



Outline Planning Permission

Town and Country Planning Act 1990

Name and address of Applicant

Hawfire Developments Limited
Cleddau Bridge Hotel
Essex Road
Pembroke Dock
Pembrokeshire
SA72 6EG

Name and address of Agent (if any)

Richard Banks,
Evans Banks Planning Limited
2, Llandeilo Road
Cross Hands
Carmarthenshire
SA14 6NA

Part I - Particulars of application

Date of application: **26-Oct-2022**

Application Number: **22/0510/PA**

Particulars and location of development:

Demolition of Hotel and Siting of Residential Care Home and Linked Bungalows - Cleddau Bridge Hotel, Essex Road, Pembroke Dock, Pembrokeshire, SA72 6EG

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 **outline planning permission has been granted** 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 conditions:

1. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called the reserved matters) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
Reason: This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.
2. Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
Reason: This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.
3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

4. The self-contained units of accommodation shall be occupied solely in conjunction with the care home hereby permitted.
Reason: In order to ensure that the accommodation is retained for use in conjunction with the care home and to accord with policy GN.30 of the Local Development Plan (adopted 28 February 2013).
5. The reserved matters application in respect of access shall provide detailed designs for any proposed access onto Essex Road. The details shall include levels, gradients and construction for the access roads, and to include details of the collection and disposal of surface water from the access roads. There shall be no obstruction to visibility exceeding 0.6 metres in height within the visibility splay for a 30mph road in accordance with Manual for Streets. Development shall be carried out in accordance with the approved details, and maintained thereafter.
Reason: To ensure satisfactory implementation in the interests of highway safety and in accordance with policy GN.1 of the Local Development Plan (adopted 28th February 2013).
6. The first reserved matters application in respect of layout shall include a scheme for foul and surface water drainage incorporating Sustainable Drainage Systems (SUDS). The scheme shall be implemented in accordance with the approved details prior to the first use of the development and retained for as long as the development exists.
Reason: To ensure that a satisfactory means of drainage is provided, and to accord with policy GN.1 of the Local Development Plan for Pembrokeshire (adopted 28 February 2013).
7. The reserved matters application in respect of layout shall detail the location and extent of any waste storage facilities to be provided on the site. Development shall be carried out in accordance with the approved details.
Reason: To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy GN.1 of the Local Development Plan for Pembrokeshire (adopted 28 February 2013).
8. The reserved matters in respect of landscaping shall detail biodiversity mitigation measures. The proposed mitigation measures shall be as detailed in Section 5 of the submitted bat report and included on the proposed plans. Mitigation measures shall be carried out in accordance with the approved details.
Reason: To protect the wildlife and the ecological interests of the site, included protected species, in accordance with policies GN.1 and GN.37 of the Local Development Plan (adopted 28th February 2013).
9. The reserved matters application in respect of landscaping shall detail a biodiversity enhancement and landscaping scheme. The scheme shall include details of surfacing, enclosures, planting, specification for plants and biodiversity enhancement measures.

All biodiversity enhancement measures, planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in

the first planting and seeding seasons following the occupation of the development or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of amenity and to protect the wildlife and the ecological interests of the site, included protected species, in accordance with policies GN.1 and GN.37 of the Local Development Plan (adopted 28th February 2013).

10. The reserved matters application in respect of landscaping shall detail an external lighting scheme. The scheme shall take into account all of the lighting needs and mitigation requirements associated with the development during operational hours and shall be the minimum required to perform the required lighting task. It shall be specifically designed to minimise the risk of light spillage beyond the development site boundary and within ecologically sensitive areas.

The scheme shall include:

- A report, prepared by a lighting engineer, setting out the technical details of the luminaires and columns, including their location, type, shape, dimensions and, expected luminance output and specifically explaining what design attributes have been chosen to minimise light pollution.
- A plan illustrating illuminance levels across the development site and at the boundary of the site. The level of illuminance should be appropriate to the character of the surrounding area as a whole.
- A statement which demonstrates how the lighting scheme will be viewed against the wider landscape and, where appropriate, the potential role of landscaping in minimising the day and night-time visual impact of the installation.
- An Environmental Lighting Impact Assessment against conservation requirements for protected species and designated landscapes.

The lighting scheme shall be implemented prior to first use of the development and thereafter operated in accordance with the approved details.

Reason: In the interests of amenity and to protect the wildlife and the ecological interests of the site, included protected species, in accordance with policies GN.1 and GN.37 of the Local Development Plan (adopted 28th February 2013).

11. No development, or site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:

- Construction methods: details of materials used in construction; details of how any waste generated will be managed.
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage site set-up plan detailing how sensitive receptors

will be protected from harm e.g. fencing, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.

