

## REPORT OF THE DEVELOPMENT MANAGEMENT MANAGER ON APPEALS

The following appeals have been lodged with the Authority and the current position of each is as follows:-

**EC21/0145** Construction of new access and access track; erection of timber cabin for residential use; storing of touring caravan; storing of converted van type vehicle; erection of solar panels & erection of tented canopy - Land OS Parcel No. 1050, known as Pwllau Clau, Crosswell, Crymych, Pembrokeshire, SA41 3SA

**Type** Written Reps

**Current Position** The initial documentation has been forwarded to PEDW

**EC21/0201** Alleged unauthorised residential caravan in field - Nettie's Lodge, Happy Acre, Lydstep, Tenby, Pembrokeshire, SA70 7SG

**Type** Written Reps

**Current Position** The initial documentation has been forwarded to PEDW

**EC22/0024** Erection and siting of summerhouse/shed - Land referred to as Llainfach, northwest of Carnhedryn Uchaf, near St Davids, Pembrokeshire

**Type** Written Reps

**Current Position** The initial documentation has been forwarded to PEDW

**EC24/0029** Alleged unauthorised Siting of Caravan - Land to the rear of Jacks Drift, Moreton Lane, Incline Way, Saundersfoot, SA69 9LX

**Type** Written Reps

**Current Position** The appeal has been dismissed and a copy of the Inspectors decision is attached for your information.

**EC23/0076** Removal of native trees and flattening of land - Land to the south of Parc Yr Eglwys, Bryn-Henllan, Dinas Cross, Pembrokeshire, SA42 0SH

**Type** Written Reps

**Current Position** The initial documentation has been forwarded to PEDW

**NP/23/0438/FUL** Proposed 2 & 1/2 Storey 3-bedroom dwelling with integral garage and associated external works - Westfields, Wisemans Bridge

**Type** Written Reps

**Current Position** The initial documentation has been forwarded to PEDW

<b><u>NP/24/0204/FUL</u></b>	Erection of a Community Cash Pod (CCP) (Use Class A2) - Land in north-east corner of Five Arches Car Park, Tenby, Pembrokeshire, SA70 7DT
<b>Type</b>	Written Reps
<b>Current Position</b>	The appeal has been dismissed and a copy of the Inspectors decision is attached for your information
<b><u>NP/24/0126/FUL</u></b>	Demolition of existing kitchen. Alterations to existing fenestration and extension - Rising Sun, Nolton Haven, Haverfordwest, Pembrokeshire, SA62 3NN
<b>Type</b>	Written Reps
<b>Current Position</b>	The appeal has been dismissed and a copy of the Inspectors decision is attached for your information.
<b><u>NP/24/0369/FUL</u></b>	Erection of 6 x 6m decking area to the front of building (retrospective) - The Hibernia Inn, 60 Angle Village, Angle, Pembroke, Pembrokeshire, SA71 5AT
<b>Type</b>	Written Reps
<b>Current Position</b>	The initial documentation has been forwarded to PEDW
<b><u>NP/22/0343/FUL</u></b>	Social Enterprise Centre – Educational - Responsive Earth Trust, Plasdwbl, Mynachlogddu, Clynderwen, Pembrokeshire, SA66 7SE
<b>Type</b>	Hearing
<b>Current Position</b>	The initial documentation has been forwarded to PEDW



## Appeal Decision

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by R H Duggan BSc (Hons) DipTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 20/03/2025

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Appeal reference: CAS-03684-C2Y0L6

