

DEVELOPMENT MANAGEMENT COMMITTEE

6 September 2023

Present (In Person)

Dr M Havard (Chair)

Councillor S Alderman, Councillor Dr SL Hancock, Councillor R Jordan, Mr GA Jones, Councillor PJ Morgan, Councillor R Owens, Dr R Plummer, Councillor B Price, Councillor M Wiggins and Councillor A Wilcox.

Present (Remotely)

Councillor D Clements, Dr R Heath-Davies, Mrs S Hoss, Mrs J James, Councillor M James, Councillor S Skyrme-Blackhall and Councillor C Williams

[Llanion Park, Pembroke Dock and Virtually 10.00am – 11.50am;
12.00pm - 12.47pm; 1.25pm - 2.55pm]

1. **Apologies**

There were no apologies for absence.

2. **Disclosures of interest**

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

Application and Reference	Member(s)/Officer(s)	Action taken
Minute 6 below – general declaration as an NRW Board Member and Plantlife Trustee	Dr RM Plummer	Remained in the meeting and played a full part in the discussions and voting
<i>Minutes 6(d) below</i> NP/23/0168/FUL - Land north of Whitlow, Saundersfoot	Dr R Heath-Davies	Left the meeting prior to discussion of the application

3. **Minutes**

The minutes of the meeting held on the 19th July 2023 were presented for confirmation and signature.

On the proposal of Dr S Hancock, seconded by Councillor D Clements, it was **RESOLVED** that the minutes of the meeting held on the 19th July 2023 be confirmed and signed.

NOTED.



4. Right to speak at Committee

The Chairman informed Members that due notification (prior to the stipulated deadline) had been received from interested parties who wished to exercise their right to speak at the meeting that day. In accordance with the decision of the National Park Authority of 7th December 2011, amended 16 June 2021, speakers would have 5 minutes to speak unless they had spoken on the same application previously when they would have 3 minutes in which to present new information (*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
<i>NP/23/0124/FUL Minute 6(a) refers</i>	Change of use of surplus public toilets to takeaway ice cream parlour/coffee bar & beach themed retail with small rear extension to create kitchen together with new public disabled toilet as required by Pembrokeshire County Council – Redundant Toilet Block, Adjacent to Newgale Campsite, Newgale	Mr Mike Harries – Applicant (3 mins)
<i>NP/22/0476/OUT Minute 6(b) refers</i>	Outline application for the erection of two detached dwellings (vehicular access to be considered with all other matters reserved) – Land at Vine Cottage, The Ridgeway, Saundersfoot	Andrew Vaughan-Harries – Agent
<i>NP/23/0251/FUL Minute 6(f) refers</i>	Construction of a 48m ² agricultural building to store land management equipment, associated consumables and crops – Land known as Parc y Floodgate, Velindre, Crymych	Dr Jessica Spate - Applicant Sian Jones – Community Council



5. Members' Duties in Determining Applications

The Solicitor's report summarised the role of the Committee within the planning system, with particular focus on the purposes and duty of the National Park. It went on to outline the purpose of the planning system and relevant considerations in decision making, and the Solicitor added that consideration also needed to be given to the National Development Framework - Future Wales: The National Plan 2040 adopted by the Welsh Government on 24 February 2021 as well as its own Local Development Plan 2. The report also noted that the Authority also had a duty to carry out sustainable development, ecological considerations which included the role of the Environment Wales Act 2016, human rights considerations and also set out some circumstances where costs might be awarded against the Authority on appeal. He stressed the importance of applying the Members Planning Code of Good Practice, particularly paragraph 11, which was particularly relevant that day. Finally, the Solicitor added that the report didn't mention that the Authority's decisions were subject to scrutiny and could be subject to a judicial review and it was therefore important that they were lawfully based.

