

# Development Management Committee

22 June 2022

## Present (In Person)

Dr M Havard (Chair)

Councillor Steve Alderman, Councillor Mrs D Clements, Councillor Dr SL Hancock, Councillor R Jordan, Mr GA Jones, Councillor PJ Morgan, Dr RM Plummer, Councillor Mrs S Skyrme-Blackhall, Councillor Mrs M Wiggins, Councillor A Wilcox and Councillor C Williams.

[Councillor M James arrived prior to consideration of the Minutes of the last meeting (Minute 3 Refers)]

## Present (Remotely)

Dr R Heath-Davies, Mrs S Hoss, Mrs J James and Councillor R Owens

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

### 1. **Apologies**

There were no apologies for absence.

### 2. **Disclosures of interest**

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

<b>Application and Reference</b>	<b>Member(s)/Officer(s)</b>	<b>Action taken</b>
<i>Minute 6(a)below NP/21/0399/FUL - The retrospective construction of a livestock barn and works to / related to a silage clamp to support functioning of the working farm, Land opposite Middle Broadmoor, Talbenny</i>	Councillor S Alderman	Withdrew from the meeting while the application was discussed
<i>Minute 6 below – general declaration as an NRW Board Member and Plantlife Trustee</i>	Dr R Plummer	Remained in the meeting and played a full part in the discussions and



voting on these applications

*Minute 7 below*  
EC21/0170 – Land at Overhaven House, Blockett Lane, Little Haven

Councillor SL Hancock  
Councillor P Morgan

Withdrew from the meeting while the application was discussed

### 3. Minutes

The minutes of the meetings held on the 18 May 2022, 13 June 2022 and 15 June 2022 were presented for confirmation and signature.

It was noted that on the minutes of the meeting of the 18 May the second paragraph on page 13 (minute 6(c)) omitted the unit of measurement for the ecological buffer i.e. 1.5m.

In respect of the minutes of the meeting held on 15 June 2022, it was requested that in future those attending remotely be indicated as such in the list of those present.

It was **RESOLVED** that:

- a) the minutes of the meeting held on the 18 May 2022 be confirmed and signed subject to the above amendment; and
- b) the minutes of the meetings held on the 13 June 2022 and 15 June 2022 be confirmed and signed.

**NOTED.**

### 4. Right to speak at Committee

The Chairman informed Members that due notification (prior to the stipulated deadline) had been received from interested parties who wished to exercise their right to speak at the meeting that day. In accordance with the decision of the National Park Authority of 7<sup>th</sup> December 2011, 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
NP/21/0399/FUL <i>Minute 6(a) refers</i>	The retrospective construction of a livestock barn and works to / related to a silage clamp to support	Louise Cunningham – Objector (online)



	functioning of the working farm – land opposite Middle Broadmoor, Talbenny	Oliver Cooper– Agent (in person)
NP/21/0743/FUL <i>Minute 6(b)</i> <i>refers</i>	Proposed residential development of 15 dwellings and associated works – Land adjacent to the Primary School, Trewarren Road, St Ishmaels	Sonja Groves – Objector (online) Rob Davies – Agent (in person)
NP/21/0614/FUL <i>Minute 6(c)</i> <i>refers</i>	Subdivide the existing plot to provide a new 4 bed, 1 & ½ storey dwelling with associated external works and shared vehicle access - Oratava, Manorbier	Anna Knibb – objector (in person) Oliver Cooper– Agent (in person)
NP/22/0165/FUL <i>Minute 6(d)</i> <i>Refers</i>	Replacement dwelling - Pencastell, St. Dogmaels, Cardigan, Pembrokeshire, SA43 3LZ	Mr Michael Renny – objector (online) Hedydd Lloyd – Community Council (online) Mr Andrew Hebard - applicant (online)

## 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 as distinct from that of a Local Authority including the Sandford Principle. It went on to outline the purpose of the planning system, the role of the Local Development Plan and relevant considerations in decision making, the Authority’s duty to carry out sustainable development, ecological considerations which included the role of the Environment Wales Act 2016, human rights considerations, the Authority’s guidance to members on decision-making in committee and also set out some circumstances where costs might be awarded against the Authority on appeal.

