

## REPORT OF THE DEVELOPMENT MANAGEMENT MANAGER ON APPEALS

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

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

**Type**

Written Reps

**Current Position**

The initial documentation has been forwarded to PEDW

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

**Type**

Written Reps

**Current Position**

The initial documentation has been forwarded to PEDW

**EC22/0038** Siting of Camping Pod and associated drainage work - Land to the north of Pentop, Abercastle, Haverfordwest, Pembrokeshire, SA62 5HJ

**Type**

Written Reps

**Current Position**

The initial documentation has been forwarded to PEDW

**EC23/0124** Siting of touring caravan on land for residential use - Penygraig Uchaf, Cippyn, St. Dogmaels, Pembrokeshire, SA43 3LZ

**Type**

Written Reps

**Current Position**

The initial documentation has been forwarded to PEDW

**NP/24/0517/FUL** Proposed side and rear extensions with ecological enhancements and creation of off-road car parking for a family home (partly in retrospect and 3rd resubmission) - 4, Pisgah Cottages, Cresselly

**Type**

Written Reps

**Current Position**

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

**NP/22/0343/FUL** Social Enterprise Centre – Educational - Responsive Earth Trust, Plasdwbl, Mynachlogddu, Clynderwen, Pembrokeshire, SA66 7SE

**Type** Hearing

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

**NP/24/0440/FUL** Design amendment to approval NP/21/0133/FUL & NP/22/0701/NMA with alternative front Steps / ramp, new rear disabled lift & position of roof lights (In Retrospect) Sands Café, Newgale Hill, Newgale SA62 6AS

**Type** Written Reps

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



## Appeal Decision

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by C D Sweet MPlan MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 26/06/2025

Appeal reference: CAS-04161-B0Z9P2

Site address: 4 Pysgah Cottages, Cresswell Quay, Kilgetty, Pembrokeshire, SA68 0TD

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- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Rhys Cadogan against the decision of the Pembrokeshire Coast National Park Authority.
  - The application Ref NP/24/0517/FUL, dated 1 October 2024, was refused by notice dated 31 January 2025.
  - The development proposed is described as 'proposed side and rear extensions with ecological enhancements and creation of off road car parking for a family home (3<sup>rd</sup> resubmission)'.
  - A site visit was made on 18 June 2025.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. Some reprofiling works have taken place at the appeal property and part of the front boundary wall has been removed. The appeal seeks part-retrospective planning permission, and I have dealt with it on that basis.
3. The appellant provided a plan with their appeal (Drawing No. 02b, dated 24 March 2025) which shows potential visibility splays and suggests that further alterations could be made to the front boundary wall. However, article 26C of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 prevents the variation of applications at the appeal stage, other than for the purposes of addressing a correctable error. As that is not the case here, that plan does not fall to be considered, and I have determined the appeal based on the plans that informed the National Park Authority's (NPA) decision.

### Main Issues

4. The main issues are:
  - i) Whether the proposal would preserve or enhance the character or appearance of the Cresswell Quay Conservation Area, with regard to the appeal site's location within the Pembrokeshire Coast National Park (PCNP); and
  - ii) The effect of the proposal on highway safety.