NOTED

6. Report of Planning Applications

The Committee considered the detailed reports of the Development Management Manager, 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/23/0124/FUL
APPLICANT: Mr M Harris
PROPOSAL: Change of use of surplus public toilets to takeaway ice cream parlour/coffee bar & beach themed retail with small rear extension to create kitchen together with new public disabled toilet as required by Pembrokeshire County Council
LOCATION: Redundant Toilet Block, Adjacent to Newgale Campsite, Newgale, Haverfordwest, Pembrokeshire, SA62 6AS

Members were reminded that this application had been considered at the meeting of the Committee held in June 2023 when Members were minded to approve the application contrary to the officer recommendation. As a result, the Director for Placemaking, Decarbonisation and Engagement had invoked the Authority's 'cooling off' procedure which required the final decision on the application to be deferred to a later Committee in order to allow officers to provide additional reports and draft



conditions for approval. Following an email from Welsh Government officials in July advising that they had received a call-in request, this application was further deferred until the September Committee to enable that request to be considered by Welsh Government prior to determination by Committee.

The application sought to extend and refurbish a redundant toilet block to provide a takeaway/ice cream parlour and one disabled toilet for public use. The application site lay outside any Centre boundary as defined by Local Development Plan 2 and was therefore classified as Countryside where development must be strictly controlled.

The retail element of the proposal did not meet the requirements of Policy 57 or Policy 54 of the LDP2 in terms of its location which was not well suited to meet the community's needs and was outside a Rural Centre. The site also lay within a C2 flood plain and within a Coastal Change Management Area defined in LDP2. While new residential development within these areas was not permitted, non-residential development could be permitted if it was demonstrated that there would be no increased risk to life or significant increase in risk to property. Whilst re-use of the toilet block might not increase flood risk, the proposal to extend the building had the effect of increasing risk as there would be a larger building within the coastal change management area. This would be contrary to national and local policy which was to reduce risk over time.

Officers had concluded that the policy conflict was not outweighed by the potential for provision of an accessible toilet facility in this location, having regard to the Authority's duties under the Equalities Act 2010 and the recommendation was one of refusal. However should Members propose approval of the application, it was recommended that this should be subject to conditions as set out in the report and provision of a Section 106 legal agreement to ensure the opening of the disabled toilet to members of the public during all hours/days when the shop was open; and the removal and remediation of the building including the toilet block and associated infrastructure in the event of the road being removed or the use of the building ceasing.

In addition, the application site was part of a wider area that was currently subject to a coastal adaptation scheme which would involve the relocation of the road adjacent to the site within the short-term which would result in the shingle bank moving inland and which would impact on the operation of the proposal. For this reason it was recommended that the proposal be granted for a temporary period of 7 years or until it became unusable – whichever was the sooner. It would be possible for a S73 application to be submitted to vary such a condition should the business wish to or be able to continue to operate after that time.



In response to a question from Members asking whether parties other than the County Council could clear shingle from the road, officers clarified that the relocated road would replace the existing road, which would then be removed.

At the meeting, officers requested that suggested condition 7 be amended to restrict the sale of hot food from the premises due to the provision of hot food through a mobile unit located on the main caravan site.

The Solicitor reminded the Committee of the procedure when an application which had been subject to the Cooling Off procedure came back before the Committee and noted that it had to be considered afresh and that a recorded vote would be taken.

The applicant, Mr Mike Harries, then addressed the Committee. He was advised that he had 3 minutes in which to make his presentation as he had previously addressed the Committee on this application. Mr Harries stated that he believed that the request by the National Trust to call in the application had been made to cause unnecessary delay and hoped that this action had strengthen support for the application on the grounds of community need and economic benefit. He then turned to the suggested conditions contained within the Committee report and advised that he believed them to be unreasonable and impractical leading to uncertainty and a stifling of the project's feasibility. Further detail had been provided to Members by email, however in summary he believed that the 7-year term was unnecessary as it was based on an event that may or may not happen and the remediation was financially burdensome and went beyond what was reasonably expected of a private developer. He asked officers to reconsider the recommended conditions and to work with him to provide a more balanced approach which would allow the project to move forward to the benefit of Newgale and its residents while upholding the principles of responsible development and environmental stewardship.

