

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:-

<u>EC22/0088</u>	Unauthorised siting of polytunnel - Land at Llwyndrain Forest, Pentregalar, Crymych, Pembrokeshire, SA66 7SB
Type	Written Repls
Current Position	The initial documentation has been forwarded to PEDW
<u>EC23/0124</u>	Siting of touring caravan on land for residential use - Penygraig Uchaf, Cippyn, St. Dogmaels, Pembrokeshire, SA43 3LZ
Type	Written Repls
Current Position	The initial documentation has been forwarded to PEDW
<u>NP/24/0454/FUL</u>	Change of use from lifeboat storage unit to takeaway food outlet (A1) - Former Inshore Lifeboat Store, Tenby Harbour, Tenby, Pembrokeshire, SA70 7HA
Type	Written Repls
Current Position	The initial documentation has been forwarded to PEDW
<u>NP/24/0602/FUL</u>	Below ground extension to an ancillary building at Sleekstone House and associated landscaping - Sleekstone, Haroldston Hill, Broad Haven, Haverfordwest, Pembrokeshire, SA62 3JP
Type	Written Repls
Current Position	The initial documentation has been forwarded to PEDW
<u>NP/24/0612/FUL</u>	Conversion of residential flat and former Public House to one residential dwelling - Taberna, Herbrandston, Milford Haven, Pembrokeshire, SA73 3TD
Type	Written Repls
Current Position	The appeal has been dismissed and a copy of the Inspectors decision is attached for your information
<u>NP/25/0271/FUL</u>	Erection of wooden fence along part of the back garden of property (retrospective) - 34, Maes Y Cnwce, Newport, Pembrokeshire, SA42 0RS
Type	Written Repls
Current Position	The appeal has been allowed and a copy of the Inspectors decision is attached for your information

NP/25/0698/TPO Removal of branch overhanging roof (TPO 98 G1) - Penybanc, 12, Catherine Street, St Davids, Haverfordwest, Pembrokeshire, SA62 6RJ

Type Written Reps

Current Position The initial documentation has been forwarded to PEDW

NP/25/0373/FUL Siting of a Shepherds Hut within the curtilage for holiday let accommodation including creation of car parking space for one vehicle - Melrose, Cresselly, Kilgetty, Pembrokeshire, SA68 0TX

Type Written Reps

Current Position The initial documentation has been forwarded to PEDW

NP/25/0113/FUL Change of use of agricultural field attached to mixed usage so that we can run a secure dog exercise field business - Millcombe, Cosheston, Pembroke Dock, Pembrokeshire, SA72 4TU

Type Written Reps

Current Position The initial documentation has been forwarded to PEDW

NP/25/0085/FUL Alterations and extension of an existing property - Mor Awelon, Fort Road, Solva, Haverfordwest, Pembrokeshire, SA62 6TG

Type Written Reps

Current Position The initial documentation has been forwarded to PEDW



Appeal Decision

by R H Duggan BSc (Hons) DipTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 02/04/2026

Appeal reference: CAS-04711-K1P5W1

Site address: Taberna Inn, U6046 Herbrandston Village, Sandy Haven Lane, Herbrandston, Milford Haven SA73 3TD

- 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 Ms G Key against the decision of Pembrokeshire Coast National Park Authority.
 - The application Ref NP/24/0612/FUL, dated 26 July 2024 was refused by notice dated 18 July 2025.
 - The development proposed is described as the “*Conversion of residential flat and former Public House to one residential dwelling*”
 - A site visit was made on 18 March 2026.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be whether the development would result in the loss of a community facility and, if so, whether that loss is justified.