### NOTED

## 6. Report of Planning Applications

The Committee considered the detailed reports of the Development Management Team Leader, together with any updates reported verbally on the day and recorded below. The Chair advised that there would be a



change to the order of applications to allow NP/21/0743/FUL Land adj to the School, St Ishmaels to be considered earlier in the meeting.

The Committee determined the applications as follows (*the decision reached on each follows the details of the relevant application*):

[Councillor S Alderman had disclosed a prejudicial interest in the following item and withdrew from the meeting while it was considered.]

- (a) REFERENCE: NP/21/0399/FUL  
APPLICANT: REEF Ltd  
PROPOSAL: The retrospective construction of a livestock barn and works to / related to a silage clamp to support functioning of the working farm  
LOCATION: Land opposite Middle Broadmoor, Talbenny, Haverfordwest, Pembrokeshire, SA62 3XD

Members were reminded that retrospective consent was sought for a silage pit and livestock shed on two separate sites accessed off an unclassified access road. The silage pit and shed were required to support the functioning of the farming business at Lower Broadmoor Farm. The shed and silage pit had been located away from the main complex of farm buildings so as to provide young stock a degree of separation from the main herd to help prevent the spread of TB. The sites chosen were situated on previously developed land associated with the former WW2 aerodrome. The shed was predominantly screened from the wider area by an existing hedge bank and existing trees/scrub running along the road boundary. However it was visible at a distance, from the PCNP Coast Path and was situated on the skyline so was visible from the wider landscape. The officer confirmed that the silage pit was not lined, however any effluent would filter into an underground tank and this would be pumped out into a tanker and spread on the fields; the operational aspects of this were regulated by Natural Resources Wales (NRW).

The application had been considered at the previous meeting of the Committee in May 2022 when it had been deferred to allow a Committee site inspection to take place on 13 June 2022 (Minute 3 refers).

The first of two speakers to address the Committee was Louise Cunningham, an objector. As she had spoken when the application had been considered previously, she was advised she had 3 minutes in which to speak.

Ms Cunningham stated that the application didn't just affect them as residents and neighbours of the development, but also their business and guests, as well as residents of Talbenny and neighbouring villages. This



was exemplified by 108 tractor/trailer movements having taken place along the narrow lanes of Talbenny village during one day the previous week when silage was being collected. This was not uncommon, particularly since the displacement of a cattle shed and silage pit from Lower Rippeston Farm to the sites in question, and it was having a huge impact, both environmentally and on the tranquillity of the area, jeopardising the special qualities of the National Park. Internal roads were no longer being used to manoeuvre such farm traffic and it was noted that the site was a silage hub for farms located further afield, but also owned by REEF Ltd. The resultant increase in traffic had led to concerns regarding the safety of pedestrians using the Right of Way which ran along the access road.

Ms Cunningham noted that on maps of the National Park, the area of Little Haven, Dale and Marloes were shown as an area of tourism, highlighting the attractions of Skomer Island and the coast path, and this supported the local economy throughout the year. She expected the application to be rejected as there were significant objections from neighbours, residents of Talbenny and visitors; the Community Council had also objected. NRW had initially objected on the grounds of siting and design and said there were concerns of land contamination. Ms Cunningham was concerned that the integrity of the runway had not been determined and this was in proximity to the borehole from which their water was supplied. She believed that retrospective planning applications on this scale were out of control in the National Park, and if these were left unchallenged, it set a dangerous precedent and a poor example. Also that this application and the nature of industrial farming contravened the purposes of the National Park and it had a fundamental duty to prevent such breaches. She therefore urged the Committee to reject the application, or to issue a split decision to approve the shed and seek the relocation of the silage clamps.

In response to a question from a Member, Ms Cunningham stated that the silage area was used on a daily basis.

The second speaker was Oliver Cooper, the agent. He also had only 3 minutes in which to address the Committee. He noted that the recommendation was one of approval, and that at the site visit Members would have had the opportunity to see the efficient and organised operation of the farm, which was abiding by, and going beyond, the necessary legislation. He also noted that NRW considered the application to be acceptable, having agreed a comprehensive landscaping plan, and officers had found it to be compliant with the Local Development Plan. Turning to the comments of the Authority's Agricultural Advisor who also supported the application, these had agreed that the need could be justified and the location was acceptable and functional, and that new



buildings could not be readily constructed at the main farm. The site had previously been occupied by significant buildings and the reuse of land was welcomed. The visual impact was also considered to be acceptable. The landscaping scheme would screen the development and consisted of native buffer planting, hedges, trees and wildflower meadow; existing landscaping would be retained. This would mitigate any harm.