## Reasons

### *Conservation Area and PCNP*

5. The appeal property is one of a pair of traditional, semi-detached cottages within and close to the boundary of the Cresswell Quay Conservation Area (CA), and within the Milford Haven Waterway Historic Landscape.
6. Both the appeal property and its attached neighbour are largely unaltered and retain their simple, original scale and form and a pleasing symmetry. Notwithstanding the appeal property's current condition, this gives the pair a distinctive, cohesive appearance which creates a notable sense of the historic built form within the street scene at this point, and makes a significant, positive contribution to the established character and appearance of the CA.
7. Although views of the proposed extensions in the wider landscape would be limited due to the prevailing topography and the presence of existing and proposed trees and boundary treatments, they would nonetheless be clearly visible from the road nearby and particularly so when entering the CA from the south.
8. The NPA's Sustainable Design and Development Supplementary Planning Guidance (SPG) does not specifically state that extensions must be subservient or place a percentage limit on such alterations. It does however advise that, among other things, development should respond to the physical characteristics of a site, respecting the height, sight lines, building lines, historic development patterns and orientation of development within the locality.
9. The proposal would retain a number of the appeal property's original features and would utilise traditional finishing materials. The fenestration in the proposed extensions' front and side elevations would largely reflect that of the main cottage and the proposal would maintain consistent front building lines and similar roof heights. The proposed extension of the front boundary wall would be carried out using matching traditional materials, reflecting the original wall and those found nearby within the CA. These aspects could be secured by conditions, and I am satisfied that the proposal would therefore accord with the SPG in these respects.
10. The SPG is supportive of more contemporary additions in certain circumstances, and I acknowledge the examples referred to by the appellant. Visibility of the proposed full height fenestration in the rear elevation would be largely limited to within the appeal property's rear garden and to glimpses from the rear of neighbouring properties. It would therefore have a limited effect on the character or appearance of the CA and as such, I do not consider that its inclusion would, on its own, justify withholding planning permission.
11. However, the proposed extensions, due to their scale and degree of projection to the side and rear, would nonetheless appear as overly large, dominant additions that would overwhelm the simple form of the original cottage and reorientate its massing away from its neighbour. This would give the pair a notably unbalanced appearance and materially erode their retained original symmetry.
12. Irrespective of the fact that other nearby cottages may have been extended previously and that such extensions may have been accepted by the NPA, this would cause the appeal property to appear incongruous when viewed against the largely unaltered form of its attached neighbour and would significantly diminish the sense of historic built form within the street scene at this point. The proposal would therefore fail to preserve the character or appearance of the CA or the cultural heritage of the PCNP and would result in unacceptable harm in this respect.

13. I acknowledge that the proposal would not result in a loss of remoteness or tranquillity, cause the overall identity and character of the village to be lost or significantly impact upon the pattern and diversity of the landscape and historic environment. Given its scale and location, its effects on the wider Historic Landscape would be limited.
14. Nonetheless, I find that the proposal conflicts with policies 1, 8, 14, 29 and 30 of the Pembrokeshire Coast National Park Local Development Plan 2 (September 2020) (LDP) which among other things, require that development is compatible with the cultural heritage of the Park and designed well in relation to place and local distinctiveness, that the historic environment is protected and where possible enhanced and that development would not have an unacceptable adverse effect on locally distinctive characteristics. It also conflicts with the overall aims of the SPG.

#### *Highway Safety*

15. The proposed access would not allow for the turning of vehicles within the appeal site and drivers would be required to reverse either into or out of the proposed driveway. Visibility to the north when manoeuvring out would be limited to some degree by the proposed extended front boundary wall. I note that the Highway's Authority (HA) suggests a condition requiring greater visibility splays in that direction.
16. The road to the front of the appeal property has a national speed limit. However, traffic flows are moderate and intermittent, and the HA advises that due to the topography, vehicles approaching the appeal site are likely to be travelling at speeds well below the posted limit. Although I appreciate that traffic flows and speeds will fluctuate, the HA's views in these respects were borne out by my observations during a weekday morning.
17. Driveways akin to that proposed are not uncommon in the area and the presence of other, similar arrangements nearby, in combination with the clear visual presence of the proposed access and those at nearby properties, would serve to alert drivers and other road users to the potential for vehicles to be egressing those accesses, allowing them to apply caution when approaching the appeal property.
18. Moreover, the relatively narrow width of the road at this point and the available visibility would mean that drivers would be likely to manoeuvre slowly and exercise care when exiting the appeal site. The scale of development proposed is such that the number of vehicular movements to and from the appeal property is likely to be limited.
19. Taking these factors together and given the highway conditions I have described, I consider that the degree of visibility that would be provided, although limited, would be adequate in this context.
20. Therefore, although some change to highway conditions would result from the proposal, I am satisfied that in combination, the above factors would limit any risk to highway safety, such that no unacceptable harm would occur.
21. I acknowledge the NPA's concerns regarding the potential impacts that further changes to the front boundary wall arising from a visibility splay condition, as proposed by the HA, might have on the CA. However, given I have found the proposal acceptable in this respect, I do not consider that such a condition is necessary in any event.
22. I find that the proposal complies with policy 60 of the LDP which, among other things, requires that appropriate access can be achieved and that there is no unacceptable adverse effect on highway safety.

