

REPORT OF THE DEVELOPMENT MANAGEMENT TEAM LEADER ON APPEALS

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

NP/20/0263/CLP Use as a caravan site for occupation as a person's sole or main place of residence – Park Farm Holiday Park, Manorbier
Type Hearing
Current Position A Hearing has been arranged for 14th & 15th June 2022.

NP/20/0407/FUL Demolition of existing garage/workshop, and other extensions. Modernisation of existing building and new two storey extension to form a change in use to provide Key worker accommodation (C3 class) which comprises, 18 No. self-contained studio rooms. The proposal provides 9 No. parking spaces at the front and rear of the property with one being a disabled space. There is also provision for six cycle stands at the rear – Coed-derw, St Brides Hill, Saundersfoot
Type Written Representations
Current Position The initial paperwork has been sent to the Inspectorate

NP/20/0614/FUL 6 affordable houses in association with 6 woodworking workshops, a community facility and a timber processing and drying facility – Pantmaenog Forest, Rosebush
Type Hearing
Current Position A Hearing has been arranged for 21st June 2022.

NP/21/0106/FUL Proposed change of use of stables to tourist accommodation – Isfryn, Pontyglasier, Crymych
Type Written Representations
Current Position The initial paperwork has been sent to the Inspectorate

NP/21/0236/FUL Change of use from garden workshop (application number NP/18/0062/S73) using existing approved particulars and location under NP/17/0107/FUL to allow use for holiday letting purposes – 4a Bryn Road, St Davids
Type Written Representations
Current Position The appeal has been partially allowed & partially dismissed & a copy of the Inspectors decision is attached for your information.

NP/21/0404/ADV Erection of 3 No. high level building mounted halo illuminated individual letter and roundel signs, 1 No. halo illuminated fascia sign & 1 No. non-illuminated directional sign – Premier Inn, St Davids

Type Written Representations

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



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 22/02/2022

gan **Paul Selby BEng (Hons) MSc MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 07/04/2022

Appeal Decision

Site visit made on 22/02/2022

by **Paul Selby BEng (Hons) MSc MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 07/04/2022

Appeal Ref: CAS-01457-P8H4B3

Site address: 4A Bryn Road, St Davids SA62 6RB

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- 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 Robin Murphy against the decision of Pembrokeshire Coast National Park Authority.
 - The development is Change of use from garden workshop (application number NP/18/0062/S73) using existing approved particulars and location under NP/17/0107/FUL to allow use for holiday letting purposes.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. As the development has been completed planning permission is sought retrospectively.

Main Issue

3. The main issue is whether the use is suitable in a residential area, having regard to its effect on the living conditions of neighbouring residents.

Reasons

4. The appeal relates to a timber structure sited in the rear garden of No 4a Bryn Road, a detached dwelling located in a predominantly residential area a short distance from the centre of St Davids. The site is reached via a private driveway which passes below and adjacent to the terraced dwelling of No 4 Bryn Road. The rear garden of No 4a adjoins, or is located close to, the rear of several single-storey dwellings which are accessed from Bryn Road or the residential street of Brynteg.
5. The appeal structure was granted planning permission as a workshop but has been fitted out to provide living accommodation. Internally it features an open plan kitchen, dining, living and sleeping space, and a separate WC/shower room. Featuring glazed doors and

windows, a wood burner flue and a projecting gable, to my mind its external appearance and scale affords it the character of a holiday cabin/lodge rather than a typical domestic outbuilding. Nonetheless, it occupies a modest area of No 4a's rear garden and from public viewpoints it is largely screened by the surrounding built form.