Turning to the objection regarding the perceived increase in agricultural traffic and noise, Mr Cooper noted that the proposals did not increase the scale of operations on the site, and there would be no increase in herd size. There were no highway objections, and the applicant had erected 20mph speed limit signs which Members would have noted when visiting the site. The noise and impact of the development were considered to be compatible with an agricultural landscape, and he therefore asked Members to approve the application in accordance with the officer recommendation.

Members were disappointed with the retrospective nature of the application, however the Director confirmed that this was not a material planning consideration and the application had to be considered on its merits. They asked the officer whether the prominent location of the shed was acceptable. The officer replied that while it was preferable for such development to be located on the farmyard, the policy allowed for other locations if this was not possible – physically or operationally. The officer confirmed that there was no possibility of developing at the farmyard without taking away productive agricultural land. Given that all statutory consultees, with the exception of the Community Council, did not object to the application, there was no reason to refuse it. Nevertheless, some Members remained unhappy with the location of the development in the open countryside.

Members also asked whether it was possible to condition vehicle movements and the storage of muck on site, but were advised that this was not possible. It was agreed that an informative could be added suggesting times of operation. In response to other questions, officers agreed that condition 4 could be amended to require a timescale for implementation of the landscaping scheme, and that all landscaping, not only trees, could be included within the remit of condition 7. Condition 6 could also be strengthened. It was requested that additional hedging be planted to the south of the shed to break it up in distant views, and the Solicitor noted that officers could request this as part of the landscaping scheme to be submitted. In response to a question regarding the ability of the Authority to monitor conditions on planning applications, the Solicitor replied that Members could not assume that enforcement would not be effective.



The recommendation of approval, subject to the amendment of conditions, was moved and seconded, and this vote was won, on the casting vote of the Chair.

**DECISION: That the application be approved subject to conditions relating to the timing of the application, accordance with approved plans and documents, light mitigation strategy, landscaping, biodiversity enhancement and planting.**

- (b) REFERENCE: NP/21/0743/FUL  
APPLICANT: Mr and Mr A & D Berry, Merry Bros  
PROPOSAL: Proposed residential development of 15 dwellings and associated works  
LOCATION: Land adjacent to the Primary School, Trewarren Road, St. Ishmael's, Pembrokeshire, SA62 3SZ

It was reported that this was a major application which sought full planning permission for 15 dwellings at land adjacent to the school in St Ishmaels. The site lay within the Centre boundary of St. Ishmaels, a Rural Centre as defined by Local Development Plan (LDP) 2, and was allocated for 13 no. dwellings, for which outline consent had been granted, of which 3 were affordable. The principle of development on this site was therefore established. This application proposed an increase of 2 no. dwellings to 15 dwellings, 4 of which were proposed to be affordable which was considered acceptable, in principle.

It was noted that a landscaping masterplan had been submitted which included the creation of a Pembrokeshire hedgebank on the boundary with the school with a 1.5m wide ecological buffer to the current boundary and a wildlife area at the rear of the site. This landscaping, together with the separation distance of 13m was considered to overcome any issues of overlooking towards the school. A financial contribution of £21,000 would also be required to create a pavement in the direction of the sports club to improve highway safety; the contribution would be secured via a S106 agreement.

The first of two speakers was Sonja Groves, the Headteacher at Coastlands School who was objecting to the application. As she had spoken at the previous meeting of the Committee, she was advised that she had 3 minutes in which to make her presentation.

