



Appeal Decision

by R H Duggan BSc (Hons) DipTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 16/06/2025

Appeal reference: CAS-04165-K8D4S9

Site address: Bumlbers, High Street, St Florence, Tenby SA70 8LN

- 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 Philip Walters against the decision of Pembrokeshire County Council.
 - The application Ref 24/0403/PA, dated 15 July 2024, was refused by notice dated 28 November 2024.
 - The development proposed is described as *"Proposed conversion (change of use) of existing barn to dwellinghouse (Use Class C3)"*
 - A site visit was made on 9 June 2025.
-

Decision

1. The appeal is allowed and planning permission is granted for the conversion (change of use) of existing barn to dwellinghouse (Use Class C3) at Bumlbers, High Street, St Florence, Tenby SA70 8LN in accordance with the terms of the application Ref 24/0403/PA, dated 15 July 2024, subject to the conditions set out in the annex to this decision.

Procedural Matter

2. The Welsh Government published a new Technical Advice Note (TAN) 15: Development, Flooding and Coastal Erosion (2025) during the processing of the appeal. That document confirms that it should be read in conjunction with Planning Policy Wales (PPW) and the Welsh National Marine Plan and that it replaces TAN14: Coastal Planning (1998) and the previous TAN15: Development and Flood Risk (2004). However, the Ministerial Written Statement dated 31 March 2025, which accompanied the publication of the new TAN, confirms that there will be a transitional period for its implementation. Specifically, planning applications that were submitted and registered before the publication of the new TAN, such as the application subject of this appeal, shall continue to be assessed against the previous version. I shall consider the appeal accordingly.

Main Issues

3. Having regard to the evidence before me I consider the main issues to be:

- whether the development would provide adequate private outdoor amenity space for future occupiers of the dwelling; and
- whether it represents an acceptable form of development having regard to its flood zone location and the provisions of PPW and Technical Advice Note 15: *Development and Flood Risk* (TAN15).

Reasons

Amenity Space

4. The appeal site comprises an outbuilding/barn adjoining the dwelling known as 'Bumblers'. The site is located within the settlement of St Florence surrounded by residential development of varying scale, design and character. It is proposed to convert the outbuilding to a two-bed residential dwelling which would have an open plan kitchen and living area, a shower room and one bedroom to the ground floor with an additional bedroom within the roof space. The proposed external alterations would include a new roof, fenestration changes to the front elevation, roof lights to the rear roof plane with a lime wash external finish to the walls. An area to the rear is proposed as an amenity space which would measure approximately 12m in length by 3.5m at its widest point and approximately 2m at its narrowest point, thus providing approximately 33.7 square metres of outside space.
5. The local planning authority (LPA) acknowledges that the provision of a residential dwelling within St Florence would have social benefits due to additional housing stock for the area, with economic benefits during the construction period. However, the LPA is concerned that the size of the amenity space would not be sufficient to cater for the needs of the dwelling. In addition, due to the need for boundary treatment of a significant height to protect the privacy and living conditions of the occupiers of the proposed dwelling, the outside space would be cramped with the outlook dominated by the rear and side boundary treatments.
6. Whilst I have taken into account the concerns of the LPA and those concerns raised by St Florence Community Council in relation to the amenity space, living standards and internal dimensions, I am of the view that the level of outdoor amenity space would be adequate for the future occupiers of this small dwelling, and it would afford the opportunity for the future occupants to sit outside and use it for outdoor relaxation. The outside space would have a south-westerly aspect meaning that it would benefit from direct sunlight for at least half the day. Future residents would also be able to improve the space further by the use of pot plants and other planting along the boundary fence. I acknowledge the Council's concerns regarding the scale of the boundary treatment. However, in my opinion this could improve the usability of the space and increase the sense of privacy for the occupants.
7. St Florence benefits from having a primary school, local shop, public house, community hall and a 'fflecsi' bus service providing a public transport option to access services in Tenby. Therefore, I consider that the provision of a new dwelling in the village would be attractive to those possibly on lower incomes, single occupants and young families that would be a significant benefit that outweighs any perceived inadequacy of the amenity space. Due to the location of the appeal site the proposed development would comply with the key planning principles set out within Planning Policy Wales and support the objectives of minimising the need to travel, reducing reliance on the private car and increasing walking, cycling and use of public transport to access schools, jobs, services and other facilities.

8. In addition, the alterations would also include the removal of a flat roof structure to the front elevation, which is welcomed by the Council. The proposed materials and appearance of the building is considered appropriate for its location within the St Florence Conservation Area and would retain the broad characteristics of the barn. Therefore, by bringing the building back into beneficial use it would also have a positive impact on the visual amenity of the Conservation Area.
9. Therefore, I consider that the proposed development would provide adequate private outdoor amenity space for future occupiers of the dwelling. As such, there would be no conflict with Policy SP1 or criterion 2 of Policy GN.1 of the Adopted Pembrokeshire Local Development Plan, 2013 which seek to ensure that development does not have a detrimental impact on local amenity.

Flooding

10. The consultation advice from Natural Resources Wales (NRW) confirms that part of the site lies within Zone C2 of the Development Advice Map (DAM) contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004), and the Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls partially into Flood Zone 2 for Rivers.
11. TAN15 requires that development should only be permitted within zone C2 if it is determined that it is justified in that location. Development will only be justified if it can be demonstrated that the location satisfies the tests set out in TAN15 paragraph 6.2. No evidence has been put forward by either the Council or the appellant indicating that the development is necessary to assist, or be part of a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement (test criterion i.), or that it is necessary to contribute to key employment objectives supported by the local authority and other key partners to sustain an existing settlement (test criterion ii). Thus, the development does not meet the justification tests i. or ii. and, therefore, conflicts with TAN15.
12. TAN15 advises that whether a development should proceed or not will depend upon whether the consequences of flooding of that development can be managed down to a level which is acceptable for the nature/type of development being proposed. A balanced judgement is also required to enable the risks of flooding to be addressed whilst recognising the benefits of reusing previously developed land.
13. The Appellant has submitted a Flood Consequences Assessment (FCA) to support the application. The FCA concludes that the consequences of a flood event would be acceptable given the safe means of escape to land located outside the flood zone, the internal first floor refuge, the risk of flooding would not be increased elsewhere and that flood proofing measures could be incorporated into the development. NRW has reviewed the appellants FCA and advises that whilst no flood levels were provided, it has no concerns when considering the flood risk and the nature of the development. Nevertheless, it is clear that the proposal involves a highly vulnerable development located partially within an area liable to flooding which is contrary to TAN15 and criterion 7 of policy GN.1 of the LDP.
14. However, I note that the Council has granted planning permission in September 2022 for the change of use of the outbuilding to holiday accommodation (Ref 22/0272/PA). I also note that the Council has permitted the variation of the planning permission in November 2023 (Ref. 23/0551/PA) to allow for the length of stay to be increased from 21 days in any 56 day period to 31 days per period of occupation as a holiday let. Holiday accommodation and permanent residential accommodation are both classed as highly

vulnerable development within TAN15. Therefore, the holiday accommodation and the proposed permanent dwelling would be comparable when assessing the consequences of a flood event and associated risks. I am also of the opinion that permanent residents would be more familiar with the area than those staying for a holiday or shorter periods of time, thereby increasing their knowledge of the potential risks during a flood event and the flood event procedures that need to be followed.