6. The National Park Authority ('the Authority') alleges that the use of the appeal building is tantamount to a new dwelling, having been provided with a separate curtilage. The living accommodation provided within the appeal structure is, however, limited in size and clearly subsidiary in scale to No 4a. Whilst a low wall and gate provides superficial separation, the appeal structure lies in close proximity to the dwelling and has clear visual and functional linkages with it, including a shared access and main garden. Moreover, as the applied-for use is described as 'for holiday letting purposes', the creation of a separate curtilage for the appeal building and its independent occupation would require separate planning permission. I consider that such matters could be adequately controlled via a condition of planning permission.
7. Notwithstanding this, the Authority contends that the use of the structure for holiday accommodation would result in the overdevelopment of the site, to the detriment of the living conditions of nearby occupiers. Although the scale of living accommodation provided is limited, ground floor and mezzanine sleeping space would reasonably allow a maximum of four persons to occupy the building. Consequently the development has the potential to attract a separate family or group from those residing or staying in the main dwelling. The likely effect of this would be the frequent occupation of the wider site by people who would not form a single household or group.
8. On my site visit I noted that the noise profile of the area was typical of a low rise residential area in being relatively tranquil. The appeal structure is situated in close proximity to boundaries shared with adjacent dwellings, particularly Nos 5 and 8 Brynteg. Although its windows and doors face away from these properties, and the structure is of solid wood construction, it is likely that noise and disturbance generated by guests would be audible within adjacent gardens, and if their windows were open, within rear-facing rooms of neighbouring dwellings. In addition, given the limited size of the accommodation it is likely that the adjacent patio and garden would be regularly used by visitors.
9. The nature of the holiday accommodation use would be likely to result in people staying for a short period of time, with frequent change-over of visitors, particularly during the summer months, when residents of the area are more likely to be using their gardens or sleeping with windows open. Given the limited insulation within the appeal building it is likely that guests would frequently make use of the wood burner, the flue of which is not well elevated and lies in close proximity to the shared boundary with No 5. It is also reasonable to assume that the structure's use as holiday accommodation would give rise to frequent comings and goings, not just in vehicles, and that guests would make regular use of the garden for having conversations and eating, including into the evening hours. In my view, this level of activity would be greater than, and materially different in nature to, the use of the structure as a workshop ancillary to the main dwelling, even were it to be used for power tools, which would be likely to occur only intermittently. Close-boarded fences or walls erected along shared boundaries would do little to reduce the resulting noise and disturbance experienced by adjacent residents.
10. The position of the appeal structure and the parking area, in addition to the low-rise nature of development nearby and screening provided by fences, would avoid creating disturbance from lights during hours of darkness. Nonetheless, for the reasons given above I conclude that the holiday letting use would generate noise and disturbance of a magnitude, frequency and nature which would unacceptably harm the living conditions of

adjacent occupants, thereby conflicting with the objective of policy 30 of the adopted Pembrokeshire Coast Local Development Plan 2 (LDP) to avoid unacceptable adverse effects on amenity.

Other Matters and Conclusion

11. The appeal development would be located within an existing structure, the scale and nature of which would render it inappropriate for permanent accommodation. Consequently I do not consider that the appeal scheme would conflict with policy 40 of the LDP, as alleged by the Authority. In providing holiday accommodation within an existing tourist centre it would have a positive effect on the local economy. I attach limited weight to this as a benefit of the appeal scheme.
12. Such factors do not, however, outweigh the identified harm or the conflict with LDP policy 30. Matters such as the acceptable arrangements for vehicular access and parking, and the retention of adequate private amenity space, are 'neutral' factors which weigh neither for nor against the development.
13. I have considered all other matters raised but none alter my decision. For the reasons given above 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 the Welsh Ministers' well-being objective to make our cities, towns and villages even better places in which to live and work.

Paul Selby

INSPECTOR



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 22/02/22

gan Paul Selby BEng (Hons) MSc MRTPI

Arolygydd a benodir gan Weinidogion
Cymru

Dyddiad: 22.03.22

Appeal Decision

Site visit made on 22/02/22

by Paul Selby BEng (Hons) MSc MRTPI

an Inspector appointed by the Welsh
Ministers

Date: 22.03.22

Appeal Ref: CAS-01587-R4N0P1

Site address: Premier Inn, Glasfryn Road, St Davids, Haverfordwest SA62 6QF

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992 against conditions imposed when granting express consent.
- The appeal is made by Premier Inn Hotels Ltd against the decision of Pembrokeshire Coast National Park Authority.
- The application Ref NP/21/0404/ADV is dated 25 June 2021.
The conditions in dispute are Nos 2 and 3 which state: “2. *The development shall be carried out in accordance with the following approved plans and documents: Site Plan, No Ref. Location Plan, No Ref. Proposed North Elevation, No Ref. Proposed East Elevation, No Ref. Proposed South Elevation, No Ref. Proposed West Elevation No Ref. Sign location plan, No Ref. South Elevation cross section, No Ref*”. 3: *Notwithstanding the approved plans, the signs hereby permitted shall be non-illuminated in perpetuity*”. The reasons given for the conditions are: “2: *In order to be clear on the approved scheme of development in the interests of protecting visual amenity and the special qualities of the National Park. Policy: Local Development Plan 2 – Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 14 (Conservation of the Pembrokeshire Coast National Park) and 29 (Sustainable Design)*”. 3: *In the interests of protecting the visual amenity and the special qualities of the National Park. Policy: Local Development Plan – Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 9 (Light Pollution), 14 (Conservation of the Pembrokeshire Coast National Park) and 29 (Sustainable Design), 30 (Amenity)*”.