Ms Groves thanked the Committee for visiting the site and viewing the development from the school, and also advised that she had been able to speak to the applicant and agent to raise her concerns regarding traffic management/parking, possible overlooking, sewerage and the disruption the building work would cause the children, directly. In response she said



that verbal assurances had been given that consideration would be given to moving plots 7 and 8 around so that the design of dwelling with the glass atrium did not overlook the outdoor teaching area and this was to be welcomed. The Agent would also contact Dŵr Cymru/Welsh Water to try to resolve the problem with the sewer. She concluded that although her concerns regarding traffic management and parking remained, she welcomed the development. With regard to the footpath, she advised that there was no formal agreement between the school and the sports club in respect of parking, and she noted that on a wet day parents were unlikely to walk the distance. She also advised that although parents were likely to use the new estate road for parking, this created issues of its own, and hoped that further improvements could be made to address these issues.

The Director of Planning and Park Direction advised that she was not aware that any amendments had been submitted and Members had to determine the application before them.

The second speaker was Rob Davies, the Agent, who also had 3 minutes to speak. He reiterated that the site was an allocation in the Local Development Plan (LDP) and also had valid planning permission for 13 dwellings; therefore the principle of development was established. He noted that the application had been accompanied by a suite of drawings and reports which had been considered by relevant technical consultees, who had raised no objections. The main concerns raised by objectors related to highways, overlooking of the rear teaching area and sewerage. Mr Davies noted that Members would have observed that the problem with traffic at school pickup time was existing, and believed that the development would improve this situation as it would allow informal parking to take place on the estate road. The Highway Authority had raised no objection, subject to conditions. Sufficient parking was provided within the scheme, with spaces in accordance with parking standards. The applicant had also agreed to a £21,000 contribution towards a 220m footway which would allow parents to park further away from the school and walk safely; this was a significant gain which had not been secured under the previous scheme.

In terms of overlooking, Mr Davies noted that the boundary mostly consisted of mature hedging/trees, which would be retained. Where there was a gap in the boundary at the rear of plot 7, a Pembrokeshire Hedgebank would be created and an early start would be made on this to allow it to mature. These boundary treatments, in addition to the separation distance from the school boundary were sufficient to ensure there was no impact. Finally Welsh Water/Dŵr Cymru had confirmed that there was sufficient hydraulic capacity in the system to accommodate foul flows from the development and he understood they were amenable to liaison with the school to resolve local issues. He concluded by saying





that the development would provide welcome housing, including affordable housing, in accordance with the LDP and asked Members to approve the application subject to a S106 Agreement.

One Member sought clarification regarding the involvement of a Housing Association (HA) in respect of the affordable housing. The Agent confirmed that, in accordance with the Authority's Supplementary Planning Guidance, low cost affordable housing units were proposed and no HA would be involved. The Director confirmed that these dwellings would be offered at 70% of open market value with a fall back to transfer to a HA if that was not possible and that the Local Authority cascade process in respect of a local connection would be applicable.

The Solicitor noted that the recommendation in the report was subject to an acceptable response being received to the Appropriate Assessment showing no impact on the integrity of the SAC, and asked whether such a response had been received. The officer confirmed that this was still awaited, however he believed that the opinion of the Ecologist was that there would be no such impact and that the Authority would be in a position to carry out an Appropriate Assessment. It was explained to members by the Solicitor that this was a requirement before planning permission could be granted.

One Member was concerned regarding the potential for damage to the hedge caused by creation of the footway as the road was very narrow in places. Officers advised that the land to be taken up was part of the highway verge; it was noted by the Solicitor that the Highway Authority might in any event have permitted development rights to undertake certain work, however they also had general ecological duties to consider before they made a decision to carry out any work.

Most Members supported the development and congratulated the developer on the provision of sympathetic landscaping and the positioning of the houses which would minimise any safeguarding concerns, and hoped that discussions with the school would be ongoing. Some, however remained concerned regarding road safety outside the school. The recommendation of delegated approval was moved and seconded, and the vote was won.