15. As such, the extant planning permission for holiday accommodation represents a fallback position that I give significant weight to in the planning balance.

Planning Balance

16. With regard to the first main issue, I am satisfied that the conversion of the appeal building would provide adequate private outdoor amenity space for future occupiers of the dwelling. I am also of the opinion that the development would have the added benefits of providing a much needed dwelling that would be attractive to single person occupation or a young couple in a village containing a good level of facilities, including a primary school. The scheme would also improve the appearance of the building thus preserving and enhancing St Florence Conservation Area. These are positive benefits that I attribute significant weight in the planning balance.
17. With regard to flooding, I have found the proposal would conflict with TAN15 and the development plan policies relating to flooding. However, I have concluded that the consequences of flooding can be acceptably managed, and the fallback position of the holiday let planning permission that I have outlined above is a material consideration that I give significant weight to in my assessment.
18. On the balance of all that is before me, the benefits of the scheme and the weight attributed to the fallback position, justifies a decision which is not in accordance with TAN15 and the development plan in relation to flooding.

Conditions

19. A list of suggested conditions has been put forward by the Council. I consider these conditions, as set out in the annex to this decision, to be necessary and would satisfy the tests in Circular 16/14: The Use of Planning Conditions in Development Management. I have adjusted the wording of some of the conditions in the interest of clarity and precision. They are necessary and seek to ensure that the development avoids, or where that is not possible, mitigates as far as is reasonable, the potentially harmful effects of the scheme, alongside securing enhancements as sought by national policy. The reasons for imposing each of the recommended conditions are summarised in the Annex.

Conclusions

20. Having regard to the above and considered all other matters raised, I conclude that the appeal should be allowed.
21. 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 the Welsh Ministers' well-being objectives of building a stronger, greener economy as we make maximum progress towards decarbonisation, making our cities, towns and villages even better places in which to live and work and embedding our response to the climate and nature emergency in everything we do.

R Duggan

INSPECTOR

ANNEX TO APPEAL DECISION CAS-04165-K8D4S9

- 1) The development hereby permitted shall begin not later than five years from the date of this decision.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2) The development shall be carried out in accordance with the following approved plans: DHR/22/05/11 Existing & proposed location & site Plans; DHR/22/05/15 Proposed ground & first floor plans; DHR/22/05/16 Proposed sections; DHR/22/05/17 Proposed front elevation (west); DHR/22/05/18 Proposed rear (east) & side (north) elevations; DHR/22/05/19 Proposed floor plans (garden area).

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application.

- 3) No development shall commence until a photographic survey of the existing building has been carried out in accordance with guidelines provided by Dyfed Archaeological Trust Development Management. The photographic survey shall be submitted to and approved in writing by the local planning authority prior to the commencement of development and deposited with the regional Historic Environment Record, held and maintained by the Dyfed Archaeological Trust.

Reason: To ensure the recording of matters of archaeological interest to accord with Policy GN.38 of the Local Development Plan for Pembrokeshire (adopted 28 February 2013).

- 4) No development shall commence until a method statement detailing the techniques to be used in the conversion of the building together with the extent of any repairs, demolition has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved method statement.

Reason: To ensure that the development is compliant with Policy GN.1 of the Pembrokeshire Local Development Plan adopted 28th February 2013.

- 5) No development shall commence until details of the flood resistance/resilience measures incorporated into the design has been submitted to and approved in writing by the Local Planning Authority. The measures shall include flood barriers on ground floor doors, windows and access points, implementation of flood proofing measures to the internal fabric of the ground floor and positioning of electrical sockets/components above flood levels. The flood resistance/resilience measures shall be implemented prior to first occupation of the dwelling and retained thereafter.

Reason: In the interests of health and safety and to accord with Policy GN.1 of the Pembrokeshire Local Development Plan adopted 28th February 2013.

- 6) No development shall take place until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the building hereby permitted has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

- 7) No development shall take place until details and samples of the ridge tiles and composite slates used on the roof of the scheme have been submitted to and approved by the Local Planning Authority. The details shall include 'but jointed' ridge tiles. The ridge tiles and composite slates shall be installed in accordance with the approved details and retained thereafter.

Reason: To protect the character and appearance of the area and to accord with Policy GN.38 of the Local Development Plan for Pembrokeshire (adopted 28 February 2013).

- 8) The development shall be carried out in accordance with the precautionary principle set out in paragraph 7.2.2 of the Bat Survey Report by Kite Ecology.

Reason: To protect the wildlife and the ecological interests of the site, in accordance with policy GN.37 of the Local Development Plan for Pembrokeshire (adopted 28 February 2013).

- 9) No development shall take place until details of the biodiversity enhancement measures and green infrastructure enhancements included within the 'Bat Surveys and Green Infrastructure Statement dated June 2024' and 'Supporting Statement including Green Infrastructure Statement dated 15/07/2024' have been submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented prior to first occupation of the dwelling and retained thereafter.

Reason: To protect the wildlife and the ecological interests of the site, in accordance with policies GN.1 and GN.37 of the Local Development Plan for Pembrokeshire (adopted 28 February 2013).

- 10) The dwelling shall not be occupied until the off-street parking facilities have been laid out within the site in accordance with plan no. DHR/22/05/11 and the parking facilities shall thereafter be kept available for the parking of vehicles thereafter.

Reason: To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy GN.1 of the Local Development Plan for Pembrokeshire (adopted 28 February 2013).

- 11) No surface water from any increase in impermeable surfaces within the curtilage of the dwelling shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: In the interests of amenity and to prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with policy GN.1 of the Local Development for Pembrokeshire (Adopted 28th February 2013).