#### **Other Matters**

23. Planning Policy Wales (Edition 12) (PPW) sets out a step-wise approach for proposals to maintain and enhance biodiversity, build resilient ecological networks and deliver net

benefits by ensuring that adverse effects are firstly avoided, then minimised, mitigated and finally, compensated for. Paragraph 6.4.16 makes clear that all development must provide a net benefit for biodiversity and ecosystem resilience.

24. Whilst some of the appeal site's previous ecological value has been lost due to clearance and reprofiling works, there is sufficient information available to establish the site's value prior to those works taking place. The proposal would retain existing trees on site and makes provision for additional planting and bat and bird boxes, which were considered appropriate by the NPA's Ecologist and Tree and Landscape Officer. Natural Resources Wales offered no objection on this basis, and I have no cogent evidence to suggest that the proposal would impact upon any designated sites.
25. Subject to appropriate conditions ensuring that those measures are secured and that existing on-site features are protected during construction, I am therefore similarly satisfied that the proposal would provide a proportionate degree of enhancement and an overall net benefit for biodiversity and ecosystem resilience, in accordance with policy 9 of Future Wales and PPW.
26. The appellant has drawn my attention to a discrepancy in the submitted drawings relating to the positioning of the proposed soakaway. However, this could be effectively dealt with by a condition requiring a final drainage scheme to be submitted to and approved by the NPA.

### **Planning Balance and Conclusion**

27. I have found no harm to highway safety, and I acknowledge that the proposal would have no unacceptable impact on the amenity of neighbouring occupiers. It would include new off-road parking and would make provision for a proportionate degree of biodiversity enhancement. It would also provide some benefit to the local economy during construction and would make use of an existing building that is currently in disrepair.
28. I acknowledge the personal circumstances that underpin the appellant's desire for the proposed extensions. I also accept that the proposal would provide accommodation more conducive to occupation by a family and that the resulting dwelling would not be excessively large by modern standards. However, personal circumstances can change, whereas the proposed extensions would remain at the appeal property in the longer term and continue to cause the harm identified above.
29. I have little evidence to suggest that the appellant's aims in this respect could not be met by other, less harmful alternatives or that the appeal property's use as a dwelling would be lost should planning permission be refused. As such, I afford these arguments limited weight.
30. Whilst I therefore acknowledge that the proposal may offer some benefits in these respects, they would be modest and would not outweigh the significant harm to the character and appearance of the CA, which is an overriding consideration.
31. I have had regard to all other matters raised, but none alters my conclusions. For the reasons given above, I therefore conclude that the appeal should be dismissed.
32. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

*C D Sweet*

INSPECTOR



## Appeal Decision

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by I Stevens BA (Hons) MCD MBA MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 30/07/2025

Appeal reference: CAS-03917-P3F3Y9

Site address: Responsive Earth Trust, Plasdwbl, Mynachlogddu, Clunderwen, SA66 7SE

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- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ruskin Mill Trust against the decision of Pembrokeshire Coast National Park Authority.
  - The application Ref NP/22/0343/FUL, dated 27 May 2022, was refused by notice dated 16 May 2024.
  - The development proposed is social enterprise centre - educational.
  - A hearing was held on 29 May 2025.
  - A site visit was made on 9 June 2025.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. At the hearing, the appellant clarified the nature and scope of uses within the proposed social enterprise centre. They include an exhibition space, research centre, café, shop, office, and reception. Parking spaces for up to 12 vehicles would be provided. The centre would be open to staff, students, and visitors including members of the public. My determination of the appeal has proceeded on this basis.

### Main Issues

3. The main issues are:
  - Whether the proposal would provide a suitable location for a social enterprise centre, having regard to the rural restraint policies controlling development in the countryside.
  - The effect of the proposal on the character and appearance of the surrounding area, having regard to its location in the National Park; and
  - The effects of any additional phosphates on the Afonydd Cleddau Special Area of Conservation.