**DECISION: That the application be delegated to the Chief Executive/Director of Planning and Park Direction/Development Management Team Leader to approve subject to the submission of a S106 Agreement and an acceptable response to the Appropriate Assessment showing no impacts on the integrity of the SAC, and subject to conditions relating to timing of the development, accordance with plans and documents, lighting, submission of a**



## **Construction Environmental Management Plan, drainage, avoidance of the public sewer, highways, parking and construction management.**

[The meeting was adjourned between 11.50am and 12 noon]

- (c) REFERENCE: NP/21/0614/FUL  
APPLICANT: Mr S Callow  
PROPOSAL: Subdivide the existing plot to provide a new 4 bed, 1 & ½ storey dwelling with associated external works and shared vehicle access.  
LOCATION: Oratava, Manorbier, Tenby, Pembrokeshire, SA70 7TE

It was reported that the application site formed part of an existing residential amenity area associated with the host dwelling known as Oratava. The plot would share the existing main access and was located on the western part of the site which was gently sloping when compared to most of the remaining site which was steeply sloping. It was within the Centre boundary for Manorbier, as defined in LDP2, and the principle of developing the site for residential use was accordingly acceptable in principle. It was also considered that the development would have no adverse harm upon visual amenity, character and wider amenities of the area.

Policy 48 of LDP2 required that for sites where on-site provision of affordable housing was not appropriate (including where single dwellings were proposed) that alternative forms of contribution towards affordable housing provision are sought. In this instance a financial contribution towards off-site provision had been agreed, calculated at £250 per square metre of the floorspace of the proposed dwelling, and a completed s 106 unilateral undertaking or agreement had been submitted by the applicant.

An objection to the development had been received from Manorbier Community Council, and several letters of objection had also been received, with the issues raised summarised and responded to in the report. In conclusion, the officer considered that the proposed scheme represented an appropriate form of development in this location. The development by reason of its siting and design would preserve and not harm the special qualities of the National Park and the Manorbier Conservation Area. The proposal was also considered to be compatible with the strategic aims of conserving or enhancing the natural beauty, wildlife and cultural heritage of the National Park, and the public understanding and enjoyment of those qualities. On balance, the development complied with the requirements of policies of the Local



Development Plan and the recommendation was one of approval, subject to conditions.

It was noted at the meeting that a further plan had been provided at the request of officers, which showed the relationship of the proposed dwelling to the neighbouring dwelling. The Agent had clearly noted that for this plan the information had been provided from site photos and known levels.

A question was asked regarding the impact of the development on Manorbier Castle. The officer replied that views from the castle would be limited, due to the presence of intervening properties, landscaping and topography. The Director added that Cadw had raised no objection to the development.

It was noted that Mr Ray Hughes had been due to speak at the meeting on behalf of the Community Council, however he had been unable to attend.

The first speaker was therefore Anna Knibb who was objecting on behalf of a neighbouring property and other residents. She noted that the area had once been very green, affording privacy and amenity, however trees had been removed in preparation for the development. The roofline of the proposed development was above surrounding properties and would be visible from the Castle, Church, sea and coast path. Manorbier Community Council (MCC) had objected to the scale of development and that the plot was insufficient to accommodate it. Due to the plot being on a steep gradient, there would be a drop of 6 foot, which would put pressure on a historic boundary wall and she questioned the proximity of the dwelling to that wall. She disagreed that the proximity to the neighbouring dwelling was acceptable and not overbearing, and there were no plans showing the height of the proposed dwelling in relation to existing dwellings, meaning that the potential for overbearing could not be assessed. No topographical plans had been submitted and she believed that a detailed study of land levels was necessary. No consideration of the loss of light to the ground floor of the neighbouring property had been given and she did not believe that the scheme complied with the 45 degree angle rule. Also the proposed dormer window would look directly into the neighbour's velux windows, losing privacy and light; the chimney would also have a negative impact.

MCC had expressed concern regarding the infrastructure and the Highway Authority had also said it was close to capacity, with the existing access already being used to service three dwellings, and the existing entrance being used for passing and turning. The refuse lorry was unable



to use the lane as it was too narrow, and there was concern regarding the safety of pedestrians as it was also a Right of Way.

Ms Knibb considered that the removal of trees had impacted biodiversity and although re-planting was proposed, those trees would be small and take time to mature. She was also concerned that the conditions relating to landscaping often expired before completion of the development. Noting that an Archaeological Scheme of Investigation had been submitted, she believed that excavation had already taken place close to the boundary wall contrary to the watching brief.