In response to questions from Members, Mr Harries confirmed that there was no intention to charge for the toilet and that the potential investment in the building was £300,000 and jobs could be created for a full time manager and 2 permanent staff, as well as opportunities for other part time temporary staff. In response to a further question from the Director, Mr Harries advised that businesses in Newgale were prepared to put in flood defences at their own expense and believed that the buildings would be there for a long time. He was not prepared to remove the building in 7 years time as such a limit would detract any investors who wouldn't get a return on their money. He added that such a condition was unnecessary as unsafe buildings could be removed by the Local Authority under the Building Act 1984.



The Authority's solicitor pointed out to Members that any powers under the Building Act 1984 relating to unsafe buildings could not be exercised simply because the building became disused, derelict or unsightly and the "unsafe" threshold was a high one. He also said that in any event, whilst there were recovery opportunities, the exercise of such powers would be costly.

Councillor R Owens considered that the application was much needed in Newgale and stated that it was difficult for a disabled person to access the toilet block in the main car park and therefore an accessible toilet in the middle of Newgale would be a benefit. He believed that as Welsh Government had not called in the application they could be seen to be supportive of it. He proposed that the application be approved and this was seconded by Councillor P Morgan with the reasons given being that it would boost tourism and provide economic benefits to the county. However they considered that some of the conditions put forward by officers were unreasonable, particularly the restriction on opening times, which should be extended to 10pm and the temporary 7-year approval. They also confirmed that officers' suggestion to exclude the sale of hot food in condition 7 was not included in the proposal. Another Member asked whether there was a requirement for the applicant to provide a flood evacuation plan and officers agreed that as this requirement was included in the Flood Consequences Assessment, compliance with this document should also be conditioned.

Following much discussion, the motion was confirmed as:

That the application be delegated for approval to the Director of Placemaking, Decarbonization and Engagement subject to receipt of an appropriate section 106 legal agreement. This will ensure the disabled toilet facility remains as such in perpetuity and is open to members of the public at all hours and on all days that the ice cream parlour / coffee bar and beach themed retail shop is open and at no charge. In addition, that the building, including all associated infrastructure, is removed and the land remediated in the event of the use of the building ceasing for a period of 12 months or more. If the Section 106 legal agreement is not completed within three months of the date of the Committee resolution then delegated power be given to the Director to exercise discretion to refuse the application on the grounds of non-compliance with policy 34, policy 57 and policy 54 of LDP2. The application be also subject to the conditions as set out in the report with the removal of the date from condition 3, an amendment to condition 8 such that the opening times would be 8:00 a.m. to 10 p.m. and an additional condition requiring the development to be carried out in accordance with the Flood Consequences Assessment.



As the application had been subject to the Authority's Cooling Off procedure, this was put to a recorded vote, as follows:

For: Councillor R Jordan, Councillor P Morgan, Councillor R Owens, Councillor B Price, Councillor S Skyrme-Blackhall, Councillor M Wiggins, Councillor A Wilcox and Councillor C Williams.

Against: Councillor S Alderman, Councillor D Clements, Councillor Dr SL Hancock, Dr M Havard, Dr R Heath-Davies, Mrs S Hoss, Mrs J James, Councillor J James, Mr G Jones and Dr R Plummer.

With 8 votes in favour and 10 against, the motion fell.

A motion to refuse the application for the reasons set out in the report was proposed by Dr R Plummer, seconded by Councillor D Clements and a second recorded vote was then taken:

For: Councillor S Alderman, Councillor D Clements, Councillor Dr SL Hancock, Dr M Havard, Dr R Heath-Davies, Mrs S Hoss, Mrs J James, Councillor J James, Mr G Jones and Dr R Plummer.

Against: Councillor R Jordan, Councillor P Morgan, Councillor R Owens, Councillor B Price, Councillor S Skyrme-Blackhall, Councillor M Wiggins, Councillor A Wilcox and Councillor C Williams.

With 10 votes in favour and 8 against, this motion was carried.