Site address: The land at Froghall, The Incline, Moreton Lane, Saundersfoot

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991. The appeal is made by Mr David John Evans against an enforcement notice issued by Pembrokeshire Coast National Park Authority.
  - The enforcement notice, numbered EC24/0029, was issued on 14 August 2024.
  - The breach of planning control as alleged in the notice is *'Without planning permission, the making of a material change of use of the Land from woodland to a mixed use of woodland and for residential and/or storage use of a mobile home and caravan and the carrying out of associated engineering operations comprising the laying of drainage pipes and services and associated groundworks'*.
  - The requirements of the notice are:
    - (i) *Permanently cease use of the Land for the siting of a mobile home and caravan for residential and/or storage purposes;*
    - (ii) *Permanently remove from the Land the mobile home and caravan and all associated works, drainage pipes and any associated apparatus present from the land; and*
    - (iii) *Restore the Land to its former condition before the breach took place.*
  - The period for compliance with the requirements are:  
*6 weeks beginning with the day on which this Notice takes effect.*
  - The appeal is proceeding on the grounds set out in section 174(2) g) of the Town and Country Planning Act 1990 as amended.
  - A site visit was made on 4 March 2025.
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### Decision

1. The appeal is dismissed and the enforcement notice is upheld.

### Reasons

2. This ground of appeal is that the period for compliance with the notice falls short of what should reasonably be allowed.

3. Where an appeal is made on ground (g) alone, the appellant should not make any case that the alleged development is lawful, or that planning permission ought to be granted for the development, or the requirement(s) of the notice should be varied. The appellant will know that the notice will come into force in exactly the form it was issued. The only reason for appealing is to gain more time to comply.
4. The appellant claims that 6 weeks to comply with requirements of the Notice is too short and is requesting an extension of the compliance period to 12 months to provide further time to present and submit a planning application or Certificate of Lawful Development to regularise the development. It is argued that this work would include researching the previous use of the site through discussion with the previous owners, surveying the land and preparing technical reports including an ecological study, tree report, mining assessment and to investigate and analyse the Council's Gypsy Accommodation Needs Assessments.
5. In considering the appellant's arguments, I have been mindful of the fact that a ground (a) appeal could have been pursued under Section 174(2)(a) of the Act. I have also been mindful that the need for an extension of the period for compliance needs to be balanced against the harm set out in the notice, which in this case is the harm to the rural location and to the landscape, and the conflict with the Development Plan. Extending the period of compliance to 12 months, as suggested by the appellant, would prolong the identified public harm without necessary justification or mitigation. Should the appellant wish to submit a planning application within this timeframe, the Council would have the discretion to delay actively pursuing the requirements of the Notice if it is satisfied that suitable progress is being made.
6. In advancing his case for extending the period to 12 months, the appellant also states he has a housing need and has referred me to a planning appeal (Reference: APP/U/6925/C/20/3258177) in Merthyr Tydfil County Borough Council where the Inspector allowed an extension of the compliance period to 52 weeks to allow the appellant more time to find alternative accommodation. Whilst I have noted the conclusions of the Inspector in that appeal, my findings in this appeal must be based only on the individual merits of the case that is before me.
7. In this case, it is clear that the appellant currently lives on a site known as Glascoed on the outskirts of Pontypool and following the purchase of the appeal site in October 2023 he intends for the appeal site to become his future home. The Council's evidence also indicates that the appellant does not currently live on the appeal site. As such, the requirements of the Notice to cease the use of the land for residential purposes would not displace the appellant or make him homeless and in need of finding alternative accommodation. Therefore, any comparison between the appeal site and the appeal case referred to above is unfounded.
8. The harms identified in the enforcement notice represent the public interest which I must weigh against any of the personal needs or future aspirations of the appellant. The appeal on ground (g) must, therefore, fail.
9. In reaching my conclusions, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objectives of building a stronger, greener economy.

*RH Duggan*

INSPECTOR



## Appeal Decision

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by L. Hughson-Smith LLB MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 10/03/2025

Appeal reference: CAS-03912-Z4V6P9

Site address: Rising Sun, Nolton Haven, Haverfordwest, Pembrokeshire SA62 3NN

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- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr. and Mrs. J. Kesterton against the decision of Pembrokeshire Coast National Park Authority.
  - The application NP/24/0126/FUL, dated 1 March 2024, was refused by notice dated 25 October 2024.
  - The development proposed is 'Demolition of existing kitchen. Alterations to existing fenestration and extension'.
  - A site visit was made on 21 February 2025.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. I have taken the address as stated on the appeal form and Decision Notice, rather than the application form, since it is more succinct.