Reasons

3. The appeal property is located within an established residential area on the northern edge of the village. It consists of a ground floor public house, which is now closed, and residential accommodation above currently being occupied by the appellant. The property is set within a generously sized plot with a large car parking forecourt with access directly from Sandy Haven Lane and a large area of garden to the rear overlooking rural fields to the west.
4. Paragraph 4.3.40 of Planning Policy Wales (PPW) Edition 12 recognises that public houses can play a vital economic and social role and their loss can be damaging to a local community. The economic and social function of public houses should be taken into account when considering applications for a change of use into residential or other uses (paragraph 4.3.41). In my view, the premises constitutes a community facility, not least due to its location within this village and the opportunity it provides when operating for

members of the Herbrandston community to meet on an informal basis for leisure and social purposes.

5. The property lies within the centre boundary of Herbrandston Rural Centre as defined by the Adopted Pembrokeshire Coast National Park Authority Local Development Plan (LDP). LDP Policy 6 (Rural Centres) sets out the land use priorities for rural centres and includes providing for and/or permitting housing to facilitate the delivery of affordable housing for the local area, to protect and enhance the Centre's range of facilities, to ensure developments permitted contribute to the protection and enhancement of the special qualities of the Centre and to ensure development is of a scale that is consistent in scale with the size and character of the Centre.
6. LDP Policy 54 (Community Facilities) seeks to provide and protect community facilities and sets out criteria for assessing whether the loss of a community facility is deemed acceptable or not. The policy states that one of the following tests must be satisfied:
 1. A suitable replacement or enhanced facility is to be made available, or
 2. where it can be shown the facility is no longer required. or
 3. is commercially not viable.
7. The appellant states that she purchased the Taberna Inn in March 2020 in a "*closed and condemned condition*" just before the global pandemic. The timing of the purchase, just before the global pandemic, meant that the property was never operated as a public house, and although the appellant could have reopened the pub following the pandemic, she has chosen not to. As a result, the appellant has been unable to provide any financial information in the form of audited accounts which show the historic trading to help gauge the past performance of the premises or to demonstrate that the public house is not commercially viable. No empirical evidence such as detailed trading accounts has been provided in respect of the turnover of the public house when it traded. In the absence of such evidence, I do not consider that its closure can be relied upon to prove that it would not be successful under a different management or investment structure which could lead to a more viable business.
8. The appellant takes the position that the pub is not a valued community asset, as demonstrated by the lack of use by locals which has led to the downturn in trade. This is also down to a number of other factors including changes in society and changes in drinking habits, the low cost of alcohol sold in supermarkets, and the general drop in on-site consumption. In contrast to this position, residents and the Community Council have opposed the change of use.
9. The appellant's Planning Statement refers to the Herbrandston Hub opened in 2020 as an alternative venue for the loss of the public house as it currently operates as a central facility for local sports teams. However, I note that its operational capacity is limited, being only open from Thursday to Sunday and managed by a volunteer led association. These restricted hours significantly reduce its usability compared to the former public house, as such, and in my opinion, the ability of the Hub to be classed as a viable and direct replacement to the Taberna Inn is questionable.
10. In order to evidence the lack of viability of the public house the appellant advises that the previous owners had marketed the property for four years prior to the purchase in 2020 with limited interest. In addition, the appellant has provided a copy of an email from R K Lucas & Son which states that the property was marketed by them from 28 April 2022 to 12 December 2022 with very little interest being shown as a commercial property. However, no further information has been provided with regard to these marketing periods in the form of sales particulars or any information on the marketing strategy that took place. As such, I have not been provided with tangible evidence that the property has been marketed at a realistic price as a public house in the period since

trading ceased, or during the period since the purchase of the property by the appellants in March 2020, which means that nearly 4 years has elapsed since the property was last advertised for sale and the market demand for such a property tested. I am therefore of the opinion that the appellants' evidence in this regard is not compelling.