DECISION: That the application be refused for the following reasons:

- 1. The application to develop a building in a flood risk area is contrary to Local and National Development Policies, in particular the adopted Pembrokeshire Coast National Park Authority Local Development Plan 2 Policy 34 Flooding and Coastal Inundation and Welsh Government's Technical Advice Note 15: Development and Flood Risk.**
- 2. The application seeks to increase and intensify development uses within the coastal change management area contrary to the adopted Pembrokeshire Coast National Park Authority Local Development Plan 2 Policy 35 Development in the Coastal Change Management Area.**
- 3. In developing within an area subject to coastal realignment, the proposal is contrary to the policies of sustainable development contained within Planning Policy Wales Edition 11 and Welsh Government's Technical Advice Note 15: Development and Flood Risk.**



- 4. The location of the retail element of the proposal is outside a Retail Centre and in a countryside location. Its location is not well located to meet the community's needs. Insufficient information on potential impacts on other village shops and retail centres has been provided. The proposal is therefore contrary to the adopted Pembrokeshire Coast National Park Authority Local Development Plan 2 Policy 57 Town and District Shopping Centres and Policy 54 Community Facilities and to Planning Policy Wales Edition 11.**
- 5. The policy conflicts are not outweighed by other material considerations, including for the avoidance of doubt, the provision of an accessible toilet facility at this location.**

[The meeting was adjourned between 11:50am and 12 noon]

- (b) REFERENCE: NP/22/0476/OUT
APPLICANT: Mr C Mcfee
PROPOSAL: Outline application for the erection of two detached dwellings (vehicular access to be considered with all other matters reserved)
LOCATION: Land at Vine Cottage, The Ridgeway, Saundersfoot, Pembrokeshire, SA69 9LA

It was reported that the application sought outline consent for two new dwellings within the rear garden area of Vine Cottage. The application included vehicular access details, but reserved matters on Appearance, Landscaping, Layout and Scale. It was noted that the application included draft details on site layout, scale parameters and indicative front elevations.

The application was reported to the Development Management Committee as the officer recommendation of approval was contrary to the views of Saundersfoot Community Council which was concerned about highway safety. This was addressed in the report.

The Officer's report set out a detailed consideration of the relevant policies contained within the statutory Development Plan (Future Wales and Local Development Plan 2) and National Planning Policy in the form of Planning Policy Wales (Edition 11), and considered that, having regard to all material considerations, the application would be in accord with the Development Plan and would provide a development which was acceptable in principle and could be supported.

It was noted at the meeting that the response of PCC Transportation and Environment Section, which had indicated conditional consent, should have been included on page 49 of the report. Also that there was a



typographical error in the recommendation on page 55 where reference to a completed HRA was not required. The officer also noted that careful consideration had been given to a recommendation in respect of a potential C3 use Class restriction, however there was felt to be insufficient justification in this instance. The recommendation was therefore one of delegated approval, subject to receipt of a completed S106 Agreement in respect of affordable housing delivery and conditions as set out in the report.

One Member noted that no response had been received from Cadw, despite the proximity of the site to the tramroad incline, which was a scheduled ancient monument. Officers replied that from a previous conversation with Cadw, they understood that no response meant no objection, however they agreed to write expressing the Committee's disappointment that responses to applications were not being received regularly.

The agent, Mr A Vaughan-Harries, then addressed the Committee. He explained that Vine Cottage was an inter-war house, possibly older, with a very large garden and the applicant had considered that it could contribute towards the provision of housing. The garden area was within settlement limits, and having sought pre-application advice, an outline application had been submitted for 2 houses. He noted that the applicant was not a developer and considered this to be a potential planning asset which could be taken to the market. The agent noted that Saundersfoot had a high contribution requirement in respect of affordable housing and therefore one of the dwellings would be affordable and an agreement to this effect had been signed. Noting the concerns of the Community Council in respect of access, Mr Vaughan-Harries pointed out that the Highway Authority was happy that the proposals would improve visibility at this location. He also noted that there had been an objection in respect of loss of privacy and overshadowing, however as the application was in outline only, this aspect would be considered at reserved matters stage.

Members were pleased that a unit of affordable housing would be created, but sought clarification on the type of housing that would be provided. Officers clarified that they understood that the property would be social rented housing managed by a Registered Social Landlord. The Community Council's highway concerns were also highlighted, and the case officer confirmed that these had not been withdrawn, however another Member advised the Committee that the Highway Authority were currently undertaking work outside the property to improve footpath links as part of Active Travel provisions and were also looking to reduce the speed limit along the Fan Road, which would make the entrance safer.