### Main Issue

3. This is the effect of the proposal on the character and appearance of the surrounding area.

### Reasons

4. The appeal property is an 'L' shaped bungalow, which although extended, retains its simple form and appearance and is set within a spacious plot. It is surrounded by a significant number of trees and vegetation, particularly along the plot's peripheries. Whilst it forms part of a ribbon development of properties located near the settlement of Nolton Haven, it is not viewed alongside these properties due to its significant setback from the road, its extensive garden and surrounding landscaping. Although the rising land on either side of the road restricts long range views of the dwelling, views of the appeal property are possible through gaps in the roadside vegetation. Despite having limited historic value, the dwelling is appreciated from the road as a pleasant and simple traditional bungalow within an attractive landscaped setting.

5. The proposal largely retains the original property's form, including reinstating a chimney stack, and broadly proposes a single storey side extension linking to a larger two storey extension. The single storey link features a mixed roof design with a glazed pitched section and flat roof that would be marginally lower in height than the existing roof ridge. Despite this, its eaves would sit higher than those of the existing property. It would, along with the proposed two storey extension, have a staggered building line, although I note the proposal would not be forward of the existing projection. As a result of its position, form and roof design, the link element would appear as a prominent box-like addition that would be visually disparate to the original dwelling and, in my view, would fail to successfully unify the overall proposal with the appeal property.
6. Despite using complementary materials, the proposed two-storey element would have limited architectural cohesion with both the original property and the proposed link extension. Its roof design would feature a front gable, catslide roof and a side dormer, which would be considerably higher, bulkier and more cluttered compared to the existing simple roof form. It would have a substantial depth and, together with the proposed lean-to extension, would have a sizeable width. This, combined with its height, would result in a large addition on one side of the appeal property, unbalancing its modest proportions. Moreover, the proposed extensive glazing pays limited regard to the proportions and arrangement of the existing windows, despite the proposed alterations to some of them.
7. Despite being located within an extensive plot, the proposal's substantial scale, incoherent roof form, insensitive design and awkward positioning would introduce a dominant and disjointed feature that would be at odds with the appeal property's simple form and appearance. Whilst I am aware Planning Policy Wales (Edition 12) supports innovative design in certain circumstances, I have not seen anything to persuade me the proposal represents a dynamic or innovative design. Instead, it would result in an ungainly and unsympathetic addition that would fail to respond appropriately to the character of the appeal property and unacceptably alter its appearance.
8. I saw the renovated bungalow in the locale referred to by the appellant. However, based on the photographs provided, this example differs from the proposal as it relates to a first-floor extension largely confined to the footprint of the existing property. Similarly, whilst examples of flat roof link extensions at Grove Cottage and Parke Farmhouse have been cited, the photographs provided suggest these are smaller in scale and set back from the original properties' front elevation. Based on the evidence before me, the cited examples are not directly comparable to the proposals and, therefore, I have assessed the appeal on its own merits.
9. I am aware there were no third-party representations or consultee objections, however, this does not imply the proposal is acceptable. The appellant has referred to the Authority's Siting and Design of Farm Buildings Supplementary Planning Guidance, but as the appeal scheme is a domestic proposal this guidance is not of particular relevance to this appeal.
10. Due to the topography of the immediate surroundings, views of the appeal property from more distant vantage points are limited. Moreover, owing to its extensive plot and significant landscaping, the appeal property is not widely visible in the context of the surrounding built form. Therefore, the proposal's visual impact on the special qualities of the National Park, the most relevant in this case being its undeveloped, tranquil landscapes, diversity of landscape, distinctive settlement character and rich historic environment, would be limited. Similarly, there is limited evidence which demonstrates the proposal would have an adverse impact on the St Bride's Bay Landscape Character Area (LCA). Consequently, I find no conflict with policies 8 and 14 of the

Pembrokeshire Coast Local Development Plan 2 (LDP) in this regard. Nonetheless, for the reasons set out above, I conclude that the proposal would have a harmful impact on the character and appearance of the immediate area, contrary to the objectives of LDP policies 29 and 30 for development to be well designed in terms of place and local distinctiveness and to be of a scale compatible with its surroundings.