It was considered that drainage issues needed to be carefully considered as the site was 1 metre above the neighbouring property and percolation testing should be required before determination of the application as much of the soil in the area was clay. She feared that this would also impact the suitability of the site for the necessary septic tank, the area not being connected to mains sewerage. Due to the distance from neighbouring dwellings and boundaries, she considered that the drainage field may not be adequate. In summary, she considered that a cross section of the site showing the topographic changes and impact on neighbouring properties needed to be submitted as well as a percolation plan. She asked that Members visit the site.

In response to a question from a Member, Ms Knibb confirmed that properties other than the subject of the application would also be visible from the castle, sea and coast path

The second speaker was Oliver Cooper, the Agent. He noted that the application was recommended for approval, and that the development was wholly appropriate in respect of the policies of the LDP, the revised proposals having addressed the comments made in the previously withdrawn application. He concurred with officers that given its location, the principle of development was acceptable, and noted that the land had previously benefitted from a now expired consent for a dwelling. In terms of siting, design and impact, the Building Conservation Officer had agreed that the dwelling offered a traditional design and cottage scale which preserved the character and appearance of the Conservation Area.

Turning to the comments of neighbours and the Community Council, the development was considered appropriate to the site and its context, which was of a mixture of storey heights. The dwelling comprised a modest 15% of the site and due to large separation distances, generous amenity, planting and landscaping, which had been supported by the Landscape and Biodiversity officers, was designed to preserve the future amenity of Oratava and beyond. There were no material privacy issues and overlooking had been mitigated through orientation, siting of windows and



additional planting on the southern boundary. In terms of the highway implications, Mr Cooper noted that the Highway authority supported the application, noting that there were adequate areas for turning, passing and parking. The access lane was adequate to support the development and there was no harmful impact on safety.

With regard to other matters, the development was acceptable, subject to conditions in respect of heritage, landscaping, biodiversity, drainage and archaeology. The development would contribute to affordable housing through the provision of commuted sum which would bring economic and social benefits through its contribution to delivery of off-site affordable housing. The development was therefore considered to be policy compliant and the Committee was asked to approve the application in line with the officer recommendation.

One Member sought clarification regarding land drainage to the south western side of the plot as photographs had shown a ditch in this area. Mr Cooper replied that land drainage would be considered as part of the SAB (Sustainable Drainage Approving Body) process, which was separate to the planning process.

A proposal that the application be deferred to allow a site visit to be undertaken was moved and seconded.

**DECISION: that the application be deferred to allow a site visit to be undertaken.**

- (d) REFERENCE: NP/22/0165/FUL  
APPLICANT: Mr A Hebard  
PROPOSAL: Replacement dwelling  
LOCATION: Pencastell, St. Dogmaels, Cardigan, Pembrokeshire, SA43 3LZ

It was reported that the site of Pencastell lay above Ceibwr Beach on the cliffs to the northwest of Moylegrove. The site was in an exceedingly prominent and sensitive location of the National Park, the top of the gable end of the existing dwelling being just visible from the beach at Ceibwr whilst the principal views of the site would be from the adjoining Coastal Path which ran along the eastern side of the dwelling. The adjoining land was also designated as Heritage Coast.

Historically, the property was believed to have been four agricultural workers dwellings which had been converted to a single dwelling early last century, but which had also been extended and modernized in more recent years. The current property had three bedrooms, a large wrap around conservatory and a double attached garage.



Members were reminded that, following a site inspection, the Committee had refused an application for a scheme on the same site in July 2021.

The current proposal presented a replacement dwelling and detached sunken garage which largely followed the footprint of the existing dwelling. The subterranean garage was located at the northern end of the curtilage of the dwelling. The design submitted for consideration had reduced the overall height from the previously refused application and had taken a different design approach. The house had been designed as if it were a traditional dwelling in terms of its scale and form at the northern end, with a more contemporary addition to the southern end as though this had been a natural evolution.

Approximately 12 responses of objection had been received from third parties in respect of the application, in addition to an objection from Nevern Community Council.

Officers considered the proposed scheme to be acceptable in terms of scale, form, materials, and design, and the development would not cause an unacceptable or detrimental impact to the special qualities of the National Park. As such, the proposal complied with policies of the Local Development Plan and the recommendation was one of delegation to approve the application subject to conditions.