Councillor S Hancock proposed the recommendation of delegated approval on receipt of a legal agreement and subject to conditions as set out in the report, and this was seconded by Dr R Plummer. This was put to the vote and carried.

DECISION: That the application be delegated to the Chief Executive, Director of Placemaking, Decarbonisation and Engagement or to the Development Management Manager to issue consent upon receipt of a completed legal agreement to cover affordable housing delivery, its retention in perpetuity and subject to conditions in respect of the requirement for a further approval concerning the scale, layout, appearance, and landscaping of the development; the timing of the development; requirement in respect of design, materials and scale; site levels; access; visibility splay; parking and turning; lighting; biodiversity; surface water drainage; Arborical Method Statement; Landscaping; and Permitted Development.

If no completed legal agreement was received within 3 months delegation was also given to allow Refusal of the application due to a lack of mechanism for securing affordable housing in accordance with Policies 48 and 55 of LDP2.

- (c) REFERENCE: NP/22/0520/S73
APPLICANT: Mr P Morgan
PROPOSAL: Variation of condition No. 2 of NP/15/0194/FUL - Amended plans -
LOCATION: Land off Feidr Eglwys, Newport, Pembrokeshire, SA42 0PT

Members were reminded that the site comprised a nearly finished residential estate granted approval in 2016 which was located to the south east of Newport Local Centre. The site comprised a total of 35 residential units with 14 being affordable housing units. Access to the site was provided off Feidr Bentick for the 21 open market dwellings and off Feidr Eglwys for the affordable housing units. The site also included internal footpaths which linked the development with Goat Street and Feidr Eglwys. The application before the Committee sought approval for variation of condition 2 attached to planning consent NP/15/0194/FUL to omit a footpath route on the northwest corner of the site, enhance another footpath route on the northeast corner of the site, minor works to an existing bat roost structure and also works to an existing footpath route on the south east corner of the site.

The application was reported to the Development Management Committee as the officer recommendation of approval was contrary to the



views of Newport Town Council. A number of other letters of objection had also been received to the application and the material considerations raised had been addressed in the officer's report.

The Officer's report set out a detailed consideration of the policies contained within the statutory Development Plan (Future Wales and Local Development Plan 2), National Planning Policy in the form of Planning Policy Wales (Edition 11), and having regard to all material considerations it was considered that the development would be in keeping with the aims of the LDP2 and Future Wales in that the development was considered to offer better, safer and more accessible footpath routes whilst sustaining the local character. The recommendation was one of approval, subject to conditions, however it was requested at the meeting that an additional condition be include in respect of the Ecological Management Plan, as this remained undischarged from the original permission.

Officers also wished to stress that the application had benefitted from extensive consultation with Pembrokeshire County Council Transportation and Environment section to ensure that the footpath met all the appropriate standards for shared use footpaths.

One Member expressed disappointment at the request to vary the condition and had some sympathy with Newport Town Council's concerns that the omitted footpath provided a shortcut to the school. Officers replied that there were several footpath routes which could be used and that the proposed was only a short distance longer and would provide a safer route, particularly with respect to the provision of tactile paving, barriers etc at the entrance to the footpath.

The recommendation of approval subject to conditions was moved by Dr R Plummer, seconded by Councillor D Clements and this was carried.

DECISION: That the application be approved subject to conditions relating to the timing of the development, accordance with approved plans and document, tree and landscape survey and Ecological Management Plan.

[The meeting was adjourned between 12.45pm and 1.25pm]

[Councillor M Wiggins and Dr R Heath-Davies had tendered their apologies and did not rejoin the meeting.]



- (d) REFERENCE: NP/23/0168/FUL
APPLICANT: Morgan Construction (Wales) Limited and Barcud Housing Association
PROPOSAL: Construction of 54 no. dwellinghouses and residential apartments, with formation of estate roads and associated infrastructure
LOCATION: Land North of Whitlow, Saundersfoot, Pembrokeshire, SA69 9AE

The application was reported to the Development Management Committee as it was classed as a major development. Several letters of objection had been received from members of the public and the material considerations raised were addressed in the report.