### **Other Matters**

11. I note the appellant's concerns with the existing inefficient internal layout, and that the proposal would provide increased internal space with natural light, supporting well-being and improving energy efficiency. I am also mindful of the potential challenges of extending the appeal property in alternative locations. Nevertheless, there is no persuasive evidence which leads me to conclude the benefits are dependent on the scheme design before me. These factors do not, therefore, outweigh the identified harm.
12. I acknowledge the appellant's concerns in relation to the Council's handling of the planning application, in particular in relation to negotiations during the process, and I am aware of the amendments made to the scheme during the application process. However, these matters are not relevant to the planning merits of the appeal proposal.

### **Conclusion**

13. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be dismissed.
14. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

*L. Hughson-Smith*

INSPECTOR



## Appeal Decision

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by L. Hughson-Smith LLB MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 26/03/2025

Appeal reference: CAS-03782-L1M6C7

Site address: Land in the north-east corner of Five Arches Pay and Display Car Park, Tenby, SA70 7DT

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- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Miss Elisabeth Pywell, HSBC C/O CBRE, against the decision of Pembrokeshire Coast National Park Authority.
  - The application NP/24/0204/FUL, dated 3 April 2024, was refused by notice dated 28 June 2024.
  - The proposed development is the 'Erection of a Community Cash Pod (CCP) (Use Class A2)'.
  - A site visit was made on 21 February 2025.
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### Decision

1. The appeal is dismissed.

### Application for Costs

2. An application for costs has been made by Miss Elisabeth Pywell, HSBC C/O CBRE, against Pembrokeshire Coast National Park Authority. This application is subject to a separate Decision.

### Procedural Matters

3. The name of the appellant, as stated on the appeal form, differs to that on the original application form. As the right to appeal is reserved solely for the original applicant, the appeal will proceed in the name of the applicant as stated on the original application form.
4. I have taken the address as stated on the appeal form and decision notice, rather than the application form, since it is more accurate.
5. The description of development as referred to on the original application form included reference to Advertisement Consent which is dealt with under the Town and Country Planning (Control of Advertisement) Regulations 1992. This does not, therefore, fall to be considered in this appeal. On this basis I have taken the description of development from the appeal form and decision notice, rather than the application form.



## **Main Issue**

6. This is whether the proposal would preserve or enhance designated historic assets, including the Tenby Conservation Area, the setting of the Grade II listed building Holyrood and St. Teilo's Church and Grade I listed building the Tenby Town Walls, which is also a scheduled monument.