- Biodiversity Management during construction: details of habitat retention and protection; invasive species management; species and habitat protection, avoidance, mitigation and enhancement measures (as detailed with the Extended Phase 1 Survey).
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of work.
- Resource Management: details of fuel and chemical site storage and containment; details of waste generation and its management; details of the consumption of water and wastewater.
- Pollution Prevention: demonstrate how Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities set out in the CEMP and emergency contact details. For example, contract manager, site manager, contractors, visitors, site environmental advisor, landscape clerk and ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity and to protect the wildlife and the ecological interests of the site, included protected species, in accordance with policies GN.1 and GN.37 of the Local Development Plan (adopted 28th February 2013).

12. Prior to commencement of development, a Construction Transport Management & Demolition Plan (CTMDP) shall be submitted to an approved in writing by the Local Planning Authority. The CTMDP shall include:

- Demolition schedule
- Parking for vehicles, site personnel, operatives and visitors
- Expected levels of staff and any shift work, by phase
- Expected trip generation for the construction period
- Loading and unloading of plant and materials
- Storage of plant and materials, including hoarding details
- Vehicle routing
- Measures to prevent the deposit of materials on the highway
- Before and after construction conditions surveys of the highway and a commitment to fund the repair of any damage caused
- On-site turning for construction vehicles

Demolition and construction shall be carried out in accordance with the

approved details.

Reason: To ensure satisfactory implementation in the interests of highway safety and in accordance with policy GN.1 of the Local Development Plan (adopted 28th February 2013).

13. Prior to commencement of development details of any externally located fixed plant and equipment shall be submitted to and approved in writing by the local planning authority. Plant and equipment shall be installed in accordance with the approved details.

Reason: To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy GN.1 of the Local Development Plan for Pembrokeshire (adopted 28 February 2013).

14. Prior to the commencement of development a scheme of accessibility measures for the site shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved prior to first use of the site, and retained for as long as the development exists.

Reason: To accord with the requirements of the Equality Act 2010 (Disability) regulations, and in the interests of amenity to accord with Policy GN.1 of the Local Development Plan for Pembrokeshire (adopted 28 February 2013).

15. No development shall commence until an assessment of the nature and extent of contamination affecting the application site area has been submitted to and approved in writing by the local planning authority. This assessment shall be carried out by or under the direction of a qualified person in accordance with BS10175 Investigation of Potentially Contaminated Sites Code of Practice and shall assess any contamination on the site, whether or not it originates on the site.

The report of the findings shall include:

(i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;

(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;

(iii) an assessment of the potential risks to:

- human health,
- groundwater and surface waters
- adjoining land,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- ecological systems,
- archaeological sites and ancient monuments; and
- any other receptors identified at (i)
- an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition shall be conducted in accordance with Welsh Local Government Association and the Natural Resources Wales' 'Development of Land Affected by Contamination: A guide for Developers'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to accord with policy GN.1 of the Local Development Plan for Pembrokeshire (adopted 28 February 2013).

16. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990, The Contaminated Land (Wales) Regulations 2012 in relation to the intended use of the land after remediation. The detailed remediation scheme shall not be submitted until written approval for Condition 15 has been received from the Local Planning Authority.

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to accord with policy GN.1 of the Local Development Plan for Pembrokeshire (adopted 28 February 2013).

17. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be produced, and is subject to the approval in writing of the Local Planning Authority. The verification report contents shall be agreed with the Local Planning Authority before commencement of the remediation scheme.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to accord with policy GN.1 of the Local Development Plan for

Pembrokeshire (adopted 28 February 2013).

18. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of condition 15, and where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of condition 16, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 17.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to accord with policy GN.1 of the Local Development Plan for Pembrokeshire (adopted 28 February 2013).

19. Deliveries and waste collection shall not be taken at or dispatched from the site outside the hours of 07:00 to 19:00.

Reason: To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy GN.1 of the Local Development Plan for Pembrokeshire (adopted 28 February 2013).

Date: 24-Feb-2023



**County Hall
Haverfordwest
Pembrokeshire**

DIRECTOR OF COMMUNITY SERVICES

Notes to Applicant

1. Having regard to the details of the application proposals, and the relevant provisions of the Local Development Plan for Pembrokeshire (adopted 28 February 2013) as summarised below

Policies SP 1, SP 12, SP 13, SP 14, GN.1, GN.2, GN.30 and GN.37

It is considered that subject to compliance with the conditions attached in this permission, the proposed development would be in accordance with the Development Plan.

This informative is intended only to be a summary of the reasons for the

granting of planning permission. For further details on the decision, please see the application report under the above reference.