It was reported that this application for 54 dwellinghouses and residential apartments was located within the Centre boundary of Saundersfoot Local Centre, and was allocated for residential development under Policy47 of LDP2. The policy required 19 of these units to be affordable and the proposal was in accordance with this requirement. A Section 106 legal agreement would be required to ensure that the affordable housing units could be secured through this planning application and maintained in perpetuity. In addition to the affordable housing requirement, consultations with Pembrokeshire County Council had indicated that further financial contributions would be required in respect of Recreational and Amenity Open Space, Community Facilities and Sustainable Transport Facilities.

The Officer's report set out a detailed consideration of the relevant policies contained within the statutory Development Plan (Future Wales and Local Development Plan 2) and National Planning Policy in the form of Planning Policy Wales (Edition 11), and considered that, having regard to all material considerations, the application would be in accord with the Development Plan and would provide a development which was acceptable and could be supported.

A report examining the potential for C3 Use restrictions on the development was also appended, and this considered that the open market apartments/flats had the potential to have a significantly higher prevalence of holiday and second homes. It considered that there was evidence to justify conditioning 71% of the 19 apartments – 13 apartments – as C3 use (use as a sole or main residence) only.

The report's recommendation was therefore one of delegation to the Director of Placemaking, Decarbonisation and Engagement or to the Development Management Manager to issue consent upon receipt of a completed HRA and legal agreement to cover the planning obligations



including affordable housing delivery, its retention in perpetuity and subject to the conditions set out.

At the meeting, the officer noted that work in respect of the HRA (Habitats Regulations Assessment) had been completed by the Ecologist with a recommendation of approval subject to the Construction Environment Management Plan being referenced in condition 1. A response from Natural Resources Wales was awaited, and the Solicitor advised that a positive response was required from them confirming that there would be no adverse impact on the integrity of a European Site before any consent could be issued.

Members were pleased to see the provision of much needed social housing, inclusion of solar panels integrated as part of the development and the helpful analysis in respect of C3 use of some of the apartments. There was some concern regarding surface water drainage, but Members were reassured that this was covered by condition. The officer also confirmed that the affordable housing would be built to the Beautiful Homes and Spaces Standards which would provide minimum standards for internal and external spaces. The recommendation of delegation to officers to issue consent subject to completed HRA, legal agreement and conditions as set out in the report was proposed by Councillor R Jordan, seconded by Councillor C Williams. A vote was taken and this was carried.

DECISION: That the application be delegated to the Director of Placemaking, Decarbonisation and Engagement or to the Development Management Manager to issue consent upon receipt of a completed HRA and legal agreement to cover the planning obligations including affordable housing delivery, its retention in perpetuity and subject to conditions relating to timing of the development, accordance with approved plans and documents, surface water drainage, hours of construction, investigation in respect of coal mining, access, traffic regulation, visibility splays, provision of estate roads, bicycle storage, ULEV charge points, parking, accordance with the Construction Traffic Management Plan, Arboricultural Method Statement, Landscape & Ecology Management Plan, Construction Environmental Management Plan, lighting, C3 use restrictions and gigabit capable broadband.

If no completed legal agreement was received within 3 months delegation was also given to allow Refusal of the application due to a lack of mechanism for securing affordable housing in accordance with Policies 48 and 55 of LDP2.



- (e) REFERENCE: NP/23/0233/FUL
APPLICANT: Mr Underhill
PROPOSAL: Removal of southern reservoir bunds, relocation of Public Right of Way, implementation of new southern boundary hedgerow & new causeway path at Britton Hide with new tractor gate.
LOCATION: Marloes Mere, Marloes, Haverfordwest, Pembrokeshire, SA62 3BH

The application was reported to the Development Management Committee as it was classed as a major development.

It was reported that Marloes Mere comprised a semi-natural wetland habitat, designated as its own SSSI, bounded by public footpaths and agricultural land. The greater site was made up of a series of ponds and wetland areas which were lined with glacial silt and clay. Each winter the pasture flooded, forming the 'Mere'. Such pasture, on mineral soils and subject to long periods of inundation, was rare in west Wales. Scarce plants occurred, and the shallow winter waters and ponds were frequented by waterfowl.

