

Development Management Committee

16 October 2024

Present (In Person)

Dr M Havard (Chair)

Councillor T Evans, Councillor Dr SL Hancock, Councillor M James, Mr GA Jones, Dr RM Plummer, Councillor B Price, Councillor V Thomas, Councillor A Tinley (observing), Councillor M Wiggins.

Present (Remotely)

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

Officers in attendance

Mr C Felgate (Solicitor), Mr M Kent (Monitoring Officer), Mrs S Morris (Director of Place and Engagement), Mrs K Attrill, (Development Management Manager), Ms B Gledhill (Planning Officer), Mr S Bengel (PCC Highways Department), Ms R Blackman (Ecologist), Mrs C Llewellyn (Minutes)

[Llanion Park, Pembroke Dock and Virtually 10.00am – 11.45am;
12.00pm – 1.10pm; 1.45pm – 2.45pm]

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 Director of Plantlife Biodiversity Enhancements Ltd	Dr R Plummer	Remained in the meeting and played a full part in the discussions and voting
Minute 6(a) below NP/24/0198/FUL - Proposed building and change of use to outdoor adventure centre, with associated storage	Councillor D Clements	Withdrew from the meeting while the application was discussed



works - The Old Bus Depot, Moylegrove	Councillor M James Councillor B Price	Remained in the meeting and played a full part in the discussions and voting
Minute 6(b) below NP/24/0427/FUL - Mixed use of 11-13 Nun Street as Bed and Breakfast Accommodation and to house part of the gin distillery plant that is required for processing gin distillations for St Davids Distillery Ltd - 11-13 Nun Street, St Davids	Councillor B Price	Remained in the meeting and played a full part in the discussions and voting

3. Minutes

The minutes of the meeting held on the 4 September 2024 were presented for confirmation and signature.

On the proposal of Councillor Hancock, seconded by Councillor James, it was **resolved** that the minutes of the meeting held on the 4 September 2024 be confirmed and signed.

Noted.

4. 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 that consideration 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, 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. 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.

5. 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
NP/24/0198/FUL Minute 6(a) refers	Proposed building and change of use to outdoor adventure centre, with associated storage works - The Old Bus Depot, Moylegrove	Adam Nardell – Objector Richard George – Community Council Andrew Vaughan-Harries – Agent / Peter Ainsworth – Applicant
NP/24/0427/FUL Minute 6(b) refers	Mixed use of 11-13 Nun Street as Bed and Breakfast Accommodation and to house part of the gin distillery plant that is required for processing gin distillations for St Davids Distillery Ltd - 11-13 Nun Street, St Davids	Mr Walsh – Applicant

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

[Having declared a prejudicial interest, Councillor Clements withdrew from the meeting during consideration of the following application.]



- (a) Reference: NP/24/0198/FUL
Proposal: Proposed building and change of use to outdoor adventure centre, with associated storage works
Location: The Old Bus Depot, Moylegrove

It was reported that this application for a two-storey adventure centre, and associated storage building had been submitted on the site of a former bus depot which had been disused for a number of years. Considerable objections had been received in relation to the proposal, raising a range of issues including concerns about design, impact on residential amenity, impact on the wider environment at Ceibwr and conflict with local policies and the Sandford Principle. Material considerations were addressed in the report before the Committee.

Through the application process a revised design had been submitted as an amendment which was considered to better respect the local vernacular of an edge of settlement development, and re-consultation had taken place. The description of the proposal had also been amended to omit the art studio.

The DM Manager in her presentation identified that Ceibwr Bay was a very sensitive site and showed map boundaries demonstrating the extent of the Aberarth Careg Wylan Site of Scientific Interest (SSSI) and Cardigan Bay Special Area of Conservation (SAC). The application had been subject to a Habitats Regulation Assessment (HRA) and subject to the imposition of appropriate conditions the proposal was considered acceptable in terms of the Cardigan Bay Special Area of Conservation (SAC). The assessment of potential impacts on biodiversity had been informed by a survey undertaken by Natural Resources Wales (NRW), a draft report for which had been shared with the PCNPA Ecologist.

The Authority's Ecologist presented the HRA and outlined the assessment process. She noted that there was an existing level of activity at Ceibwr and while there was potential for disturbance of individual Grey Seals due to intensification of use, this did not equate to an impact on the integrity of the SAC which considered matters on a population basis. There was also an opportunity to improve the situation through an Access Management Plan, the National Trust Concordat and Outdoor Charter and the provision of information boards. The Assessment had concluded that there were no additional risks and the application would not undermine the favourable conservation status of the seal population associated with the Cardigan Bay SAC. NRW had agreed with these conclusions. She added that the Environment (Wales) Act 2016 also contained a duty for the Authority to consider the impact on the habitats of other species – she noted that Condition 20 allowed for



consideration of other species such as peregrines and choughs if this was necessary.