## **Reasons**

7. The appeal site is a modestly sized area of hardstanding located within, and on the edge of, the Five Arches Car Park adjacent to the footway along South Parade in Tenby town centre, in an area which is characterised by commercial and residential uses. It is located in the Tenby Conservation Area (CA) and adjacent to the Holyrood and St. Teilo's Church (the Church), a grade II listed building. The Church is a Gothic style, late-Victorian building. It has substantial scale which, together with its grey limestone walls, contrasting red roof tiles and ornate tracery windows with Bath stone surrounds, several of which face towards the appeal site, make it a distinctive feature in the streetscene.
8. It is also opposite the Tenby Town Walls (the Town Walls), including one of its watchtowers featuring a five arched gateway to the medieval town core and is a grade I listed building and scheduled monument. It is a dominant feature of built form, evidencing the town's historic fortification parallel to its later expansion. Also of relevance is the Old Convent of St. Teresa (the Convent), a grade II listed building, which although separated from the appeal site by the Church, is seen in the context of it and the Town Walls.
9. I observed that most of the built form within the setting of the Church, Convent and Town Walls, makes a positive contribution to their significance, particularly when viewed along South Parade from the direction of the wider town centre. This is supported by the Heritage Impact Assessment (HIA) which notes that the integrity of the Conservation Area is high, which also aligns with the guidance contained in the Tenby Conservation Area Appraisal and Management Plan Supplementary Planning Guidance (2022) (SPG).
10. The adjacent car park is an uncharacteristic, hard landscaped gap in the streetscene and accommodates unsympathetic features including parked vehicles, offices and signage adjacent to the footway which detracts from the appearance of the CA. Despite this, due to the car park having limited built form, particularly the appeal site being directly adjacent to the Church and devoid of parking spaces, it provides an openness to the setting of the three historic assets. This, together with the visual pinchpoint due to the curvature of the road, enables the historic assets to be experienced together in views along South Parade from the seafront, particularly the Church, allowing its full mass to be appreciated. For these reasons, I agree with the HIA conclusions that the appeal site makes a neutral contribution to the setting of the Church and Town Walls, and that there are overall positive views of these historic assets in relation to it.
11. I am aware that the SPG, which provides a high-level overview of the CA, identifies this view as a 'glimpse to an object/landmark/point of interest'. As I saw during my site visit, this view is more than a glimpse, with the full extent of the Church being visible alongside clear views of the Town Walls and its watch tower with the Convent being seen in the background. I note it is one of only a few other such views highlighted in the SPG, which to my mind indicates it is of value, and supports my findings above. Furthermore, the Pembrokeshire Coast National Park Authority's (NPA) Conservation Building Officer also considers this view to be of importance.

12. Whilst the Church's original setting included a building known as the 'Smithy', as confirmed in the HIA, it was removed over 50 years ago. Based on Technical Advice Note 24: The Historic Environment (2017) (TAN 24), which states that the setting of a historic asset is not fixed and may change as the asset and its surroundings evolve, which aligns with the advice contained in Cadw's Setting of Historic Assets in Wales guidance document (2017), the Smithy does not form part of the current setting of the Church and the other heritage assets. Furthermore, it has limited relevance to the car park's contribution to the setting.
13. The proposed A2 use would be appropriate given the town centre location and I note the proposed Community Cash Pod (CCP) would be a bespoke design. Nevertheless, and despite its modest scale, it would be a standalone, box-like structure in a prominent position at the car park's edge, adjacent to the footway and forward of the Church's principal elevation. Its front elevation would feature an ATM with an illuminated surround next to a blank door, and its other elevations would be largely featureless, giving it a stark, utilitarian appearance. Whilst I acknowledge the appellant's intention to finish the CCP in stone cladding and timber, this alone would offer limited visual mitigation. Whilst I have set out above that this appeal does not relate to the advertisement consent, the proposed box sign appears to be an integral part of the structure and would be illuminated with low level lighting to the lettering and logo only. Whilst I note the extent of illumination is limited and the existing streetlighting would reduce its impact, nonetheless, it would still highlight the CCP's presence in the street, drawing attention to its insensitive design.
14. Due to its design, position and orientation, the CCP would be a prominent and unsympathetic structure that would be particularly noticeable from the seafront approach and partially obscure views of the Church, although its windows would likely remain visible. Although it would be less prominent in views from the town centre approach, it would visibly protrude forward of the Church's front elevation. This would introduce a discordant feature into the streetscene and visual clutter into the setting of the Church and Town Walls when viewed in both directions along South Parade. Furthermore, this intrusion would draw the eye to the CCP and detract from how the three historic assets are experienced together. For these reasons, I am not persuaded by the HIA's conclusion that the proposal would have a neutral impact. Rather it would make a negative contribution to the setting of the Church and Town Walls, causing harm to their significance, and fail to preserve the character and appearance of the CA.
15. I observed during my site visit that parked cars cause limited interruption of the views of the Church; therefore, I am not persuaded it is similar to the visual impact of the CCP. Whilst it may be the case that larger vehicles, such as vans and motorhomes, would encroach more on this view, such impacts would be transient and, therefore, are not comparable to the proposal.
16. I have seen Cadw's response to the planning application stating there is no impact on the Town Walls; however, for the reasons above I disagree. Moreover, Cadw's more recent representation to the appeal has concluded that the proposal would be a significant visual intrusion to the setting of the Church and CA, which aligns with my overall findings above.
17. I am not persuaded based on the limited evidence presented that the CCP would be a significant draw for visitors, particularly given there are two other similar facilities available a short walking distance away, as evidenced by the NPA. Nevertheless, I acknowledge the CCP would occupy a brownfield site, offer 24/7 enhanced banking facilities that would be more easily accessible to those with limited access to a branch or have low financial and digital capabilities, which would benefit the community and