### Reasons

#### *Suitability of location*

4. Coleg Plas Dwbl is an education and training college providing land based and craft activities for young people with additional learning needs. It forms part of a wider network of colleges and centres run by Ruskin Mill Trust (RMT) that share an outdoor learning curriculum.
5. The appeal site is a parcel of horticultural land which contains 3 polytunnels, a timber shed and kitchen garden. It is set within a larger landholding of college buildings, agricultural and horticultural land, and wooded areas. The site is accessed by a track which runs from the college entrance to the north.
6. In planning policy terms, the appeal site is in the countryside, where Policy 7 of the Pembrokeshire Coast National Park Local Development Plan 2 (LDP2) says development must be strictly controlled. Amongst the specific forms of development that Policy 7 supports in principle is a new or extended community facility, which engages Policy 54. The first criterion of Policy 54 sets out that extended community facilities will be permitted where they are well located to meet the community's needs and are convenient to public transport, shops, and other services where it is required to serve the needs of the user.
7. Whilst the centre would be well located to meet the needs of existing staff and students, it would also be open to visitors. The LDP2 glossary definition of community facilities refer to the needs of the community in the broader sense. It does not suggest that those needs are confined to a specific sector such as the college staff, students, and associated visitors. The community's needs therefore include the wider community, who would be able to visit the proposal.
8. Several activities that are to be located within the social enterprise centre already take place at the college. Training courses aimed at RMT staff are held in the farmhouse and canteen. A temporary marquee holds graduation ceremonies, during which times student work is displayed. Produce grown on-site is already sold locally, including through an honesty box near the college entrance. However, the proposed building would introduce new and expanded facilities which would not be confined to existing staff and students. This includes the research centre which has been described as a space for researchers to engage with and provide training for college staff and others within and outside the Trust community.
9. The shop and café would enable students to gain work experience within a controlled environment and to develop transferable skills ready for their future lives. Having these activities in a dedicated space would be beneficial to the students. Nevertheless, the appellant's evidence refers to the café being open to visitors in the area who may be passing and wish to see the college's work, including sampling food grown at the farm. This includes opportunities for social interaction as students working in the shop and café meet and serve visitors from the local community. The café would provide a more outwardly facing facility and with an indicative seating area for up to 24 people, it would provide a sizeable space for visitors.
10. The nature and intended function of the building would be wider than educational. It would be open to any visitors who choose to visit the facilities. Whilst the social enterprise centre would result in a minor increase in staff at the college, there would also be additional visits from staff based at other RMT colleges and the public. The appellant maintains that visitor numbers would be small, with an estimate of 6 persons on average per day during term times comprising of visiting researchers, local authority visits, parents and passing walkers. However, there is no firm evidence as to how this figure has been calculated, or why passing drivers have not been factored in. With one of the stated purposes to enable those from outside of RMT to understand its work, ideas and to see



the work of students and researchers at Coleg Plas Dwbl, there is clearly an outward facing element to the proposal which would draw people from outside of the college.