Ref:2116
Submission Copy 15/7/2024

Supporting Statement including Green Infrastructure Statement

Full Planning Application

Change of use of stone outbuilding to single dwelling

At Bumpers Cottage,
St Florence,
Pembrokeshire,
SA70 8LN

For

Mr Walters

Llyr Evans Planning Ltd. Company
Registration No. 091226087 (England and
Wales).
Director: Llyr Evans (MRTPI), Llantoed
Fann, Cardigan, Pembrokeshire, SA43
3NU.

Llyr Evans Planning Ltd.
Chartered Town Planner.
BSc (Hons), MSc, MRTPI



RTPI

Chartered Town Planner

1 General Description

- 1.1 The application seeks full planning permission for the change of use of a stone outbuilding to a single dwellinghouse.
This application follows the refusal of a similar application under reference 23/0805/PA and this statement addresses the refusal reasons within. It is noteworthy that an extant planning permission for the conversion of the building to a short term holiday let (Use Class C6) exists under reference 23/0551/PA, dated 27/11/2023.

2 Application

- 2.1 The application does not need to be accompanied by a Design and Access Statement, as it relates to development that is not a major development. The number of proposed dwellings is under 10 and the site area is under 1ha. (Section 9 of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.
- 2.2 The statement has been prepared by Llyr Evans BSc, MSc, MRTPI, (Director) Llyr Evans Planning Ltd. appointed by Mr Walters. The statement is based on information supplied by the applicants, and the other consultants involved in the project. Please Note: All stated dimensions and distances are approximates and based on the best information available at the time. Please refer to the submission plans for detailed information.
- 2.3 The application details include:
- Full Application Forms,
 - Supporting Statement including Green Infrastructure Statement,
 - Full set of plans,
 - Biodiversity Survey,
 - Flood Consequences Assessment,

3 Applicant

- 3.1 Mr Walters, Bumlbers, High Street, St Florence, SA70 8LN.

4 Site

- 4.1 The site is located within the built form and settlement boundary of St Florence. The application property is a single storey barn which is connected to a two storey traditional dwelling.
- 4.2 Desk-top observations and issues:
- *LPA*- Pembrokeshire County Council. LDP adopted 2013.
 - *Settlements*- The site is located within the Settlement Boundary of St Florence.

- *Access*- Vehicular and pedestrian access directly from the public highway to the west.
- *Footpaths*- None on site itself.
- *Flooding*- The site is partly within a flood zone. See accompanying FCA and commentary below.
- *Ownership*- Applicant
- *Historic Environment*- No Listed Buildings or Scheduled Ancient Monuments on site or in the immediate vicinity. The site is within the Conservation Area for St Florence.
- *Ecology*- Small building that has been subject to a Biodiversity Survey.
- *Phosphates*- Foul water would be directed to the Dwr Cymru Welsh Water public sewerage system. The system is not located within a phosphate sensitive catchment.
- *Planning History*-

4.3

- 22/0272/PA- Proposed conversion of existing barn to holiday let accommodation- Conditionally Approved,
- 23/0551/PA- Variation of occupancy condition- Approved in line with Use Class C6 (31 day occupation period).
- 23/0805/PA- Change of use of existing barn to full residential 2 bedroom cottage – Refused.

4.4



Site frontage from the west.

4.5



Site photos from the north.

4.6



Photo of rear elevation and proposed amenity space.

5 Policy Considerations

5.1 National Planning Policy

- Planning Policy Wales (Edition 12, 2024).
- Future Wales The National Plan 2040 (2021)
- Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009).
- Technical Advice Note (TAN) 12: Design (2016).
- Technical Advice Note (TAN) 18: Transport (2007).
- Technical Advice Note (TAN) 24: The Historic Environment (2017).

5.2 Local Development Plan for Pembrokeshire (LDP), adopted by Pembrokeshire County Council 28 February 2013.

- Policy SP 1 Sustainable Development
 - Policy SP 13 Settlement Boundaries
 - Policy GN.1 General Development Policy
 - Policy GN.2 Sustainable Design
 - Policy GN.26 Residential Development
 - Policy GN.37 Protection and Enhancement of Biodiversity
 - Policy GN.38 Protection and Enhancement of the Historic Environment.
- SPG- Parking Standards (2013).
 - SPG- Biodiversity (2014).

5.3 Principle of Development

Planning Policy Wales (PPW) (edition 12, 2024) forms the overarching national planning policy document for Wales and sets out the land use planning policies of the Welsh Government. It is supplemented by a suite of Technical Advice Notes (TANs). The main objective of PPW is to promote place-making and sustainable forms of development. Future Wales: The National Plan also provides a policy context for assessing development.

- 5.4 Section 1 refers to sustainable development and identifies the contribution planning can have to goals of the *Well-being of Future Generations Act*, paragraph 1.15, which include:

5.5



(PPW 12, 2024).

Figure 2:
The Well-being of Future
Generation's Goals



(PPW 12, p7).

5.6 PPW identifies that the planning system should, amongst other things, deliver good placemaking as a means of delivering sustainable development (para 2.8) and sets out the Key Planning Principles (figure 4, page 17). The proposed development would accord with these principles by making an efficient use of land, re-using an existing building and contributing to the housing stock in a sympathetic manner and in a sustainable location.

5.7 Section 2 of PPW deals with *People and Places: Achieving Well-being Through Placemaking* and identifies the key Planning Principles of:

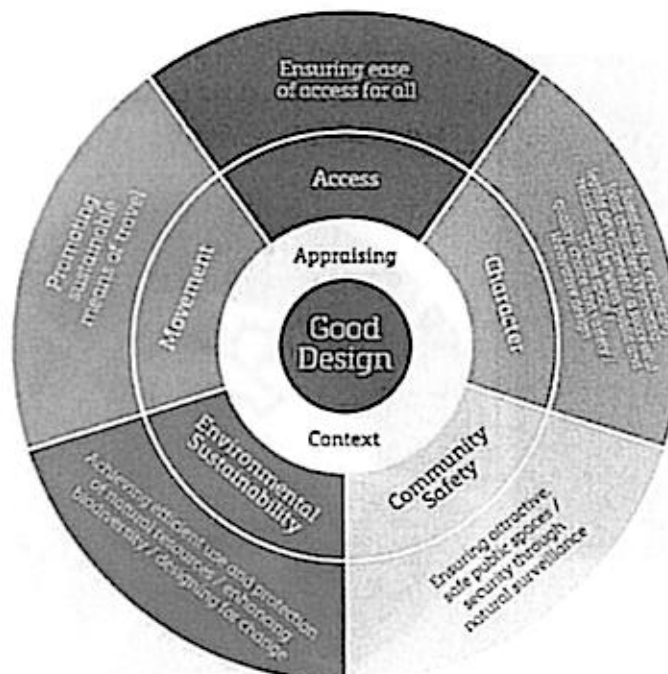
- *Growing our economy in a sustainable manner,*
- *Making best use of resources,*
- *Facilitating accessible and healthy environments,*
- *Creating and Sustaining Communities,*
- *Maximising environmental protection and limiting environmental impact (figure 4, p17 PPW12).*

The development would accord with these aims by utilising underutilised building for housing in a sustainable location within a settlement that is well served by community facilities and transport routes beyond.