The Development Management Manager pointed out two typographical errors in the HRA – the application date on the front page and the reference to maximum distance of 50 meters from seals on page 14 should have read minimum; these had been corrected. She also noted that the application had twice been deferred by the Committee, firstly to allow preparation and publishing of the HRA and secondly to allow NRW to consider objections to it. It was also reported at the meeting that since writing the report, Welsh Government had withdrawn its Holding Direction which prevented a positive decision being issued in respect of the application; delegation of the decision was therefore no longer sought. Further late representations had also been received in respect of both the HRA and the application and these were summarised by the officer, having previously been circulated to Members, together with an ecological response. The Ecologist's response was read out at the meeting.

The officer also requested amendments to three conditions set out in the report: the list of plans in condition 2 needed to be updated, an addition to condition 19 to require the tin shed to be maintained on site in perpetuity and details of what should be included in the transport and access management plan required by condition 20. An additional condition in respect of electric vehicle (EV) charging points was also sought.

Officers were satisfied that subject to conditions, the proposal complied with relevant National and Local Planning policies and that it was acceptable in terms of design, amenity and highways safety. A recommendation of approval was therefore made.

Members sought clarification on a number of points, and were advised that conditions were proposed to address possible land contamination on the site; provision of EV charging points was required by Future Wales and the Authority's Sustainable Transport policy, and that electricity companies were under a duty to provide grid capacity for this; the annual Transport and Access Management Plan would incorporate best practice from the National Trust Pembrokeshire Coast Steering Concordat and Outdoor Charter and any reports of breaches to this Plan would be enforceable through the planning system; Condition 20 would be discharged annually and would involve consultation with NRW – this annual discharge would enable appropriate management should any new species such as choughs become present and require any alteration to management; the Highway Authority had undertaken surveys in July/August 2023 to measure vehicle numbers and speeds on the roads around Ceibwr and noted that there was already conflict between



vehicles, however the intention of the application was to reduce the number of vehicles on the roads and thereby improve the situation; they were content that visibility splays from the site's upper access were sufficient and that there was sufficient parking on site.

[The meeting was adjourned between 11.45 and 12.00pm]

The first speaker was Adam Nardell, an objector, who was speaking on behalf of himself and other members of the community. He explained that he had worked in regeneration development for 30 years and considered that the application lacked consideration by experts on traffic, highway, flood and contamination matters. He noted that there had been no consultation with the local community, which had not had the opportunity to share their concerns. He believed that the Committee was being asked to make a decision without having all the facts and asked them to refuse the application for several material reasons. Firstly although there was a suggestion that the existing location of the business was under threat, this had not been substantiated; if the development was not needed and there was no threat to existing jobs, there was no justification for development in the open countryside and no economic benefit to the community, which would have to suffer as a result of potential increase in traffic and congestion on narrow roads. Secondly the development was more visually intrusive than the previous use of the site as it was at a higher elevation than neighbouring properties and would therefore have a significant detrimental impact on amenity, and would be intrusive and overbearing.

One Member asked about the disturbance suffered when the site was used as a bus depot, however Mr Nardell explained that he had not lived at the property at that time. Officers added that consideration had been given to protection of amenity and a condition was proposed to limit the hours of use.

The second speaker was Richard George, speaking on behalf of Nevern and Moylegrove Community Council which had considered the application a number of times, and in relation to which he noted that there were over 60 documents. He explained that the Community Council were concerned with damage to the environment at Ceibwr which he described as rugged and unspoilt, and believed that eco-tourism should be at its heart, rather than an increase in leisure activity. The Community Council considered that the proposed building was too high, at over eight metres it was the height of two double decker buses; the original building having been 6.4m. There had also been an increase in floor space from approximately 315m² to 370m². This did not comply with Policy 7 of the Local Development Plan which required the proposed development to make a positive contribution to the character of the surroundings.



They were also concerned about the greater volume of traffic which was likely to be generated, particularly in the summer months when roads were already busy with tourists, farmers and other leisure providers. They had safety concerns regarding the planned use of both push bikes and e-bikes along the narrow lane to Ceibwr.

The Community Council also wished to point out that the applicants may not lose access to the farm where equipment was currently stored and this should not be used as a justification for the development; it was noted that they also had sites at Cardigan and Llandysul. While the applicant had stated that a vocal minority was opposed to the development, Mr George noted that Members attending the site inspection would have noted that a majority of houses in the village displayed posters opposing the development.

Finally it was noted that the original application had been for a café, art gallery and leisure hub, however the latest incarnation was only for a leisure hub specifically for Adventure Beyond. The applicant had suggested that this would be used seasonally and therefore it was considered that for the majority of the year the shed would be unused and would be of no use to the local community. Mr George therefore urged the Committee to refuse planning permission for this development which he considered to be out of all proportion to its surroundings.