make some economic contribution. As such, I attach moderate weight to the benefits of the scheme.

18. Notwithstanding this, the locational assessment was narrowly scoped and, aside from the appeal site, only considered two other locations within the car park limits, both of which were significantly constrained. There is limited evidence to suggest that locations beyond the car park were considered. I am not, therefore, persuaded that the stated benefits are reliant on the scheme before me.
19. Regardless of this, having regard to the duty imposed by Section 314A of the Town and Country Planning Act 1990 (as amended) and Section 160 of the Historic Environment (Wales) Act 2023 (as amended), I conclude that the proposal would neither preserve or enhance the designated historic assets, including the CA and the setting of the Church and the Town Walls, to which I attach significant weight that, in any event, would outweigh the stated benefits. It would, therefore, conflict with the LDP2 Policy 29 which requires all proposal to be well designed in terms of place and distinctiveness, LDP2 Policy 30 which does not permit development where it is visually intrusive and LDP2 Policies 56 and 57 which do not permit development in town centres which have an adverse impact on the character and appearance of the area. The proposal would also fail to preserve the special qualities of the National Park, the most relevant in this case being its rich historic environment contrary to LDP2 Policies 1, 8 and 14 which generally seek to conserve and enhance the special qualities of the National Park, including its historic environment.

### **Other Matters**

20. I acknowledge the concerns raised in relation to the NPA's handling of the planning application including, in the appellants view, inaccuracies in the NPA's correspondence and Officer's Report. The appellant has also pointed out that the reason for refusal relating to a previous Advertisement Consent for an alternative scheme for a CCP at the appeal site (NP/24/0020/ADV) differed to the reason for refusal of the appeal site. However, these matters are not relevant to the planning merits of the appeal proposal.

### **Conclusion**

21. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be dismissed.
22. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

*L. Hughson-Smith*

INSPECTOR



## Costs Decision

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by L. Hughson-Smith LLB MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 26/03/2025

Costs application in relation to Appeal Ref: CAS-03782-L1M6C7

Site address: Five Arches Pay and Display Car Park, Tenby, SA70 7DT

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- The application is made under the Town and Country Planning Act 1990, sections 78, 322C and Schedule 6.
  - The application is made by Miss Elisabeth Pywell, HSBC C/O CBRE, for a full award of costs against Pembrokeshire Coast National Park Authority.
  - The appeal was against the refusal of planning permission for the 'Erection of a Community Cash Pod ("CCP") (Use Class A2)'.  
• A site visit was made on 21 February 2025.
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### Decision