5.8 Section 3 of PPW refers to the principles of Good Design, which are set out below:

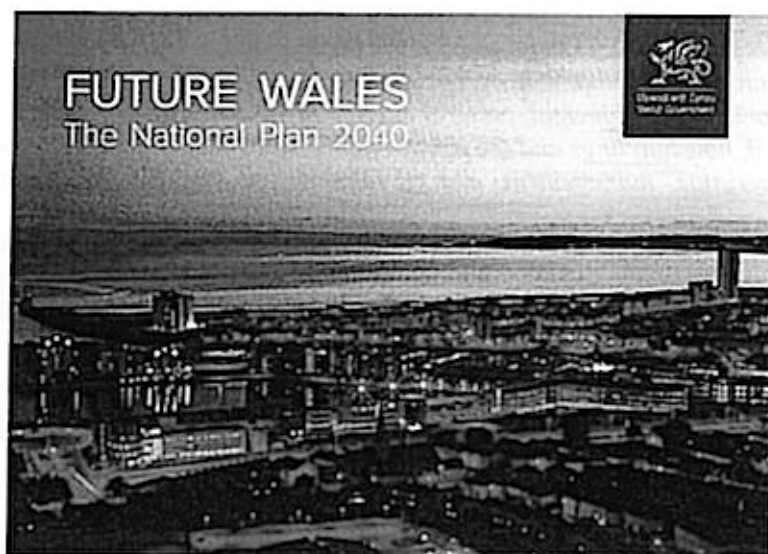
5.9

Figure 8: Objectives of Good Design



- 5.10 Section 3 of PPW deals with Strategic and Spatial Choices and paragraph 3.3 states: *"To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area"*.
Development of the site would make an efficient use of land by re-using an existing building within a sustainable location and contribute to the sense of place through introducing another property to the village, social benefits and maintenance of the property.
- 5.11 *PPW* continues by stating that *"Developments should seek to maximise energy efficiency and the efficient use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources, encourage decarbonisation and prevent the generation of waste and pollution"* PPW 12 para 3.7. The proposal would accord with these objectives by making an efficient use of land located within a sustainable location.
- 5.12 Section 4 of *PPW* deals with *Active and Social Places* and paragraph 4.2.2 states that the planning system must:
- *Identify a supply of land to support the delivery of the housing requirement to meet the differing needs of communities across all tenures,*
 - *Enable provision of a range of well-designed, energy efficient, good quality market and affordable housing that will contribute to the creation of sustainable places; and*
 - *Focus on the delivery of the identified housing requirement and the related land supply.*
- 5.13 The development would contribute to these objectives through making an efficient use of an existing building and through developing a modest, well designed and efficient dwelling in a sustainable location.
- 5.14 **Future Wales- The National Plan 2040** sets out the national development framework for Wales and identifies National and Regional Growth Areas, including aims and objectives, as well as Policy to guide development.

5.15

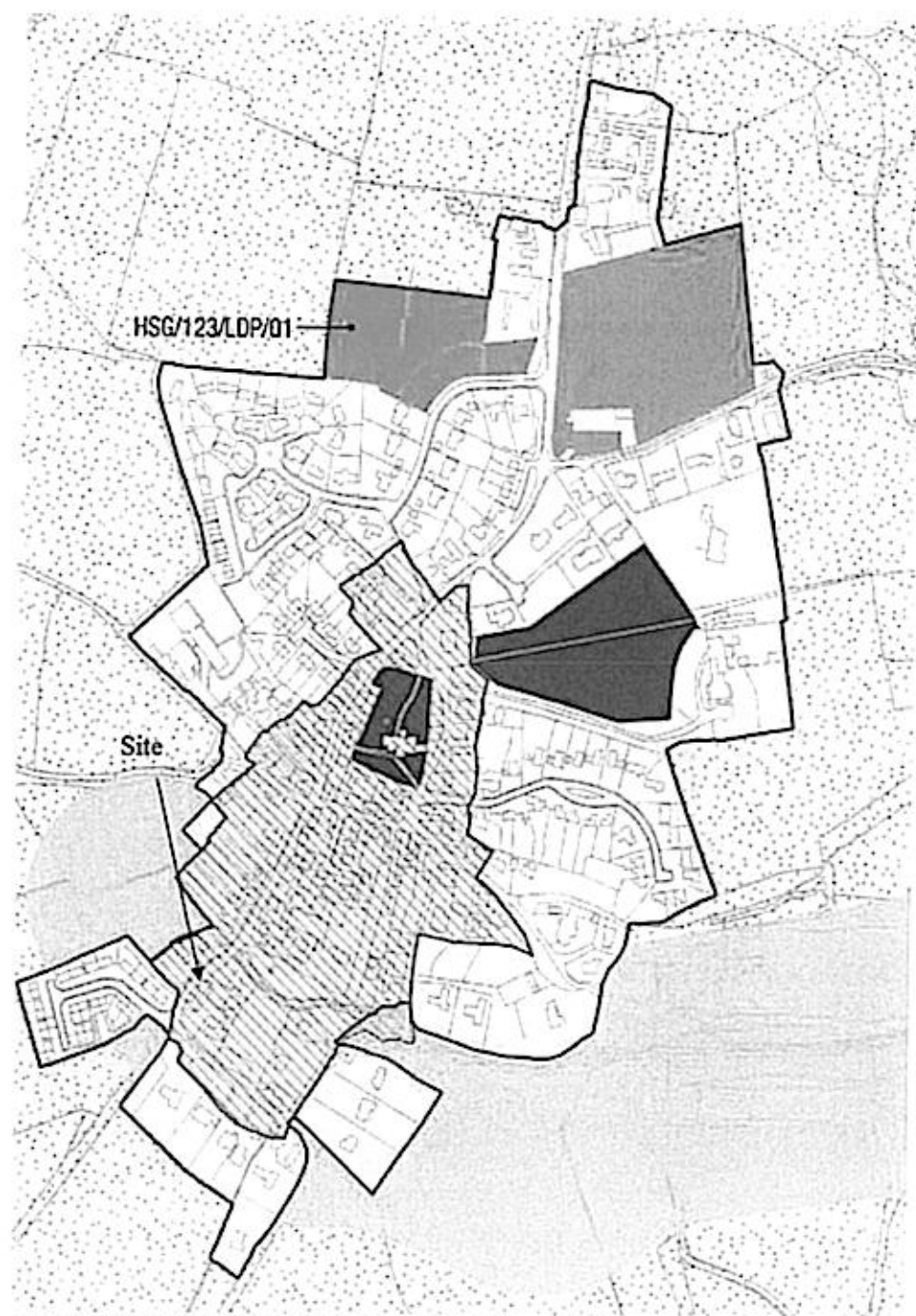


Future Wales- The National Plan 2040 cover.