The final speaking slot was shared between the agent and the applicant. Mr Andrew Vaughan-Harries explained that he had only recently been engaged on the application and had noted the site was a derelict eyesore and that he found it pleasing that a previously developed site would be reused for a new economic use. He considered the development to be well designed – contemporary with a traditional approach which would fit in well, looking like a vernacular Pembrokeshire outbuilding, enhancing the brownfield site. The Agent noted that the site from which the company currently operated was quite run down and further from the coast so he considered the current location to be a win-win situation. He considered that the development would better educate the public, and the provisions of the management plan would improve the situation at Ceibwr. He noted that even if the application were refused, the applicant would continue to operate at Ceibwr, this type of tourism having become very popular, but it could be managed in a better way if the application was approved. Mr Vaughan-Harries noted that both the Ecologist and NRW were happy with the application, and it would be supported by 23 conditions which would ensure that it brought benefit to all. He therefore asked the Committee to endorse the officer recommendation.



Mr Peter Ainsworth, the project manager, then spoke briefly. He explained that he was working in partnership with Mr Moore who was unavailable to attend as he was taking youngsters out into the environment, educating them and improving their physical and mental wellbeing. He stated that he lived in the centre of Moylegrove and was committed to the community, enhancing the local environment and preserving the National Park for visitors and local people alike. He noted that the application had developed to take account of environmental regulations and had been discussed with statutory consultees, including the National Trust. He noted that Mr Moore had been operating in the area for 30 years and had existed harmoniously with local wildlife which had thrived during that time, demonstrating the business' longstanding commitment to environmental stewardship.

In answer to questions from Members, Mr Ainsworth noted that advice would have to be taken on the implications of allowing local residents to use the electric vehicle charging points, but he noted that the toilets in the site could be opened to the community if the public conveniences closed.

In response to a question regarding the business plan, Mr Ainsworth noted that the biggest constraint to growth of the business was the weather, and the purpose of the building was to encourage business out of peak season by providing facilities for visitors to change when the weather was wet. The provision of bicycles would also encourage people to cycle when it was dry, reducing congestion at Ceibwr. He noted that they couldn't tell customers how to travel, but encouraged them to car share, and if they booked as a group it was more likely that they would come to the Moylegrove site, as would schools, however some would provide their own equipment and travel directly to Ceibwr. He noted that in Pembrokeshire the business mainly operated at Ceibwr and Abereiddi. There would be no provision for electric bike charging or bike racking at Ceibwr but they would be stored together and secured with a cable or stored in the van. The building at Moylegrove would mainly be used for storage, with some briefing and changing areas, but there were no plans for any administrative use.

With regards to consultation, Mr Ainsworth explained that as he lived in the village he had discussed the project with many people, however Pembrokeshire Coastal Forum regularly organised meetings, the last in July 2023. He stated that there were many supporters who were not willing to express their views publicly. Councillor James noted that although Mr Ainsworth had spoken to him regarding the project, he had not expressed any opinion about it which could have constituted pre-determination. Officers confirmed that as this was not a major application, there was no requirement for statutory public consultation.



Some Members remained concerned regarding the potential for damage to the wildlife in Ceibwr bay, and whether sufficient baseline information was available to determine whether populations had decreased and therefore whether visitor numbers should be controlled. Officers clarified that NRW had undertaken a survey regarding sea bird breeding and it was recommended that this was repeated every five years. It was also noted that there was good local knowledge regarding numbers of seal pups in the area; the information held by the West Wales Biodiversity Centre had also been used. The Director added that in terms of the HRA, the critical issue was regarding the population in the SAC as a whole. However when the management plan was submitted annually, the Authority would consult with NRW and the Ecologist who would be aware of any reports of disturbance, and access to certain areas could thereby be controlled. It was concluded that there would be no impacts on the integrity of the SAC.

Other concerns related to the design of the building. Officers confirmed that it was not proposed to create any new jobs, but to support an existing business and disability access within the site, and in the new building in particular, would be managed through building regulations and the provisions of the Equality Act. In response to a comment regarding enforcement of conditions, the Solicitor advised that Members should assume that conditions will be enforced and noted that the public often played an essential role in monitoring these.

A motion to approve the application subject to conditions, including amendments to conditions 2, 14,19, 20 and an additional condition in respect of electric charging, was proposed by Dr Plummer, seconded by Councillor Price, and this was carried.

Decision: That planning permission be granted subject to conditions relating to the timing of the application, accordance with approved plans and documents, surface water drainage, parking, visibility splays, internal footpath, Construction Traffic Management Plan, land contamination, lighting, landscaping, biodiversity enhancement, provision of information boards, operator of and use of the building, retention of the existing tin shed, submission of a transport and access management plan, levels, glazing and electric vehicle charging point.