11. The benefits to students and the college in having opportunities for wider interaction with the public have been well documented. However, the combination of proposed uses, and their intended benefits, would draw additional visitors to the college. I understand the intention is not to make the centre a visitor attraction and destination its own right. Even if, as the appellant suggests, it would only attract visitors from the local community, there is no certainty of controlling this and it would still be materially different to the existing situation. The combination of uses and activities, particularly with a shop and café restricted only by its seating capacity, could draw in many more than 6 visitors each day.
12. Those visitors, whether from other RMT sites or the public, would be heavily reliant on the use of private motor vehicles to reach the site. The nearest settlement is Mynachlogddu, approximately 2 miles away. Infrequent bus services operate between the village and surrounding settlements, such that it could not be relied on for frequent transportation. Besides, the unclassified road which serves Coleg Plas Dwbl is a narrow route with no dedicated footways. With public rights of way and bridlepaths in the area, pedestrian access is possible but given the undulating topography and distances to the nearest settlements, it is unlikely to be a primary mode of travel for visitors.
13. Planning Policy Wales, Edition 12 (PPW) acknowledges that for most rural areas the opportunities for reducing car use and increasing walking, cycling and use of public transport are more limited than in urban areas. It adds that different approaches to sustainable transport will be required in rural areas, and new development will need to reflect local circumstances. The college currently provides for 23 students who typically live within a 40-minute drive of Coleg Plas Dwbl and arrive either by taxi or support staff vehicles. There is no intention to increase student numbers as a direct result of the proposal. As an established educational facility in the countryside, there is already a heavy reliance on the use of private motor vehicles for travel to and from the college. However, the social enterprise centre is aimed not just at current staff and students. With the opportunity for additional visitors, it is important that the proposal is well-designed with appropriate access for pedestrians, cyclists, vehicles, and public transport as set out in LDP2 Policy 59. Through its location and combination of uses the proposal would therefore result in car-dependent development.
14. The appellant considers the building is required in this location for safeguarding, legibility, and monitoring purposes. Students working in the fields could encounter visitors before reaching the current reception near the car park, further along the driveway into the college grounds. Whilst a reception point could provide a means of control and help monitor visitors entering the college grounds, there is no suggestion that a new building is the only means to achieve this. It has not been fully explained why an entrance barrier or gated system, or additional surveillance and staffing arrangements, could not achieve the desired aims which appear to stem from the additional visitors arising through the proposal rather than any specific ongoing safeguarding issues.
15. The appellant also suggested a planning condition restricting external visitors who are not associated with RMT from the premises. Even if external visitors could be identified by the lanyards they are required to wear whilst on the college grounds, the regular daily movements of RMT staff, members of the public and any other visitors through use of the café, shop and other activities would be challenging to monitor with regularity and precision, raising concerns as to its enforceability. Welsh Government Circular 16/14 advises that conditions restricting occupancy to a particular occupier or class of occupier should only be used when sound planning grounds can be demonstrated, and where the alternative would normally be refusal of permission. In this instance, there would be a

tension between the restrictive condition and the intended purposes of the building, including facilitating interactions between staff, students, and visitors outside of the college community. A key justification for the use of the building would disappear with the imposition of such a condition.

16. Implicit in the LDP2 aims and objectives is the promotion of a spatial strategy that minimises the need to travel. The appeal scheme would not achieve this based on its mix of uses in this location. I therefore conclude that the proposal would not provide a suitable location for a social enterprise centre. It would be contrary to LDP2 Policies 7 and 54, and the interlinked accessibility criteria within Policies 29 and 59.

### *Character and appearance*

17. LDP2 Policy 8 sets out that the special qualities of the National Park will be conserved and enhanced, with several priorities listed. Amongst others, they seek to ensure the sense of remoteness and tranquillity is not lost and is wherever possible enhanced, and the pattern and diversity of the landscape is protected and wherever possible enhanced. The latter priority is expanded upon in Policy 14 which explains that development will not be permitted where this would have an unacceptable adverse effect on the qualities and special landscape and seascape character of the National Park including locally distinctive characteristics.
18. The National Park Authority (NPA's) Landscape Character Supplementary Planning Guidance (SPG) provides descriptions of the main attributes and special qualities of each Landscape Character Area (LCA). The appeal site is within LCA 27 – Mynydd Preseli, which is described as a large and very conspicuous inland upland area of heath and moorland, visible from great distance. Special qualities of note include the pervading sense of remoteness and wildness and a strong sense of exposure; and a landscape of recognised historical and cultural significance which has been included in the Preseli Landscape of Outstanding Historical Interest in Wales. The SPG has been informed by landscape evidence and evaluations in the LANDMAP dataset and was adopted following public consultation to support the above LDP2 policies. I therefore afford it significant weight in my decision.
19. The SPG notes that traditional hedge banks produce a characteristic pattern and texture to the landscape. I experienced several of the SPG descriptive features during my site visit, observing the strong farmland landscape in and around Coleg Plas Dwbl, scattered woods around the existing college buildings, the contrasting wider expanses of open moorland around Gors Fawr to the north and the dramatic high uplands of Mynydd Preseli beyond.
20. The appeal site forms part of a largely rectangular field parcel which has a gentle rise from east to west. The site adjoins fields on all sides and is bound by established hedgerows and trees, with only 2 small openings for the access track crossing through. The proposal would be set back from the college entrance, separated by a field. Its design has been influenced by the local context including circular earthwork structures and the use of natural materials. The rationale for the bespoke, standalone building is to define and separate the public-facing side of Cole Plas Dwbl from the working farm.
21. The curved form and white colour of the polytunnels make them visible in partial views along the public highway and in close range views from public right of way PP69/24 which runs along the field boundary adjacent to the appeal site. The polytunnels are also partially visible from the long-distance viewpoints 5 and 6 of the appellant's Landscape and Visual Impact Assessment (LVIA), standing out amongst the dense tree cover and field patterns. However, the polytunnels relate to the land-based activities at the appeal site. Such activities and structures are small and functional, typically found in countryside

locations. They reinforce my observations that the site and its surroundings contribute positively to the rural character.