- 5.16 *Future Wales* identifies that housing is of critical importance and that variety of housing is one of the Strategic Placemaking Principles.
- 5.17 *Policy 4 -Supporting Rural Communities* identifies that the Welsh Government supports sustainable and vibrant rural communities and continues by stating:
- "Strategic and Local Development Plans must identify their rural communities, assess their needs and set out policies that support them. Policies should consider how age balanced communities can be achieved, where depopulation should be reversed and consider the role of new affordable and market housing, employment opportunities, local services and greater mobility in tackling these challenges."*
- 5.18 The development of the site would contribute to the objectives of PPW and the LDP, bringing forward deliverable housing that would contribute towards the demand for small properties in the area.
- 5.19 **Local Planning Policy**
- 5.20 *Policy SPI* of the LDP requires all development proposals to demonstrate how positive economic, social and environmental impacts would be achieved and adverse impacts minimised. The development would provide positive economic impacts by providing on site employment during the construction period, as well as strengthening local supply and service businesses in the locality. Positive social impacts would be realised by reason of the economic benefits and through providing an additional dwelling in a sustainable location. Positive environmental impacts would be achieved through appropriate design and green infrastructure and adverse impacts would be minimised through sensitive design, mitigation and detailing.

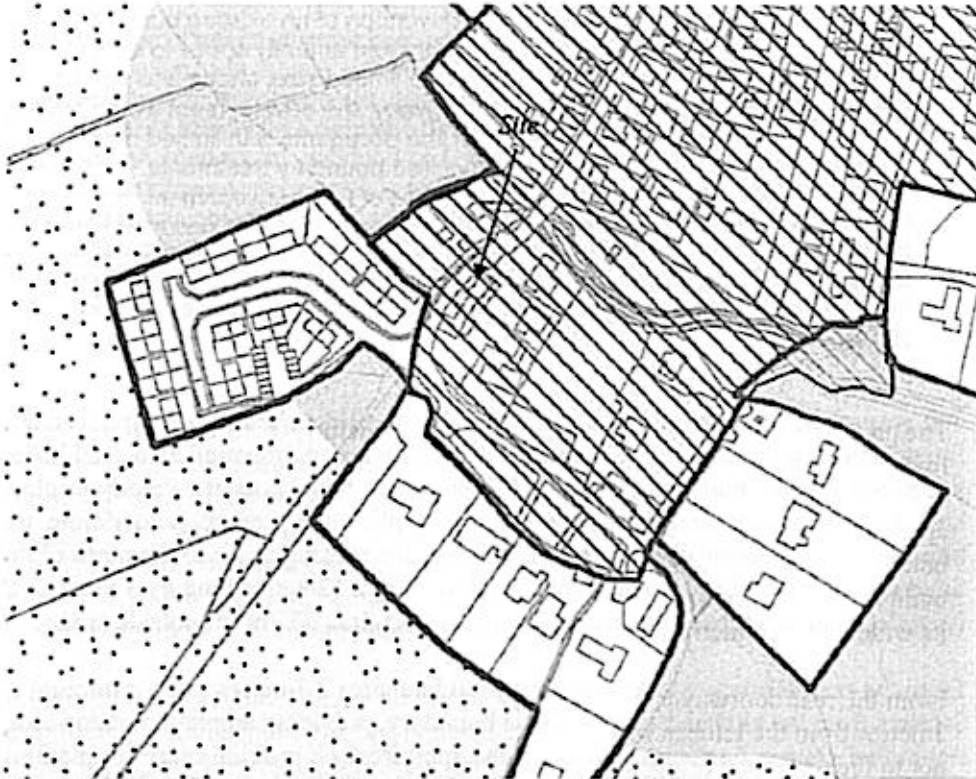
- 5.21 Policy *SP13 Settlement Boundaries* identifies the principle of settlement boundaries as a means of directing development to appropriate locations.
- 5.22 Policy *GN.26 Residential Development* of the LDP identifies that open market or affordable housing will be permitted within settlement boundary of Towns, Service Centre, Service Villages or Large Villages. St Florence is identified as a Service Centre, meaning that development should be promoted within the settlement boundary.

5.23



Extract of the LDP (2013) Settlement Boundary of St Florence

5.24



Partial LDP (2013) extract showing the site and its relationship with the settlement boundary.

5.25 The site is located within the settlement boundary for St Florence as designated by the Local Development Plan (LDP) for Pembrokeshire (2013). The development would therefore comply with policies *SP13 Settlement Boundaries* and *GN.26 Residential Development* of the LDP in simple land use planning terms and therefore the principle of development would be acceptable.

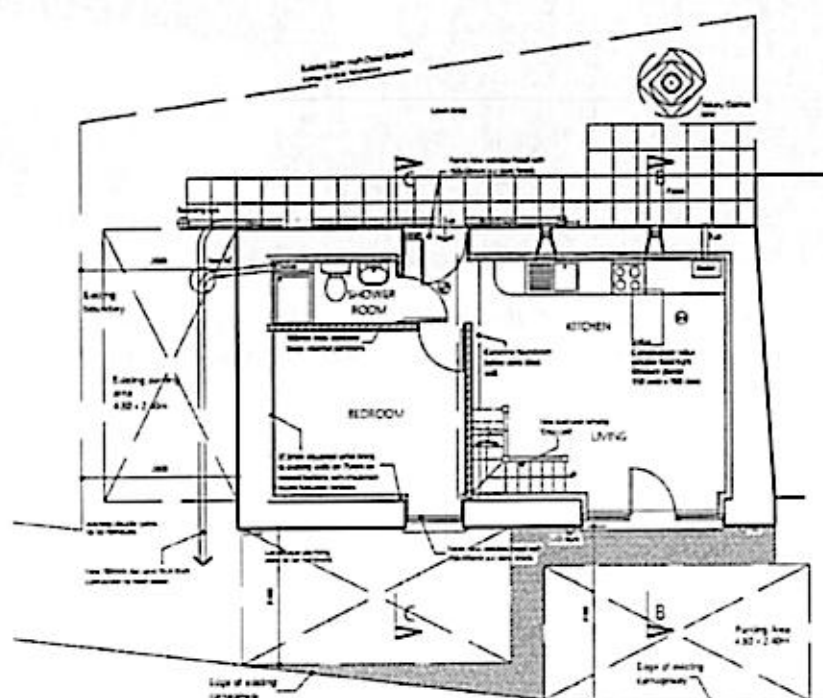
5.26 **Refusal Reason 1:**
Amenity and Living Standards:

5.27 The first refusal reason states:

1. The proposed development is for the conversion of an existing building to a two bedroom residential dwelling, with the proposed amenity space to serve the occupants limited to the rear. Owing to the limited size, shape and required mutual boundary treatments to protect privacy, the development would create a cramped and confined amenity area for the occupants with limited outlook dominated by the close proximity of required boundary treatments. As such, the development would result in a poor standard of living environment that would have a significantly detrimental impact on the amenity of its occupants that fails to comply with the environmental requirements of policy SP 1 (Sustainable Development) and criterion 2 of policy GN.1 (General Development Policy) of the adopted Local Development Plan for Pembrokeshire (adopted 28 February 2013).
- 5.28 The property is modest, but would contain all the facilities necessary for independent living. The extant planning permission for holiday accommodation also established an appropriate internal configuration. The boundary treatments are already in place and define the rear amenity space for the application property and define the boundary to the adjoining dwellings. Excluding the parking space to the north of the building, the rear amenity space would measure circa 12metres long by 3.6metres at its widest and 1.8metres at its narrowest providing circa 33.7m² of outside space.
- 5.29 From the rear doorway to the boundary would be circa 2.7metres and a minimum of 3metres from the kitchen windows to the boundary, providing ample separation so as not to feel cramped or oppressive from the apertures and provide space for planting such as creepers or climbing plants up the fence. Furthermore, the outside space would have a west and southern aspect meaning that it would benefit from direct sunlight for at least half the day. With a boundary fence of circa 2metres high and separation of at least 2.7metres sunlight would reach the rear wall of the building for the morning hours (see photos below) and extend northward throughout the space until midday. The space in front of the parking space and the lower boundary fence leading towards the road would also provide an aspect out of the site towards the road and street scene opposite and the southern area would be private.
- 5.30 It is noteworthy that there are no minimum space standards adopted by Pembrokeshire County Council, but to put the area into perspective, the Welsh Development Quality Requirements (WDQR) 2021 for affordable housing states *"Housing quality is as much about the value of the external spaces created as it is about the design of homes. Homes and their environs should therefore focus on the role of placemaking, be visually attractive and be both environmentally and ecologically sustainable as a result of good design. They should be of high quality and be healthy to live in to meet community, family and individual needs."* At 33.7m² and given its south facing aspect, the proposed space would be good quality. The space would provide ample space for a clothes line, area to store bins and for outside seating. The space is not overlooked would also get the sun for a good period of the day. Furthermore, the space would satisfy the now omitted paragraph 1.7.3 of the DQR 2005 which required a minimum space of 30m² for single storey properties. In light of the above it is contended that the development would provide an adequate level of amenity and living standards.

- 5.31 It is contended that the property as proposed would provide a meaningful unit of accommodation within the village and provide a functional home. In fact a member of the community has already expressed an interest in occupying the property if it were to be developed. It is noteworthy that the extant planning permission would result in use of the space regardless and there is ample space to provide bins and outside paraphernalia associated with the permanent use of the dwelling.
- 5.32 It should also be noted that St Florence is well served by public open space, there being a pleasant walking area adjoining the river to the north, church yard, amenity open space and recreational open space. These are all within walking distance of the property and in light of this the need for extensive outside space associated with the property is unnecessary.
- 5.33 In light of the above and the discussion earlier in the statement, it is considered that the development accords with criteria 2 of policy GN.1 in terms of residential amenity.

5.34



PROPOSED GROUND FLOOR PLAN

Proposed site layout.

5.35



Photo from the northern corner of the site looking southwards.

5.36



Photo from the centre of the garden area looking southwards showing the relationship with the main dwelling. Note shadow only affects part of the site and the remainder is in sunlight.

5.37



Photo from the north eastern corner showing the outlook towards the road.

5.38 **Refusal Reason 2:**
Flooding

2. The application site is partially located within the C2 floodzone. The proposal is for the change of use of an existing building to a dwelling. The application has not been supported by a Flood Consequence Assessment (FCA), in the absence of this information, it is not possible to fully establish the risks to the occupants of the proposed dwelling. As such, the proposed development would not comply with national planning policy in TAN 15, and would result in unacceptable harm to health and safety in conflict with criterion 7 of policy GN.1 (General Development Policy) of the adopted Local Development Plan for Pembrokeshire (adopted 28 February 2013).

- 5.39 It is acknowledged that the site is partially located within a flood zone (2 and C2) and as such a FCA accompanies the application. The FCA concludes that the consequences of a flood event would be acceptable given the safe means of escape, internal refuge, that this risk of flooding would not be increased elsewhere and flood proofing measures could be incorporated- see page 17 and 18 of the FCA. A Flood Plan is also included at page 21 of the FCA.
- 5.40 It should also be noted that extant planning permission exists for the conversion of the building to a holiday let. The consequences of a flood event and associated risks would therefore be comparable to the fallback position albeit it is generally accepted that permanent residents would be more familiar with the area, risks and flood procedures, thereby reducing the risk over and above the fallback (23/0551/PA). Given that planning permission exists for human habitation of the property it is considered that the risk of flooding could be acceptably managed and that the FCA addresses the second refusal reason.
- 5.41 It is also noteworthy that NRW did not object to the last application, 23/0805/PA.