2. This decision relates only to the plans identified below:
02 Rev D Site Plan revised 10/02/2022
03 Rev D Master Plan revised 10/02/2022
04 Scale Parameters dated 10/02/2022

3. Warning: a European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/lang+en>

PLEASE NOTE: As per the recommendations within the bat report, if a reserved matters application is not submitted within two years of the date of the bat report, updated surveys may be required.

A NRW development licence will need to be obtained and the following advice is applicable.

The above is necessary because all British bat species are European Protected Species by virtue of their listing under Annex IV of EC Directive 92/43/EEC (The Habitats Directive). This Directive has been transposed into British Law under the Conservation of Habitats and Species Regulations (2017). As the bat survey revealed the presence of a bat, work may require derogation in the form of a licence from NRW, which the developer has to apply for. Before such a licence can be granted, the following tests (specified in Article 16 of the EU Habitats Directive and in regulation 55 (9) of the 2017 Regulations) must be satisfied:

- (i) there is no satisfactory alternative to the derogation;
- (ii) the derogation is not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range;
- (iii) the derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

Planning Policy Wales states that to avoid developments with planning permission subsequently not being granted a licence in relation to a European Protected Species (EPS), planning authorities must take the

three requirements for a derogation into account when considering development proposals where a EPS is present and must be satisfied a where an EPS licence is required it will be granted by NRW.

4. From 7th January 2019, all new developments of more than one property or where the construction area that has drainage implications is 100 square metres or more will require sustainable drainage systems (SuDS) for surface water. The SuDS must be designed and built in accordance with Statutory SuDS Standards published by the Welsh Ministers and SuDS Schemes must be approved by the local authority acting in its SuDS Approving Body (SAB) role, before construction work begins.

Pembrokeshire County Council as SuDS Approving Body (SAB) considers that by virtue of the fact that the construction area having drainage implications appears to be in excess of 100 square metres; the proposed works will require SAB approval prior to the commencement of any works on site relating to this application.

The granting of planning consent for this application does not remove the requirement to gain SAB approval.

The applicant should be made aware that if there is a breach of the requirement for SAB approval (i.e. when construction work is commenced without SAB approval); the SAB may issue an enforcement notice.

Furthermore, the applicant should be aware that the failure to obtain SAB approval might have a detrimental effect upon the future sale of the property, which could also result in insurance applications and or flood event settlements being compromised.

It should be noted that if an application for SAB approval has not been made and subsequently approved by the SAB Team as part of a formal SAB Application, we may not be able to support any future application for the discharge of any surface water drainage related condition in connection with this development since any proposals submitted for the discharge of the condition may be subject to change in order to meet Welsh Governments Statutory Standards for Sustainable Drainage Systems.

The applicant can obtain further information in relation to the requirement for SAB approval from the Authorities Website at, www.pembrokeshire.gov.uk/planning-contacts/sustainable-drainage-approving-body-sab

Approval should be sought from:

SAB
Community Services Directorate
Infrastructure Division
Pembrokeshire County Council

County Hall
Haverfordwest
Pembrokeshire
SA61 1TP

e-mail: sab@pembrokeshire.gov.uk
telephone: 01437 776142.

Notes

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.

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 wales@pins.gsi.gov.uk.

You can also either print off the downloaded appeal forms or get a copy of the forms by contacting us on 029 2082 5670 and complete them by hand. They need to be sent into the address: The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff. CF10 3NQ.

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.

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.

Your attention is drawn to the fact that the proposed development may be located in an area affected by radon gas. Further information may be obtained from the Council's Building Control Section.

Note: This decision refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under Building Regulations or any other enactment, byelaw, order or regulation. You are advised to contact that Section separately to ascertain whether you require their prior approval before commencing any work on site.

This planning permission shall not be construed as granting rights to carry out works on, or over, land not within the ownership, or control of the applicant, including Council owned land.

From 7th January 2019, all new developments of more than 1 property or where the construction area that has drainage implications is 100 square metres or more, will require sustainable drainage systems (SuDS) for surface water. The SuDS must be designed and built in accordance with Statutory SuDS Standards published by the Welsh Ministers and SuDS Schemes must be approved by the local authority acting in its SuDS Approving Body (SAB) role, before construction work begins.

For further advice in relation to this matter please contact Pembrokeshire County Council as SuDS Approving Body (SAB):

**SAB
Community Services Directorate
Infrastructure Division
Pembrokeshire County Council
County Hall
Haverfordwest
Pembrokeshire
SA61 1TP**

e-mail: sab@pembrokeshire.gov.uk

**The SAB team can be contacted by telephone as follows
Paul Morgan 01437 776142 or Emyr Williams 01437 776143.**