The natural hydro-topography of the wetland had been disrupted by agricultural practice, most notably by irrigation reservoirs installed in the 1970s. This application sought permission to remove the bunds of the southern reservoir (which was no longer required for agricultural water retention) so that it became incorporated into the surrounding wetland area and increased the area of inundation around the reservoir margins. The removal of the bunds necessitated the implementation of an alternative public right of way route to the registered PRow on adjacent, higher and drier agricultural land. A new southern boundary hedgebank constructed from the reused bund material would separate the footpath from the rest of the field and access to the existing Britton Hide would be improved with a new causeway path linking from the new PRow

The aim of the proposal was to restore and improve the carbon rich habitats that had been lost to agricultural improvements, whilst also making the wetlands more accessible to a wider audience.

The Officer's report set out a detailed consideration of the relevant policies contained within the statutory Development Plan (Future Wales and Local Development Plan 2) and other material considerations. It concluded that the proposal supported the conservation of wildlife and habitats; ensured that a statutorily designated site was effectively managed (through restoration); and secured ecosystem resilience by improving the condition and extent of ecological habitat.



The proposal was modest in scale and proportionate to the surrounding wetland habitat and footpath network. Visitor use of the PRoW and experience of the landscape and its natural features would likely improve and better the enjoyment of the site would result. The proposal would conserve and enhance the special qualities of the National Park and could be supported.

It was confirmed at the meeting that the Ecologist had undertaken a Stage 1 Test of Likely Significant Effect as part of a Habitats Regulations Assessment and concluded that there would be no likely significant effect on the Pembrokeshire Marine Special Area of Conservation and therefore that no second stage Appropriate Assessment was required. A Construction Environmental Management Plan had been submitted with the application and Natural Resources Wales were satisfied with the pollution prevention measures contained in it in respect of the potential impact to protected sites nearby. It was also noted that a desk based assessment in respect of archaeology had also been submitted as well as details of the proposed hedgebank and conditions 6 and 7 could therefore be removed as the documents had already been supplied. These documents, together with an additional plan, would be referenced within the conditions. However an additional condition relating to an archaeological watching brief was requested.

Noting the cautious language in the report by the Ecologist that the proposal would “likely result in a betterment for biodiversity”, Members sought assurance that there would be a positive enhancement, and this was provided. Clarification was also sought regarding the timing of the work as the site was busy, particularly in the early summer, and officers replied that it was anticipated to take place in the near future due to the weather and impacts on biodiversity. The recommendation of approval was proposed by Dr R Plummer, seconded by Councillor P Morgan and this was carried at the vote.

DECISION: That the application be approved subject to conditions relating to timing of the development, accordance with approved plans and documents, accordance with GPP5, watercourses, application for a Public Path Diversion Order and archaeology.

[Councillors S Skyrme-Blackhall and C Williams tendered their apologies and left the meeting]



- (f) REFERENCE: NP/23/0251/FUL
APPLICANT: Dr J Spate
PROPOSAL: Construction of a 48m² agricultural building to store land management equipment, associated consumables and crops.
LOCATION: Land known as Parc y Floodgate, Velindre, Crymych, Pembrokeshire, SA41 3UU

This item was being considered by the Development Management Committee as the Community Council had objected to the application; the material considerations raised were addressed in the report.

It was reported that the site comprised an undeveloped parcel of land which was outside any Centre boundary as defined by Local Development Plan 2 and was therefore classified as countryside. The surrounding area was fairly rural in character. The site was being developed as an organic fruit and nut orchard and it was noted that significant planting had taken place on the site and therefore land management equipment was required which needed to be stored in a secure, dry shed; in addition there was a need for a space for short term crop storage. Officers considered that despite the business being in its infancy, the supporting information highlighted a long term commitment to the land and building within the application site.

The Officer's report set out a detailed consideration of the relevant policies contained within the statutory Development Plan (Future Wales and Local Development Plan 2) and other material considerations. It concluded that the proposed development was considered acceptable in terms of the principle of the proposed new building and would not have a detrimental impact on the character of the surrounding area in accordance with the policies of the PCNPA Local Development Plan 2.