The first of three speakers was Michael Renny who was objecting to the application. He said that the stated aim of the National Park was to protect its heritage assets which included the landscape; the landscape in the north was not of large houses, but buildings of a more modest size which provided homes for people who worked in the area. He believed Pencastell had originally been three cottages and it was extremely visible from the coast path, as well as the lane from Moylegrove to Ceibwr and south to Newport where it stood out on the hillside. He therefore considered that any changes would be detrimental to the heritage landscape and that the development should be rejected to maintain what was existing. Mr Renny did not accept that the current dwelling needed to be demolished as it was not in a state of disrepair, and could be made more efficient without changing its appearance. He believed there was a strong argument to show that the energy needed to demolish a property was far greater than that needed to improve an existing building. Old buildings were part of the beauty of the area and he didn't understand why anyone would want to change them, or why the National Park would consider such changes. Mr Renny noted that the property was adjacent to the coast path and also to an historic monument after which it was named. He noted that the area was attractive to tourists who came to experience the unique coast and country and redevelopment would



disrupt tourism on which many people relied. He therefore urged the Committee to reject the application.

The second speaker was Hedydd Lloyd who began by speaking on behalf of Richard George of Trerhys, who was the third generation of farmers living there. He was dismayed at the possibility of demolition as he had spent a lot of time there with previous owners of the property, and he considered it to be an unique and amazing house which was functional, homely and sound. All traffic to the property had to go through his farmyard, and therefore the construction traffic would be disruptive to him and to users of the bridleway which also ran along the road.

Turning to the views of Nevern Community Council (NCC), Ms Lloyd stated that they believed planning permission should be refused. She noted that these were the third set of plans to come before NCC, previous versions being more obtrusive, and she quoted from a document produced by the Agent which said that the design aimed to ensure that the sight and sound of breaking waves could be seen and heard from the living room ie to allow the occupants to enjoy the splendour, however this was at a cost to the views of visitors on the coast path and at Ceibwr. Presently only the top of the chimney could be seen, and while the overall height was not greater than that of the chimney, the pine end was a glass fronted wall which was seven metres closer to the cliff edge than the chimney, and this would spoil the views, and would also be more obtrusive as it shone in the sun.

She noted that locals felt frustrated and disappointed in the National Park Authority, and visitors would be confused as to why a new build had been allowed on the cliff top, as they wouldn't know there had been a house there previously. This put out a message of bad planning.

Noting that it had been stated that the new building would be energy efficient, she questioned at what cost, as there would be a huge carbon load in demolition and she considered that other than the south glass pine end, the current proposal was not that dissimilar to the existing dwelling and questioned why demolition was needed. She asked that a creative solution be found for the house's redevelopment.

The Chair noted that Members of the Committee had also received an email from Mr George.

The final speaker was Andrew Hebard, the applicant. He explained that following consideration of the previous application by the Committee, he and his architect had taken on board the feedback and guidance provided which had challenged them to do better, and the current proposal had focussed on addressing the concerns while not losing sight of the



sensitivity of the project. The current application reduced the overall size of the dwelling, which was now 6.2m shorter than the original building, the footprint was 2m<sup>2</sup> (less than 1%) bigger than currently and the ridge height was no higher than the original building. With regards to comments about the historic and traditional nature of the building, only 13.6% of the original elevations remained, with nearly all original features lost – 86% of the house was of modern cavity construction. Nevertheless where possible stone would be salvaged and used to face the external walls. Having commissioned a structural survey, this had concluded that the building was beyond economic repair. A geological assessment had also been undertaken and this had raised no concerns of the suitability for rebuild. Mr Hebard took on board the disruption caused by demolition, and assured the Committee that his project manager would work with neighbours to minimise its impact. He believed that they had been as mindful and thorough in their due diligence as possible. He explained that his profession was in environmental stewardship and regenerative health, and his daughters worked in rural and environmental businesses and they therefore understood and respected the concerns raised and would reflect these in the construction process.