22. Whilst the existing cluster of college buildings to the south are only slightly lower in land level than the appeal site, the intervening physical distance and natural features provide strong visual separation between both locations. The social enterprise centre would stand out as an isolated addition to the area, unrelated to any built form. Notwithstanding the additional planting proposed around the new college access, the greater height and bulk of the building would still be seen in glimpses along the highway, including near viewpoint 1 as walkers and drivers travel west towards the bridleway access on to Gors Fawr. The removal of a hedgerow section within the appeal site to facilitate views of Mynydd Preseli would interrupt the established boundary pattern and would also open the site to partial views from the highway through this gap. Even with supplementary planting along the retained hedgerow, the gap would appear awkward and contrast with other screening efforts.
23. These changes would be most noticeable from the adjacent footpath PP69/24, including viewpoint 4. The supplementary planting may mitigate the visual impact to an extent, but this would take time to establish. The building would also be seen all year, including during winter months when tree and hedgerow cover may be reduced. Given the proximity of this route, there would still be a noticeable effect at close range through the additional bulk and height of built form, and the greater intensity of activity arising from the building including from additional vehicle movements. These effects would be experienced for a prolonged duration along the footpath. Attempts to assimilate the building into the landscape do not overcome its isolated setting, where the building activity would contrast with the sense of tranquillity in the area.
24. The appellant notes that the building would be lower in height than typical two-storey houses. From my observations at viewpoints 5 and 6, the nearest visible dwellings are both bungalows, Llain Fach and Penrhos. Whether the proposed building is taller or not than those properties, it would noticeably differ in scale and form, occupying a larger footprint and with different activity and movement patterns to a residential use.
25. The appellant's LVIA has taken a proportionate approach to the presentation of evidence. Whilst a zone of theoretical visibility would have assisted in agreeing viewpoints between parties, its absence is not determinative to assessing landscape effects and impacts, not least because both parties highlight similar viewpoints which I have visited. Similarly, photomontages would have helped with visual assessment, but it is a recommended feature of assessments rather than a requirement.
26. I recognise that professional judgement is an important part of the LVIA. However, in reaching findings on landscape sensitivity and the magnitude of impacts the LVIA fails to acknowledge the National Park context. Beyond brief summaries of the LDP2 policies, there is no reference to the SPG or its underlying LANDMAP evidence where, having visited the surroundings, I found several features and special qualities present as described above. This is particularly concerning as National Parks are landscape designations of national importance. Indeed, PPW affords National Parks the highest status of protection from inappropriate developments. To find the site has a low landscape value and low sensitivity to change downplays the underlying landscape evidence and context.
27. The visual impact of development may be lessened by its siting, design and additional planting along boundaries and the addition of a green roof. Indeed, the NPA have not objected to the materials palette or specific design features, and I note the positive pre-application comments from Design Commission for Wales. However, landscape impacts would remain, not least through the additional form of development and its effects on the

established agricultural field pattern, area tranquillity and sense of place. The effects on these aesthetic and experiential qualities, which contribute to the National Park special qualities, would be localised but nonetheless result in permanent harm.

28. Whilst I note the appellant's design reasons for siting the proposal in this location, my findings on the first main issue reinforce the view that the proposal is not justified in its location or in its landscape impacts. I therefore conclude that it would have an adverse harmful effect on the character and appearance of the surrounding area and would fail to conserve or enhance the special qualities of the National Park. This is contrary to LDP2 Policies 8, 14 and 29.