It was reported at the meeting that the development had been subject to a pre-application and as a result the materials and the site of the building had been changed. Concerns highlighted by the Trunk Road Agency had also been addressed such that their objection had been withdrawn when the full application had been submitted, however they had requested an additional condition in respect of parking and turning of vehicles.

The applicant, Jessica Spate, then addressed the Committee. She explained that she was applying for a simple shed, the minimum size necessary to store the machinery. To date they had planted some 687 fruit and nut trees and bushes, however they were not expecting to reach full production for some time. Nevertheless they were now selling soft fruit to local retailers and hoped to increase the numbers before the end of the season as they had lots of apples on site. They were also pleased



to have shown that almonds and walnuts were both viable crops for the area. Provision of a shed on site would enable the purchase of additional machinery and enable the machinery that was currently on site to be stored in the dry and more securely. She confirmed that they had no interest in becoming a One Planet Development. She added that the shed had been sited slightly uphill so that it could catch rainwater and gravity feed this down to the more sensitive plantings.

The second speaker was Siân Jones from Eglwysrwr Community Council which were objecting to the application. She stated that the front elevation of the shed looked more like a bungalow, with large windows and doors and considered that these were only inviting thieves if the intention was to store tools. She was concerned that buildings allowed for legitimate purposes on small parcels of land were turned into residential and used for AirBnb leading to villages becoming urbanised. She suggested that if support was being given to the building because of the hard work of the applicant, that many people in the rural countryside worked hard and that this was not justification for granting planning permission. The Community Council's second concern was regarding highway safety and suggested that if the applicant was intending to grow fruit and nuts on a commercial scale and supply these to restaurants, shops and sell from a field gate, that that would increase traffic with the potential for greater number of accidents. She understood that a response was still awaited from Pembrokeshire County Council, however the road was the responsibility of the Trunk Road Agency and this was pointed out to the Authority by the Clerk. She noted that this was a location with a history of traffic accidents and remembered several tragic incidents. She went on to express concern about two statements in documents provided by the applicant, the first regarding extraction of water from Nant Dduad which had been used to irrigate the field of fruit and nut trees with no regard to the natural environment which depended on the water. The second point questioned the long-term nature of the project and suggested that in time the building would become a house, quoting from Planning Policy Wales that new business offering short term economic gain were unlikely to be appropriate. She concluded by saying that everyone was privileged to live in the County, and had a responsibility to keep it beautiful, to respect the streams and rivers and to prevent the fields becoming an urban jungle that so many had escaped from.

The applicant clarified that they had no intention of selling from the field gate. Also no licence had been required to extract water from the stream due to the small amount being abstracted.

Members considered the officer's report to be clear, and believed that the scale of investment to date was sufficient to warrant an effective store,



which was in itself a significant business investment. The recommendation of approval, with the additional Trunk Road Agency condition was moved by Dr R Plummer, seconded by Mrs J James. The vote was carried.

DECISION: That the application be approved subject to conditions relating to the timing of the development, accordance with approved plans and documents, agricultural use only, access track, protection of trees and hedges, biodiversity enhancement, lighting, parking and turning and removal of the vehicle currently used for storage.

[Councillor D Clements tendered her apologies and left the meeting]

7. Appeals

The Development Management Manager apologised that the two appeal decisions should have been included with the report. The first, NP/21/0191/FUL at Tyrhibyn Isaf for a replacement dwelling had been dismissed, while the second NP/21/0381/FUL at Bay View, 5 The Norton, Tenby for retrospective permission to convert a ground floor shop to a two-bedroom flat was also dismissed. In this case Listed Building Consent had been granted and the decision issued, but the planning permission had been later refused and this may have caused confusion. In future both decisions would be issued at the same time. This case would now be considered as an enforcement matter. Officers had also been made aware that the decision regarding Pantmaenog Mast which had been refused by the Authority had been appealed and further information regarding the timing of the hearing would follow. The Manager also noted that a new application had been received in respect of Trewern, Nevern which might impact the ongoing appeal at that location.

NOTED.

The Minutes of this meeting were confirmed at the meeting of the Development Management Committee held on 25 October 2023 without amendment.