5.42 The FCA summarises the FCA as follows:

- The site is located predominantly within Flood Zone A, with a small part of the site shown to be within Flood Zone C2.
- The site is approximately 28m to the south of the River Ritec.
- The site is shown to be entirely outside of Rivers and Sea Flood Zone 3, but partially within Flood Zone 2.
- No modelled flood levels are available from NRW.
- Site outside NRW historic records of flooding.
- The Flood Risk from Surface Water and Small Watercourses map shows the site to be entirely outside of areas of High, Medium and Low Risk.
- The Flood Map for Planning shows the site to be entirely outside of the Surface Water and Small Watercourses – Flood Zone 2 and Surface Water Flood Zone 3.
- Risk of groundwater and sewer surcharge flooding would appear to be low.
- Proposal is for the change of use of existing building.
- "Highly vulnerable" development throughout (residential).
- Safe escape can be provided entirely within Flood Zone A, outside of Rivers and Sea Flood Zones 2 and 3 and Surface Water and Small Watercourses Flood Zones 2 and 3.
- Safe refuge is provided on the first floor of the property.
- Internal access will be maintained from the ground floor to the first floor to provide an area of safe refuge.
- Flood proofing of the building will be incorporated as appropriate.
- A flood warning and evacuation plan will be implemented post development.

Assuming accordance with these flood risk management measures, Unda Consulting Limited consider the proposed application to be suitable in flood risk terms.

5.43 Other Matters:

5.44 Design and Conservation Area:

The property is a well designed, compact property that would contribute towards the supply of a small one/two bed property within the settlement. The works to the property would be minimal and its character would be preserved. The dwelling would provide comfortable and functional living space for the occupiers without detracting from the character of the building itself or the area. It is noted that the site is located within the Conservation Area of St Florence. Section 72 of the Listed Buildings and Conservations Areas Act (1990) as amended by the Historic Environment (Wales) Act 2016 places a duty on decision makers to pay special attention to the desirability of preserving or enhancing the character of the area. The works are sensitive to the character of the building and would therefore preserve the character of the wider conservation area.

5.45 Housing Land Supply:

The Joint Housing Land Availability Study JHLAS for Pembrokeshire County Council (2019) identifies a housing land supply of 3.5 years. Traditionally a 5 year housing land supply has been necessary, and whilst it is acknowledged that the Welsh Government has discontinued *Technical Advice Note 1: Joint housing land availability studies* whereby Planning Policy Wales (edition 12) places greater emphasis on housing trajectory, the study provides useful information in relation to supply of land for housing and likely deliverability of identified sites.

5.46 In this regard the above report identifies no completions in St Florence since last study (2017) against a commitment of 37 units. Furthermore, the Pembrokeshire

Local Housing Market Assessment (2021) identifies a need for 14 new 1 or 2 bedroom open market dwellings in St Florence (page 100). These figures would corroborate the daily media reports that the country is in housing crisis and the local need is considerable.

- 5.47 The development would therefore contribute, albeit in a small way, to housing delivery of a size of dwelling with an identified need in the area and is a considerable material planning consideration to enable the scheme to be supported.
- 5.48 ***Biodiversity and Green Infrastructure- Green Infrastructure Statement:***
The site is not located within or adjoining any statutory designated sites as identified in *Figure 12: Designated Sites* of PPW12 Chapter 6. As such the site falls to be considered under the *Step-Wise* approach.
It is considered that the development would accord with Chapter 6 of Planning Policy Wales and Pembrokeshire County Council *Policy GN.37 Protection and Enhancement of Biodiversity*.
- 5.49 ***Baseline:***
The site consists of mainly hardstanding and the building itself. The southern, eastern and northern boundaries of the site are timber board fencing and the western boundary is open to the road. The site appears to be of no, to negligible value. The property was surveyed by a licenced ecologist who found no evidence of bats using the building.
- 5.50 Paragraph 6.4.21 of Chapter 6 of PPW discusses the *step-wise* approach to maintain and enhance biodiversity on site. The site was assessed by a licensed ecologist which found no evidence of protected species using the site.
- 5.51 ***Step-wise:***
Avoid- Bearing paragraph 6.4.25 of Chapter 6 PPW in mind the ecological value of the site is generally low. There appears to be minimal biodiversity value to the site.
Minimisation- As above the site is of low value. Low level and covered external lighting would be used to minimise impacts on bats.
Mitigation/ Restoration- Direct mitigation would not be applicable but compensation and enhancement measures would be provided as discussed below.
Compensation on site- Mitigation would be provided in the form of bird and bat boxes.



5.52 Maintenance:

Maintenance would include the replacement of damaged nesting boxes within 3 years of installing.

5.53 Conclusion in relation to Green Infrastructure:

The current ecological value of the site would be low and therefore the impacts of the development would be limited. The enhancement measures proposed would therefore provide meaningful gains. In light of the above it is considered that the development would accord with the Welsh Government's objective of achieving net benefit for biodiversity and Chapter 6 of Planning Policy Wales as well as criterion 4 of policy *GN.1* and policy *GN.37* in relation to ecology of the LDP.

5.54 Highway Implications

The development makes provision for 3 parking spaces to serve the barn and main dwelling which would be adequate given the character of the area and highway network. The Local Highway Authority offered no objections to the previous scheme and there is no reason to believe that their opinion would have changed. The development would therefore accord with criteria 5 and 6 of policy *GN.1* in terms of accessibility and highway safety.

- 5.55 Given the above it is considered that the development would accord with policies *SP1*, *SP13*, *GN.1*, *GN.2*, *GN.26* and *GN.38* of the LDP and PPW (12th Edition) which seeks to foster sustainable development, housing delivery, placemaking, good design and preservation of the historic environment.

6 Conclusion

- 6.1 The development would represent an efficient use of land in a sustainable location that relates well to the built form and Conservation Area of St Florence and where sustainable development should be supported.

- 6.2 It is clear from the national and local guidance that land should be considered as a resource and the effective and efficient use of land promoted in line with policies *SP1*, *SP13*, *GN.2* and *GN.26* of the *LDP* and *PPIW* (12th Edition) which, amongst other things, seek to foster sustainable development, housing delivery and placemaking. Furthermore, the proposal would deliver a much needed size of dwelling.
- 6.3 The development makes provision for over 33m² of good quality external space that would have a decent amount of sunlight, is not overlooked, provides outside storage, clothes drying and amenity space with a reasonable outlook from the property and beyond the site. St Florence is also well served by outside space which would contribute to the occupiers sense of place and well-being. It is therefore contended that the proposal complies with policy *GN.1* in terms of living conditions and would represent an appropriate form of development with an adequate standard of living conditions.
- 6.4 Furthermore, a FCA accompanies the application which concludes that the consequences would be acceptable and risk of flooding elsewhere would not be increased. It is also noteworthy that the extant planning permission and the fallback it represents to place people at the property would be a considerable material planning consideration sufficient to satisfy this issue.
- 6.5 In light of the above, it is contended that the scheme would make an efficient use of underutilised land, is appropriate and acceptable within the parameters of the *LDP* and National Policy and Guidance.