[The Committee was adjourned between 1.10pm and 1.45pm. On its resumption it was noted that Councillor Hancock had tendered his apologies.]



- (b) Reference: NP/24/0427/FUL
Proposal: Mixed use of 11-13 Nun Street as Bed and Breakfast Accommodation and to house part of the gin distillery plant that is required for processing gin distillations for St Davids Distillery Ltd
Location: 11-13 Nun Street, St Davids

It was reported that this application sought consent for the mixed use of the premises as Bed and Breakfast and gin distillery. Whilst the description given by the applicant referred to “part of the gin distillery plant” being housed at the premises, it was considered that since the gin still was the crucial element required for the process of gin distillation, the application sought consent for a gin distillery.

The application was a resubmission of a previously refused planning application, ref NP/23/0280/FUL. An application for listed building consent had also been refused at that time, however, given that no external alterations were proposed, there was no accompanying application for listed building consent on this occasion. There were a number of mitigation measures suggested in order to minimise the risk associated with the use of ethanol at this site. However, there was a fundamental design issue in having a bedroom directly above the Distillery and any conditions required on any approval would not be reasonable, practical or enforceable, and as such, a recommendation to refuse planning permission was made. This application was being presented to the Committee as St Davids City Council had resolved to support the application, contrary to this recommendation.

At the meeting, the officer provided a number of updates which reported an additional third party representation, a consultation response from Mid and West Wales Fire Service offering no comments on access for fire appliances or water supplies; a consultation response from the Highway Authority confirming that no parking was required in connection with the proposed development; and submission of a Green Infrastructure Statement from the Agent showing a net benefit for biodiversity. This latter submission removed reason for refusal No 3, however the in-principal objection to the proposal had not been overcome and the recommendation of refusal remained.

Some Members sought clarification regarding the effect on neighbouring properties within the terrace, however officers advised that the Authority had consulted with the Health and Safety Executive who had advised that enforcement would be by the Local Authority, and its response was silent on the use of the next door property.



The applicant, Mr Neil Walsh, then addressed the Committee. He explained that hospitality industry was struggling and diversification was necessary to safeguard the existing 11 jobs and create jobs in the future. He noted that the still was one of the finest in the country and had been installed by a world class master distiller. Other stills had been installed in densely populated areas and one on board a cruise ship, and these did not generate any discernible noise or vapour. Since the original application, the scale of the proposal had been reduced and was now considered to be a B1 Use, with the Authority able to support the location. Neither the Health and Safety Executive nor Pembrokeshire County Council had offered any objection, although the former may require a permit based on the amount of flammable liquid present; he explained that only a small quantity would be on the premises at one time. Mr Walsh noted that spirits tourism was a multi-million pound industry in Scotland, drawing millions of visitors, and similar companies in Wales had also been in receipt of considerable funding to develop. Turning to planning policies, the applicant noted that both Future Wales and the Local Development contained policies which supported the development, which he felt was compatible with the area, met local needs and enhanced the City's special characteristics. Mr Walsh noted that he owned the restaurant across the road and would not do anything that would have a negative impact on the area. He stated that the proposal was small scale, would have no adverse effect on people living in or visiting the area and would be used only on a limited basis and operated during normal working hours.

Officers also noted that the environment on board a ship was different and that different regulations applied in those circumstances.

In response to a question, Mr Walsh confirmed that although he had owned the gin brand for five and a half years, production was currently outsourced to a partner. The 30 days distilling in any year would not be in one block and flammables would only be on site when distillation was taking place. Members also questioned why a mixed guest house/distillation business model was proposed and Mr Walsh explained that he had no suitable alternative location for the still and wanted to grow the brand. He stated that he would forgo the accommodation if permission was granted for distilling, and officers confirmed that a new application would be required for such a scenario.

Members supported the idea but agreed with officers' concerns regarding the combination of the two uses in the property. Following proposal by Councillor Clements, seconded by Dr Plummer the recommendation of refusal was carried.

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



1. **In introducing a use which is incompatible with its location and a design which does not adequately address matters of health, the proposal is considered to be contrary to Policies 14 (Conservation and enhancement of the Pembrokeshire Coast National Park) and 29 (Sustainable Design) of the adopted Local Development Plan 2.**
2. **In the opinion of the Local Planning Authority, the proposed development would result in harm being caused to residential amenity due to the requirement of planning conditions which would be considered unenforceable and impracticable, contrary to Welsh Government Circular 016/204, and Policy 30 (Amenity) of the Pembrokeshire Coast National Park Local Development Plan (2020)**

7. Appeals

The Development Management Team Leader reported on 11 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.

Two decision notices were appended to the report: NP/23/0124/FUL - Redundant Toilet Block, Adjacent to Newgale Campsite, Newgale had been dismissed; while NP/23/0356/DPO - White Moor Farm, Manorbier had been allowed.

Noted.

