multi modal access to the development is achieved in order to mitigate the impact of the development on the local highway network in the interests of highway safety. Policy: Local Development Plan Policy 52 & 53

21. Prior to commencement of development on site, a Landscape and Ecological management Plan (LEMP) shall be submitted to and approved in writing by the Local planning authority. The LEMP shall be implemented as approved. **Reason:** In the interests of protecting the visual amenity of the area, to maintain the special qualities of the landscape and habitats. Policy: Local Development Plan - Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 11 (Protection of Biodiversity), 15 (Conservation of the Pembrokeshire Coast National Park), 30 (Amenity).

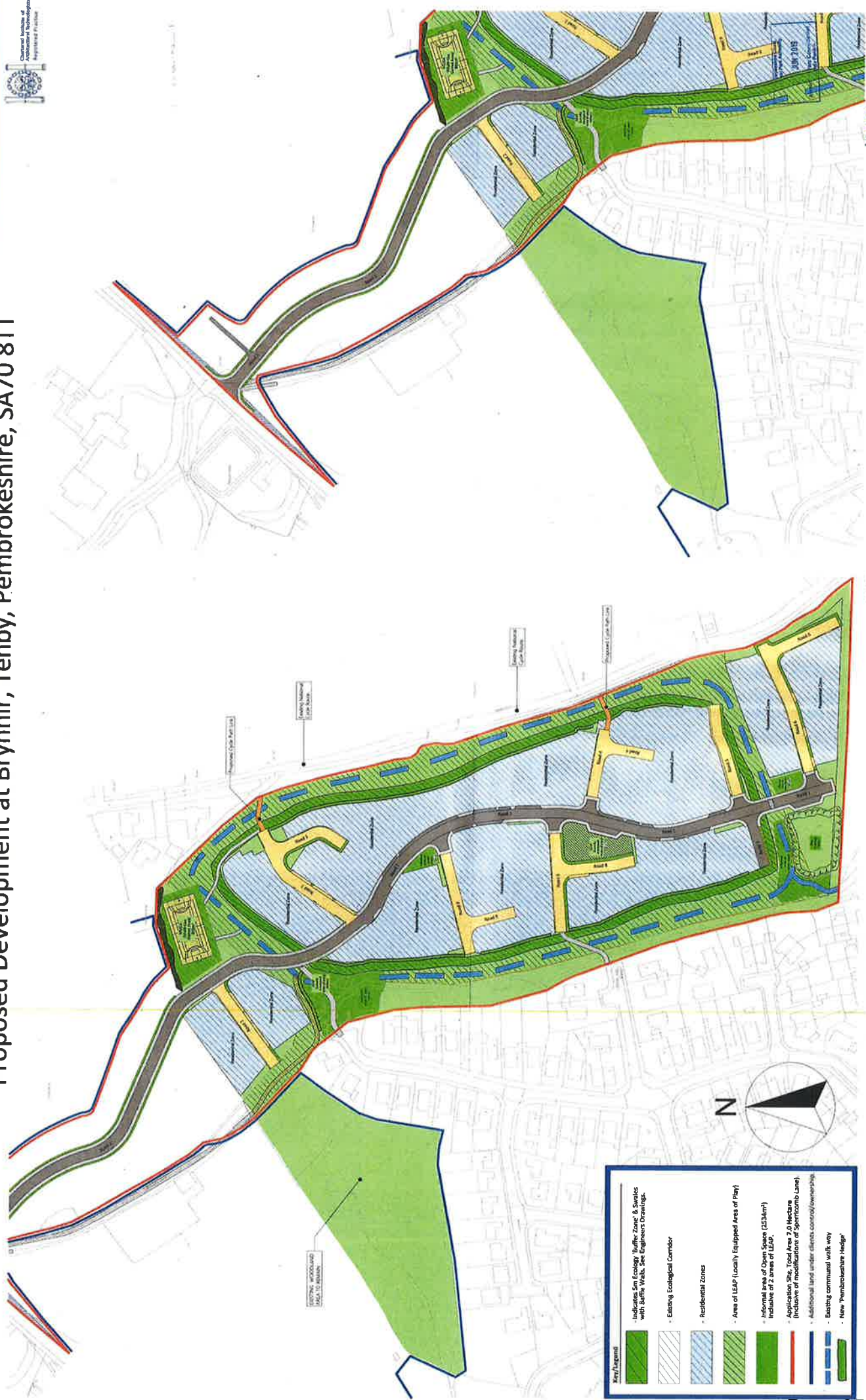
22. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. **Reason:** In the interests of protecting the visual amenity of the area, to maintain the special qualities of the landscape and habitats. Policy: Local Development Plan - Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 11 (Protection of Biodiversity), 15 (Conservation of the Pembrokeshire Coast National Park), 30 (Amenity).

23. Prior to the commencement of development, a construction management plan, shall be submitted to and approved in writing by the Local Planning Authority. The construction management plan will detail how the site will be accessed, site accommodation and storage to be provided, wheel washing and details of phasing of the works. The plan shall be implemented as approved. **Reason:** In the interests of highway

safety Policy: Local Development Plan 30 (amenity) 52 & 53  
(highways)

24. Prior to the installation of any lighting on site a detailed lighting plan covering the entire site shall be submitted to and agreed in writing by the Local Planning Authority. This should include details of lighting during the construction phase – location, type and timing of operation. Details of external lighting and street lighting should be shown on a plan including details of fitting, means of reducing light spill and details of sensor. The lighting plan shall be implemented as approved and retained as such thereafter. **Reason:** In the interests of Biodiversity and the Special qualities of the National Park. Policy: Local Development Plan Policy 8 (Special Qualities), 9 (Light pollution) and 11 (Biodiversity).

# Proposed Development at Brynhir, Tenby, Pembrokeshire, SA70 8TT



**Key/legends**

- Indicates 5m Ecology 'Buffer Zone' & Swales with buffer Walls. See Engineers Drawings.
- Existing Ecological Corridor
- Residential Zones
- Area of LEAP (Locally Equipped Area of Play)
- Informal Area of Open Space (253Am) inclusive of Areas of LEAP.
- Application Site, Total Area 2.0 Hectare (Inclusive of modifications of Sportsclub Lane)
- Additional land under clients control/ownership
- Existing communal walk way
- New Pembrokeshire 'Hedge'



Parameters Site Plan 1 of 2 1:10000  
 Parameters Site Plan 2 of 2 1:10000

REVISIONS	DATE
1. Issue for Outline Planning (O&L)	18th May 2023
2. Issue for Outline Planning (O&L)	17th July 2023
3. Issue for Outline Planning (O&L)	18th June 2023
4. Issue for Outline Planning (O&L)	18th June 2023
5. Issue for Outline Planning (O&L)	21st June 2023

A. Additional use in application (see drawings) - none.  
 B. Extent of land for application (see drawings) - none.  
 C. Access road, development area and drainage basin updated.  
 D. National Grid, made identified and new cycle links added.  
 E. Access road & development area updated per our engineers drawings.

Date: 18th May 2023  
 Drawn by: RFL Architects Ltd  
 Project: Pembrokeshire Coast Council  
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**OUTLINE PLANNING ISSUE**

R462 OP-03 E