Decision

1. The appeal is dismissed insofar as it relates to east- and west-facing signs subject to condition No 3. The appeal is allowed in relation to condition No 2, and insofar as it relates to south-facing signs subject to condition No 3, and the express consent Ref NP/21/0404/ADV for Erection of 3 No. high level building mounted halo illuminated individual letter and roundel signs, 1 No. halo illuminated fascia sign and 1 No. non-illuminated directional sign, granted on 2 December 2021 by Pembrokeshire Coast

National Park Authority, is varied by deleting condition Nos 2 and 3 are substituting them for the following conditions:

- 2) The development shall be carried out in accordance with the following approved plans: Site Location Plan; Signage Plans (Ref: 157825 (Rev E) 07/09/21 – KA).

Reason: To ensure the express consent is carried out in accordance with the approved plans submitted with the application.

- 3) Notwithstanding the approved plans, the east- and west-facing signs hereby permitted (shown as Item Nos 1 and 3 on the approved plans) shall be non-illuminated in perpetuity.

Reason: In the interests of visual amenity.

- 4) The south-facing signs hereby permitted (shown as Item Nos 2 and 4 on the approved plans) shall only be illuminated between the hours of sunrise and 23:00.

Reason: In the interests of visual amenity.

- 5) The intensity of the average illumination of the south-facing signs hereby permitted (shown as Item Nos 2 and 4 on the approved plans) shall be no greater than 31 candelas per square metre.

Reason: In the interests of visual amenity.

Procedural Matters

2. The appeal has been made in relation to two conditions, Nos 2 and 3, imposed on the consent by the National Park Authority (“the Authority”). There is agreement between the main parties that the wording of condition No 2 was subject to a drafting error whereby incorrect drawings were referenced. I have therefore proceeded to determine the appeal on the basis of those drawings referenced in the appeal documentation, and have amended condition No 2 accordingly. I am satisfied that this course of action is appropriate and not prejudicial to the interests of any party.
3. For the avoidance of doubt, in coming to my decision I have had regard only to submitted documents which are of direct relevance to the applied-for signs, and not to comments relating to other aspects of the appeal site.

Main Issue

4. The main issue is whether condition No 3 is reasonable and necessary in the interests of amenity and public safety.

Reasons

5. The appeal relates to a recently-constructed hotel located near to the junction of the A487 and Glasfryn Road. The hotel is moderately set back from the footways of these roads and its main entrance faces a car park which is accessed from Glasfryn Road.
6. In the vicinity of the site are a light industrial unit to the east, a sports pitch north of the A487, and dwellings to the west and south. However, the hotel occupies a relatively exposed position near to the more elevated eastern edge of the settlement. On my site visit I saw that the signs situated on the east- and west-facing gables, due to their orientation, considerable width and siting at second floor level, are perceptible over a wide area outside the settlement. This includes from areas of farmland, coastal hinterland and common land to the east, north and northwest, the sparsely populated and tranquil nature of which form an essential component of the setting of St Davids.