END



Refusal of Planning Permission

Town and Country Planning Act 1990

Name and address of Applicant

Philip Walters
Bumblers
High Street
ST FLORENCE
Tenby
Pembrokeshire
SA70 8LN

Name and address of Agent (if any)

Llyr Evans,
Llyr Evans Planning Ltd
Llantood Farm
Cardigan
SA43 3NU

Part I - Particulars of application

Date of application:
16-Jul-2024

Application Number:
24/0403/PA

Particulars and location of development:

Proposed conversion (change of use) of existing barn to dwellinghouse (Use Class C3) - Bumblers, High Street, ST FLORENCE, Tenby, Pembrokeshire, SA70 8LN

Part II - Particulars of decision

The Pembrokeshire County Council hereby give notice in pursuance of the provisions of the **Town and Country Planning Act 1990** that **permission has been refused** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following reasons:

1. The proposed development is for the conversion of an existing building to a two bedroom residential dwelling, with the proposed amenity space to serve the occupants limited to the rear. Owing to the limited size, shape and required mutual boundary treatments to protect privacy, the development would create a cramped and confined amenity area for the occupants with limited outlook dominated by the close proximity of required boundary treatments. As such, the development would result in a poor standard of living environment that would have a significantly detrimental impact on the amenity of its occupants that fails to comply with the environmental requirements of policy SP 1 (Sustainable Development) and criterion 2 of policy GN.1 (General Development Policy) of the adopted Local Development Plan for Pembrokeshire (adopted 28 February 2013).

2. The application site is partially located within the C2 floodzone, and represents a highly vulnerable development. Technical Advice Note (TAN) 15 (Development and Flood Risk - July 2004) states that development of the nature proposed should not be permitted within such an area. Whilst the existing building is used for storage purposes in conjunction with the existing dwelling and there is an extant permission for a holiday let, the proposed residential unit would intensify the consented use. This would create a new highly vulnerable use in this area. As such, the proposed development would not comply with national planning policy in TAN 15, and would result in unacceptable harm to health and safety in conflict with the strategic aims of policy SP 1 (Sustainable Development) and criterion 7 of policy GN.1 (General Development Policy) of the adopted Local Development Plan for Pembrokeshire (adopted 28 February 2013) and TAN 15.

Date: 28-Nov-2024

County Hall
Haverfordwest
Pembrokeshire



Head of Planning

Notes

1. If you are in receipt of a householder or minor commercial decision and are aggrieved by the decision of the local planning authority to refuse permission, or to grant permission or approval subject to condition, then you can appeal to the Welsh Ministers under Section 78 of the Town and Country Planning Act 1990 within 12 weeks of the date of the notice of the decision or determination giving rise to the appeal.

If you are in receipt of any other decision notice and are aggrieved by the decision of the local planning authority to refuse permission or, or to grant permission or approval subject to condition, then you can appeal to the Welsh Ministers under Section 78 of the Town and Country Planning Act 1990 within 6 months of the date of the notice of the decision or determination giving rise to the appeal. The Welsh Government has power to allow a longer period for the giving of a notice of appeal but it will not normally be prepared to exercise this power unless there are special circumstances which exclude the delay in giving notice of appeal. The Welsh Government is not required to entertain an appeal if it seems to it that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of any development order, and to any directions given under the order. In practice, the Welsh Government does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by the Welsh Government.

2. How can you submit your appeal?

You can download the appeal forms online through the planning portal website at: www.planningportal.gov.uk/wales/public. Once you have downloaded the appeal forms you can complete them electronically and email them to us at PEDW.Casework@gov.wales.

You can also either print off the downloaded appeal forms or get a copy of the forms by contacting us on 0303 444 5940 and complete them by hand. They need to be sent into the address below:

PEDW
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

3. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Welsh Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the county district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.
4. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Welsh Government on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-261719-B0L5
Eich cyf/Your ref: 24/0403/PA

Pembrokeshire County Council
County Hall
Haverfordwest
Pembrokeshire
SA61 1TP

Dyddiad/Date: 19 August 2024

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: Proposed conversion (change of use) of existing barn to dwellinghouse (Use Class C3)

LLEOLIAD/LOCATION: Bumpers, High Street, ST FLORENCE, Tenby, Pembrokeshire, SA70 8LN

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 31 July 2024.

We have no objection to the proposed development as submitted and provide the following advice.

Flood Risk

Our Flood Risk Map confirms the site to be partially within Zone C2 of the Development Advice Map (DAM) contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning identifies the application site to be at risk of flooding and falls partially into Flood Zone 2 Rivers.

We have reviewed the 'Flood Consequences Assessment (FCA) for Planning' by UNDA, dated July 2024 submitted in support of the application. Whilst no flood levels have been provided in the FCA, we do not have concerns when considering the flood risk and the nature of this development.

In areas at risk of flooding, we recommend that consideration be given to the incorporation of flood resistance/resilience measures into the design and construction of the development. These could include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor and locating electrical sockets/components at a higher level above possible flood levels.

We refer the applicant to our [website](#) for further advice and guidance is available. Additional guidance including the leaflet "Prepare your Property for flooding" can be found [here](#).

The developer can also access advice and information on protection from flooding from the ODPM publication 'Preparing for Floods: Interim Guidance for Improving the Flood Resistance of Domestic and Small Business Properties', can be found [here](#).

As it is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15, we recommend you consider consulting other professional advisors on matters such as emergency plans, procedures and measures to address structural damage that may result from flooding. Please note, we do not normally comment on or grant the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

European Protected Species – Bats

We note that the bat report submitted in support of the above application ('Bat Surveys and Green Infrastructure Statement' by Kite Ecology, dated June 2024) has identified that bats were not using the application site. We therefore have no comment to make on the application as submitted in terms of bats.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

Advice for the Developer

Due to the proximity of the site to the minor watercourse, all works at the site must be carried out in accordance with GPP5, 'Works and maintenance in or near water' [gpp-5-works-and-maintenance-in-or-near-water.pdf \(netregs.org.uk\)](#) and PPG6, 'Working at construction and demolition sites' [ppg-6.pdf \(netregs.org.uk\)](#).

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Ashley Bosomworth

Cynghorydd - Cynllunio Datblygu/Advisor - Development Planning
Cyfoeth Naturiol Cymru/Natural Resources Wales

Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.