*Afonydd Cleddau Special Area of Conservation*

29. The appeal site is in the catchment of the Afonydd Cleddau Special Area of Conservation (SAC). Natural Resources Wales (NRW) advise that the riverine SAC is failing to meet revised water quality targets for phosphorous. Increases in phosphorous levels within the SAC catchment, caused in part by agricultural activity and the discharge of treated wastewater, can cause significant ecological damage through nutrient enrichment.
30. The proposed development would discharge foul sewage to ground by means of a package treatment plant. NRW advises that such systems are unlikely to increase nutrient levels within a river SAC, as there is unlikely to be a source of additional nutrients or pathway for impacts, where certain criteria are met. The parties agree that the proposed drainage field would be more than 40m away from any water features, 50m from the SAC boundary and is at least 50m from any other discharge to ground. There is also no disputing that the treatment plan would be built to relevant British Standard.
31. The parties disagree on whether the maximum daily discharge rate of less than 2 cubic metres would be exceeded. The appellant's latest evidence is based on 4 additional staff working at the building and an allowance for 6 visitors per day. The combined daily discharge being about 0.9 cubic metres, based on 90 litres per head per day. This calculation assumes that all staff and visitors will come from outside the SAC catchment; that is, new additional wastewater draining into the catchment. It is likely that some of these people will already live in the area. However, NRW explain that non-residential developments could lead to increases in nutrient discharges where they are expected to serve a population from outside of a SAC catchment. This applies to the appeal proposal because it could lead to an increase in visitors coming to the college. There is also no certainty that all visitors would come from within the SAC catchment.
32. The above calculations fall below the threshold and a modest increase in visitor numbers or a lower daily discharge consumption rate for each visitor per day could be factored in below the threshold. However, there is still no certainty that the combined uses within the centre, including the shop, café, and exhibition space, would not lead to instances, even infrequently, where the NRW advisory threshold is exceeded. As I concluded on the first main issue, the café would be a sizeable space for visitors to attend, and additional courses and lectures could lead to further visits from RMT staff and the public who do not already frequent the college. The outwardly facing nature of the centre means that, whether it is existing visitors such as RMT staff and parents of students, or new visitors, people would be encouraged to use the facilities and interact with students, in pursuit of the college learning and development aims. These activities could lead to additional and prolonged visits to the college, with an inevitable increase in wastewater discharges. Attempting to control who visits the social enterprise centre would be difficult to enforce and appear to go against the intended use and operation of the building.
33. My attention is drawn to case law from Wyatt, R (On the Application of) v Fareham Borough Council [2021] EWHC 1434 (Admin), [2022] EWCA Civ 983. I acknowledge that

I do not need to establish to the standard of absolute certainty that there would be no adverse effects on the integrity of the SAC. However, as the case law confirms, I must be satisfied that there is no reasonable doubt as to the absence of adverse effects on the integrity of the SAC. For the reasons outlined above, I cannot be certain that the maximum daily discharge rate would remain below the threshold of 2 cubic metres. NRW advise where criteria are not met, an appropriate assessment should be undertaken. As I am dismissing the appeal on other issues, it is not necessary for me to undertake an assessment as any findings would not affect the outcome of this appeal.

34. Since I cannot conclude there would be no adverse effect of additional phosphates on the integrity of the Afonydd Cleddau SAC, the proposal would be contrary to the nature conservation objectives of LDP2 Policy 11.

### **Other Matters**

35. The NPA is satisfied that sufficient evidence has been presented to demonstrate the proposal would maintain and enhance biodiversity, thereby satisfying the step-wise approach in national planning policy. I see no reason to disagree. No objections have been received on archaeological, drainage, highways, and historic environment matters. I also note the socio-economic benefits to the college and wider community from a new community facility. However, these matters do not outweigh the conflicts with local and national policies which promote sustainable development in the National Park and seek to protect the natural environment.

### **Conclusion**

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

*I Stevens*

INSPECTOR

### **HEARING DOCUMENTS**

Document 1	Wyatt, R (On the Application of) v Fareham Borough Council [2021] EWHC 1434 (Admin), [2022] EWCA Civ 983, submitted 9 June 2025 by the appellant.
Document 2	Appeal decision Ref APP/L9503/A/21/3282653, submitted 9 June 2025 by the National Park Authority.
Document 3	Commentary on appeal decision Ref APP/L9503/A/21/3282653, submitted 9 June 2025 by the appellant.
Document 4	Draft conditions comments, submitted 9 June 2025 by the appellant and National Park Authority.