

**Pembrokeshire Coast National Park Authority Local Development Plan 2****Session 5: Visitor Economy, Employment and Community Facilities****Hearing Statement by Lichfields on behalf of Bourne Leisure Ltd****Representor Number: 1092****Agent: 4492****Issued 19 June 2019**

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***Question 2: Does the Plan, through Policy 39 provide an appropriate framework for the consideration of proposals for new or enhanced tourism accommodation, facilities and attractions?***

1. We cross refer the Inspector to our submission on behalf of Bourne Leisure that endorsed emerging Policy 39. The visitor economy is extremely important to the social and economic functioning of the National Park and it is vital that the LDP provides a strong positive framework that facilitates well-considered, balanced, and appropriate growth in tourism infrastructure - essential to attract visitors to the area - that in turn will support and enhance the well-being of those who live and work in the area.

2. The Employment Background Paper (2018) confirms that in Pembrokeshire tourism alone provides approximately 14,000 full time jobs directly.

3. The purposes of the National Park and its wider functions are intertwined.; social, economic and environmental aspects all need to be considered.

4. PPW states,

*“A Prosperous Wales can be realised by valuing the quality of our landscapes and historic environment as important for tourism, business, local employment, locally sourced building products, in attracting inward investment and to be accessed, used and enjoyed by local communities.”*

5. The emerging policy recognises the need to achieve this objective and provides a context that will allow opportunities for investment and innovation whilst ensuring that the most sensitive areas within the National Park are protected. In this regard the emerging policy reflects Paragraph 5.5.6 of PPW.

6. In the submitted representations we raised a single concern regarding the emerging policy. Neither the draft policy, nor its supporting paragraphs, make it clear that in considering applications for development (to achieve the strategic objectives of the emerging LDP) there may be the need to mitigate some impacts of the development in order to ensure that there are no unacceptable impacts upon the special qualities of the National Park.

7. In considering our representations, the National Park Authority has considered it not appropriate to make an amendment to the emerging policy (ref: Deposit Plan Responses Table entry 99.). Its reason is that,

*“The degree to which mitigation measures can be accepted varies depending on the significance of the designation being considered.”*

8. It also refers to Policy 8 and 10 and provides a reminder that there needs to be compliance with the Environment Act 1995. We do not consider that realising growth in tourism and conserving the National Park and its designations are mutually exclusive. Indeed, the overarching need to conserve and enhance the special qualities of the National Park and sites and species of European importance would be very important

factors as part of the consideration of whether proposed mitigation(s) measure is acceptable and the decision on whether a measure(s) would be acceptable would be one for the National Park to make.

9. The principle of mitigation measures is well-established and PPW recognises that mitigation measures may be needed in cases such as flooding, transport, ecology etc. It adds that conditions or S106 agreements could used as a means of securing such measures.

10. The lack of support to take mitigation measures into account when making a decision would limit - on the face of it - development to all but the most minor applications for the visitor economy. In so doing such an approach would risk undermining the strategic policy for the visitor economy entirely and as such would prevent the National Park from attracting visitors outside the peak season.

11. On this basis we consider that to make the plan sound there is a need to explicitly include the ability to mitigate impacts within emerging Policy 39. As currently worded the plan will not deliver what it sets out to do for the tourist economy.

12. We cross refer the Inspector to our Deposit Representations for Policy 39 and the amended wording suggested for the emerging policy. An alternative could be to amend the policy to read,

*“After taking into account any mitigation measures, activities which would damage the special qualities of the National Park will not be permitted (see also Policy 8). Proposals under this policy which might represent a threat to any sites and species of European importance will not be permitted (see Policy 10).”*  
(Proposed amendment underlined).

*The response to Question 5 starts on the next page*

**Question 5: Are the requirements of Policies 42 and 43 clear and consistent with national policy?**

**Policy 42**

1. Bourne Leisure endorses the approach taken by the National Park Authority in emerging Policy 42. We cross refer the Inspector to Bourne Leisure's representations particularly with respect to the reasons why such as approach is important for both tourism accommodation operators, the well-being of the National Park. It is evident that the two are dependent on one another.

2. We do not repeat those reasons in this Hearing Statement. In direct response to the Inspector's question we consider that the Authority provides a positive framework for caravan, camping and chalet accommodation for the National Park and that draft Policy 42 is clear and consistent with national policy.