Members thanked the officer, who could not be at the meeting as she was attending a planning appeal, for her work in balancing the challenges of a difficult site. Acknowledging that this was a very special location within the National Park, they expressed concerns regarding light spill and reflection from the glazed gable, and acknowledged that although this could not be conditioned, it did impact on wildlife/migrating/feeding birds. The other concerns related to obstruction of or damage to the Coast Path and impact on neighbouring properties and it was requested that a condition be included to require a Construction Management Plan. The Director noted that there was an overhang where the glazing looked out to sea which would help light spill and given that the existing dwelling included a large wrap around conservatory it was not considered that the proposed gable would cause greater harm. There was also a condition to protect the public right of way, and she noted that this would be supplemented by the rights of way legislation which offered further protection. A further condition to include a construction management plan could be included. With regards to comments made about demolition and rebuilding of the dwelling, the Chair noted that the Authority did not have a policy in this respect.

Some Members believed that the proposals would have a detrimental impact on the special qualities of the National Park as the dwelling would be visible in many views both to the north and the south. They were also sad to see the loss of a well-loved vernacular building.

**DECISION: That the application be delegated to officers to approve,**





**subject to conditions regarding timing of the development, accordance with approved plans and documents, protection of the right of way, ecological mitigation, external lighting, archaeology, removal of permitted development rights, use of the garage, ground levels, materials, finishes and Construction Management Plan.**

[Councillors SL Hancock and P Morgan had declared an interest in the following matter and withdrew from the meeting. Councillors A Wilcox, S Skyrme-Blackhall and C Williams tendered their apologies and left the meeting also]

**7. Matters Relating to Enforcement – EC21/0170 – Land at Overhaven House, Blockett Lane, Little Haven**

The Committee was advised that an Enforcement Notice had been issued and served by the Authority on 23rd March 2022 relating to the unauthorised erection of 2 no. pole mounted CCTV cameras and the erection of a 2.7 metre high metal fence enclosure along the western and northern boundary of the property known as Overhaven House, Blockett Lane, Little Haven. The Enforcement Notice had not been complied with and authorisation was sought for officers to instruct Solicitors to commence prosecution proceedings in the Magistrates Court.

At the meeting, it was reported that the landowner had asked that the Notice be withdrawn and re-issued to allow them to appeal, as they had been unable to previously as they had had Covid. The Director noted that the Notice had been hand delivered and no indication had been given regarding any illness at that time. However she also noted that a planning agent had now been appointed and a meeting sought to resolve the matter. Notwithstanding this meeting, she asked that authorisation be given to proceed to prosecution.

The Solicitor advised that it was a decision for Welsh Government as to whether a late appeal could be made, and they had refused in this instance, however he was not aware of any valid ground for such an appeal being put forward by the landowner. He advised that the suggestion that the landowner had Covid had come some time after the enforcement notice was originally served by hand on the landowner, noting that the notice was subsequently sent to the landowner's business address and that in between times there had been further activity on site that was potentially in breach of planning control, which was the subject of investigation. He added that the Authority had an ongoing duty to continue to discuss matters with the landowner, and if it was no longer in the public interest to proceed with the prosecution, it could be withdrawn. As such if there was evidence of a valid ground of appeal arising, that could be considered in due course.



Members agreed that it was important that Authority continued to take appropriate enforcement action as it sent an important message to show the Authority's commitment to managing and enforcing the conditions imposed.

It was **resolved** that authorisation be given to the Chief Executive/Director of Park Direction and Development Management Team Leader to instruct Solicitors to commence prosecution proceedings in the Magistrates Court for non-compliance with the Enforcement Notice EC21/0170 in relation to land at Overhaven House, Blockett Lane, Little Haven.

## **8. Appeals**

The Director reported on 6 appeals (against planning decisions made by the Authority) that were currently lodged with the Welsh Government, and detailed which stage of the appeal process had been reached to date in every case.

It was noted that the appeal at Park Farm Holiday Park, Manorbier had been withdrawn. Also an appeal decision had been received in respect of NP/21/0106/FUL - Isfryn, Pontyglasier, Crymych, and this had been dismissed.

An update was sought regarding the Trewern appeal, which had been ongoing since 2015, and the Director advised that the Habitats Regulations Appropriate Assessment had now been completed, and it was hoped that an application would come before the Committee in the near future.

**NOTED.**

The Minutes of this meeting were confirmed at the meeting of the Development Management Committee held on 20 July 2022 without amendment
--