1. The application for an award of costs is refused.

### Reasons

2. The Section 12 Annex 'Award of Costs' of the Development Management Manual ('the Annex') advises that, irrespective of the outcome of an appeal, costs may only be awarded against a party who has behaved unreasonably, thereby causing the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The grounds advanced for an award of costs are substantive in nature and, in summary, relate to the Pembrokeshire Coast National Park Authority (NPA) failing to appropriately consider and balance the material planning considerations in their assessment of the proposal, the lack of communication and negotiation during the planning process and the NPA's approach to Cadw's response.
4. The Officer's Report (OR) clearly acknowledges the proposal would have community benefits, referring to it as a community facility noting the decline in bank branches. The OR also acknowledges that the proposed A2 use is suitable in the town centre location, in accordance with the Pembrokeshire Coast National Park Authority Local Development Plan 2 (LDP2) Policies 56 and 57, relating to retail development. Whilst the OR does not specifically deal with the proposal having cultural benefits or being an attractor for visitors, as set out in my main decision, the applicant provides limited information to evidence this would be the case. On this basis, I am satisfied such matters do not constitute unreasonable behaviour.
5. I acknowledge it would have been helpful if weight had been explicitly attributed to the proposal's benefits. Despite this, it is clear from the OR that the officer was aware the appeal site is brownfield, and the reasoning clearly addresses the locational assessment,

and scheme benefits and considers them in the planning balance against the heritage considerations, despite the word 'balance' not being used. Given the findings in the main decision and, having regard to the duty imposed by Section 314A of the Town and Country Planning Act 1990 (as amended) and Section 160 of the Historic Environment (Wales) Act 2023 (as amended), I find that the NPA acted appropriately and reasonably in concluding the proposals would fail to preserve or enhance the setting of the listed buildings and the appearance of the CA and that this outweighed the stated benefits. This approach is also in alignment with the legislative requirements of the Town and Country Planning Act 1990, Planning Policy Wales (Edition 12) and the requirements of the LDP2.

6. Whilst Cadw did not object to the application, the Annex states that planning authorities are not bound to adopt, or include as part of their case, the professional or technical advice given by their own officers or received from statutory consultees. However, they are expected to show that they had reasonable planning grounds for taking a decision contrary to such advice and that they are able to produce relevant evidence to support their decision.
7. In this case, the OR acknowledges Cadw's response and sets out their reasoning for disagreeing with it in the OR, which aligned with the responses from other consultees, such as the Building Conservation Officer (BCO) and Tenby Civic Society (TCS) who both objected to the application. Although the applicant suggests it unreasonable for the officer (and TCS) to be influenced by the BCO, it is the role of the BCO to provide professional advice on conservation matters to officers to enable them to make an informed decision. Therefore, the officer's views being influenced by the BCO is not unreasonable.
8. Moreover, Cadw has since provided a more detailed representation to the appeal which, although not altering their previous representations, has raised concerns with the proposal's significant visual intrusion on the Church and the CA. The representation concludes that the proposal would fail to preserve or enhance the settings of the listed buildings and the CA and largely reflects the concerns of the NPA which, to my mind, consolidates their approach at application stage. On this basis, I do not find the NPA acted unreasonably in this regard.
9. Whilst the Development Management Manual advocates for a proactive and collaborative approach, the NPA are not obligated to negotiate during planning applications or accept or advise on amended proposals. Given this, I do not find the NPA failing to confirm whether a green wall should be included to be unreasonable behaviour. Furthermore, whilst the applicant asserts the LPA refused a meeting, it is clear from the email correspondence presented by the NPA it was a suggestion by the applicant that a meeting may be useful with no direct request made.
10. Notwithstanding this, email correspondence submitted by both parties indicates that the NPA engaged in correspondence with the applicant, including accepting a Clarification Document upon which a further consultation response was provided by the BCO. Whilst this response was short, it was clear in reaffirming that the original BCO consultation response to the planning application, which I note was detailed, still stood. Furthermore, as set out in my decision, I find the BCO's stance in relation to the relevance of the former 'Smithy' on the appeal site to be well founded and in alignment with the advice on the settings of listed buildings as set out in Technical Advice Note 24: The Historic Environment (2017) and Cadw's Setting of Historic Assets in Wales guidance document (2017). I am not, therefore, of the view this amounts to unreasonable behaviour.

**Conclusion**

11.I conclude that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Annex, has not been demonstrated, and that therefore the application for an award of costs should be refused.

*L. Hughson-Smith*

INSPECTOR