3. PPW states,

*"Planning authorities should provide a framework for maintaining and developing well-located, well designed, good quality tourism facilities. They should consider the scale and broad distribution of existing and proposed tourist attractions and enable complementary developments such as accommodation and access to be provided in ways which limit negative environmental impacts as well as consider the opportunities to enhance biodiversity." (Paragraph 5.5.6)*

And,

*"The planning system encourages tourism where it contributes to economic development, conservation, rural diversification, urban regeneration and social inclusion, while recognising the needs of visitors and those of local communities. The planning system can also assist in enhancing the sense of place of an area which has intrinsic value and interest for tourism. In addition to supporting the continued success of existing tourist areas, appropriate tourism-related development in new destinations is encouraged. In some places however there may be a need to limit new development to avoid damage to the environment or the amenity of residents and visitors." (Paragraph 5.5.2)*

4. The draft Policy provides an appropriate balance sought by national policy as set out in the two above paragraphs.

**Supplementary Planning Guidance**

5. In response to Bourne Leisure's representations on draft paragraph 4.222, we welcome the National Park Authority's commitment to engaging with representative organisations such as the Caravan and Camping Forum during the formulation stage of the proposed SPG (NPA response to item 103. in the Deposit Plan Responses Table document). Subsequent telephone conversations between us and the NPA have confirmed that Bourne Leisure will also be included in the invitation to this early engagement.

6. Despite this positive response the emerging LDP has not been amended to reflect these commitments. Should there be a failure to consult at the earliest stage with the industry, including key operators in the National Park, there is a real risk that the SPG will result in guidance that does not reflect the needs of the industry with a missed opportunity to work together to achieve the overarching strategy sought by draft Policy 39.

7. PPW and the Local Development Plan Manual (Ed 2, 2015) recognise the importance of engagement in the planning process. The Local Development Plan Manual highlights that where an Authority intends to bring forward an SPG it will set this out in the Delivery Agreement. The July 2016 Delivery Agreement for the

National Park does not anticipate the preparation of an SPG for caravans and camping and therefore does not set out an approach to consultation on its preparation. Further, the key stakeholders listed in the Delivery Agreement for the preparation of the LDP do not include the Caravan and Camping Forum referenced in the NPA's response.

8. As such and for the purpose of ensuring an effective and early input into the SPG can be made we ask that the following text is added to draft paragraph 4.222,

*“The Authority will engage with the caravan and camping industry, including the major operators such as Bourne Leisure, at the earliest stage of preparing the SPG.”*

9. We recognise that the Capacity Study is an Authority wide document that has sought to provide detailed guidance on broad parcels across the National Park. From this document the National Park has developed draft Policy 42. The Capacity Study has not assessed every parcel of land across the National Park and therefore its function as part of the evidence base for the LDP is important but it does not provide a definitive policy position for each parcel of land. In this context each application will need to be considered on a case by case basis.

### Seasonal occupancy conditions

10. In response to paragraph 4.231, Bourne Leisure raised concerns regarding the proposed use of conditions to prevent year round occupancy and seasonal use being limited to the beginning of May to the end of September. In its response at Item 107. of the Deposit Plan Responses Table the NPA stated that the two sentences relate to separate circumstances with the first relating to avoiding the accommodation for permanent residence and the second where there is a need to protect features of the National Park at certain times of the year. As such the NPA has chosen to disagree with our requested amendment.

11. Having considered the NPA's response carefully the objection to paragraph 4.2.31 raised in our Deposit Plan representation remains unresolved. The reasons set out by the NPA are valid and recognised considerations for the Authority in decision-making. However, the emerging LDP does not state this and as currently drafted the supporting paragraphs to Policy 42 could be used to unnecessarily restrict all types of tourism accommodation year-round, at odds with Strategy Policy 43. For this reason the LDP fails the third test of soundness.

12. We cross reference the Inspector to our suggested wording in our Deposit Plan representations but propose an additional amendment recognising the concerns of the NPA with regard to the second sentence in paragraph 4.2.31. As an alternative, perhaps the Inspector will also consider amending paragraph 4.2.31 to:

*“**Conditions:** A condition preventing year-round occupancy by the same occupant will be included on any permission granted. Seasonal use may be restricted where it is necessary to avoid significant adverse impacts upon the landscape ~~will usually be limited from beginning of May to end of September.~~” (proposed amendments underlined)*

### Policy 43

13. We will rely on the representation submitted to the Deposit Plan and refer the Inspector to that submission.