7. During daylight hours the advertisements subject to the appeal are perceived as part of the fabric of the building and from more distant viewpoints are not readily distinguishable, in terms of their appearance or character, from other built form within the settlement. However, illuminated at night-time, the east- and west- facing advertisements would be clearly visible from areas of relative remoteness and tranquillity within the National Park (NP). It is the case that the signs would be seen in the context of buildings and other lighting at the fringe of St Davids, including light emanating from windows, street lighting, and floodlighting at the nearby rugby pitch, the latter of which would be particularly prominent, albeit infrequent and time-limited. Nonetheless, a general absence of other high-level, illuminated advertisements within the immediate townscape and surrounding landscape would afford the east- and west-facing signs considerable prominence during hours of darkness, and of an obtrusiveness which would draw the eye.
8. Para 6.3.6 of Planning Policy Wales states that planning authorities should give great weight to the statutory purposes of NPs, which includes conserving and enhancing their natural beauty. Technical Advice Note 7 'Outdoor Advertisement Control' (TAN 7) states that, in NPs, applications for express consent need to be closely scrutinised to ensure that proposals do not compromise the aims of an area's designation. Despite being 'halo' illuminated onto a stone façade, the design and siting of those signs which would be prominently visible from the open countryside would not harmonise with their setting. Whilst I acknowledge that national policy does not prohibit illuminated advertisements within NPs, the prominence, siting and design of the east- and west-facing signs would blight and materially encroach onto the surrounding area's predominantly remote and tranquil night-time character, causing material harm to the NP's natural beauty.
9. The appellant has proposed ceasing illumination at 23:00 hours and limiting the level of illumination to 3000 Kelvin. The latter would result in perceived luminance of 31 cdm⁻², well below the maximum level of 100 cdm⁻² identified in technical guidance entitled 'Professional Lighting Guide PLG 05: The Brightness of Illuminated Advertisements' as being appropriate for 'intrinsically dark' locations such as NPs, which, given the site's location at the fringe of a settlement of limited size, I consider to be an appropriate benchmark. Nonetheless, whilst I have had regard to this guidance, given the prominence of the east- and west- facing advertisements from intrinsically rural areas of considerable sensitivity and quality within the NP I am not persuaded that such mitigation would overcome the identified harm. I draw this conclusion because, despite the appellant's suggested conditions, the stated objective of the illumination is for the business to be identifiable to customers in the dark, which is inseparable from the nature of the harm that I have identified. The fact that the appeal site forms part of an allocation within the Pembrokeshire Coast Local Development Plan 2 (LDP) and benefits from a planning permission for a mix of uses has little bearing on this appeal, which has been made under a separate consenting regime. Nor do other considerations outweigh the identified harm, including business need, which in any case underscores the advertisement consenting regime and is not in dispute.
10. Notwithstanding this, the signs located on the southern gable (Item No 2) and above the entrance (Item No 4) are not prominent from the surrounding countryside, instead being mainly experienced from viewpoints firmly associated with the built-up area of St Davids. Subject to conditions to limit their luminance to 31 candelas and switch them off at 23:00, as suggested by the appellant, the illumination of these signs would not cause visual harm. Such conditions would also satisfactorily mitigate any visual effects experienced by occupants of nearby dwellings, from which the signs are adequately separated.

11. The appellant considers that the non-illumination of the signs would be detrimental to highway safety as customers would be unable to identify and locate the hotel in the dark and so would need to undertake potentially hazardous manoeuvres. I saw that, for traffic approaching on the A487, on the immediate approach the east-facing sign is obscured by hedgerows until the 30mph speed limit is reached near to the junction with Glasfryn Road. I therefore dispute whether the sign's illumination would afford drivers sufficient advance notice to slow down to make the left turn into Glasfryn Road. In any case, the sign does not indicate to drivers approaching on the A487 that a left turn is required, and there are ample opportunities further along the A487 for drivers to pull over or safely U turn should they choose to. There is also little evidence that a significant proportion of customers would approach from this direction rather than via Solva. Consequently I am not persuaded that the illumination of the signs is justified on the basis of highway safety.
12. For the above reasons I conclude that the express consent should be varied by deleting condition Nos 2 and 3 and substituting them for new conditions to identify the correct plans/drawings and to preclude the illumination of the two signs facing east and west (Item Nos 1 and 3 on the approved plans). I also conclude that, in relation to Item Nos 2 and 4, it is necessary and reasonable to impose two further conditions specifying maximum luminance levels and hours of operation, based on the model conditions set out in Welsh Government Circular 016/2014 'The Use of Planning Conditions for Development Management'.
13. In reaching these conclusions I have taken into account policies of the LDP including policies 1, 8, 9, 14, 29 and 30, which amongst other things seek to protect the NP's natural beauty and special qualities, avoid light pollution, visual intrusion or unacceptable adverse effects on amenity, and have regard to local distinctiveness; and therefore are material in this case. As I have concluded that the two signs facing south would not cause visual harm, their halo illumination would not conflict with these policies, subject to the imposition of appropriate conditions. However, for the stated reasons I consider that the illumination of the two signs facing east and west would conflict with the objectives of these policies.
14. Having regard to all matters raised, I conclude that the appeal should succeed in relation to condition No 2, and insofar as it relates to south-facing signs subject to condition No 3. However, for the given reasons I conclude that the appeal should be dismissed insofar as it relates to the east- and west-facing signs subject to condition No 3.
15. 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 making our cities, towns and villages even better places in which to live and work.

Paul Selby

INSPECTOR