11. The appellant has also stated that the property was in poor condition under the previous ownership, submitting interior photographs to argue against its feasibility as a bar/restaurant. I am mindful of the fact that the property is looking slightly run down and this may be a factor in deterring potential customers and to be taken into account when determining the viability of the business. I acknowledge that re-opening the public house would require some repairs and refurbishment to attract customers, and that this would raise expenditure costs. However, I saw that the ground floor does not appear to be in a condition that could not be restored and updated without excessively high renovation costs.
12. Taking into account the foregoing, I concede that the pub has a number of factors that count against it in terms of viability. In a general sense these include the lack of an immediate large scale population, the lack of regular public transport and its current condition. It does, however, have several things that count in its favour, these being the potential for extension, the fact that it lies in a tourist area, its reasonably sized car park, and its prominent location and the resulting high number of passing vehicles on the adjacent road, and the fact that villagers could walk to the premises. In light of these latter factors, I cannot conclude that it has been shown that the Taberna Inn run as a public house is completely unviable.
13. Rural pubs are important in terms of the social fabric of a community, a fact recognised by both PPW and the LDP, and they can also provide economic benefits to rural areas through the attraction of visitors. Taking into account these matters and that the retention of the appeal property as a public house has generated support within the area, I consider that it can be deemed to be a valued local facility. In arriving at this conclusion, I am aware that the pub is presently closed, and it could be argued that it is not a current asset in practical terms. Notwithstanding this however, it can be considered to be a potential and valued asset to the local community.
14. Overall, the evidence before me is insufficiently thorough and wide ranging to constitute a solid case for the proposed development in the balance of harm to the community. As a result of this, I am not persuaded that it has been clearly demonstrated that the pub cannot become a viable business in the future. I also consider that it has not been demonstrated that there has been a commitment by the appellant, since purchasing the property in March 2020, to ensuring the long term viability of the Taberna Inn as a going concern over an appropriate period. Therefore, the proposal fails to comply with Policy 54 of the LDP.
15. The first floor of the property consists of 5 no. bedrooms, some of which were available for booking as guest rooms. Policy 39 (Loss of Hotels and Guest Houses) states that loss of guest houses will be permitted where it can be demonstrated that a) the potential for continued use of the facility has been shown to be unviable; or b) the overall demand for this type of accommodation during peak periods will continue to be met within the area; and there is no unacceptable adverse effect on the appearance and intrinsic character of the resort, area or frontage.
16. The Authority's Strategic Policy Officer advises that the former primary school located approximately 50 metres from the appeal site, was granted planning permission in 2023 for its conversion to a 10-bedroom hotel. Whilst the development has not yet commenced, it is considered that the provision of 10 no. hotel bedrooms would ensure

that the demand for accommodation in this area during peak periods would continue to be met. As a result, the officer states that the loss of the guest rooms at the appeal property is considered to be acceptable.

17. I have noted the comments of the Strategic Policy Officer, but I have not been provided with any evidence that the school development has commenced or any details of the proposed timescales for its delivery. As stated above, Policy 39 requires that potential for continued use of a facility must be shown to be unviable and that a genuine marketing exercise has been undertaken to demonstrate this. I am not persuaded by the limited evidence placed before me that the market demand for such a property has been properly tested or that it has been shown that the Taberna Inn, run as a public house with guest rooms is completely unviable. Therefore, the proposal fails to comply with Policy 39 of the LDP.

Other matters

18. The Authority's third reason for refusing planning permission was due to the appellant not demonstrating that biodiversity would be enhanced. On 18 October 2023, Planning Policy Wales was amended to require the submission of a Green Infrastructure Statement (GIS) with all planning applications, and that this will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal.

19. The appellant has submitted a GIS with the appeal which confirms that she has left the rear garden of the property to become a wild garden and has planted six trees, placed a bird box and left the hedgerow. I am satisfied that the rear garden area is of sufficient size to provide biodiversity enhancements and that details could be agreed with the local planning authority to deliver a net benefit for biodiversity through the imposition of a suitably worded planning condition should planning permission be granted. Therefore, there would be no conflict with LDP Policy 11.

20. The Appellant has also drawn my attention to issues regarding the actions of councillors at the Herbrandston Council meeting and the need for declarations of interest to be made. Whilst I have noted these concerns, such matters are not material planning considerations that I can take into account in the determination of this appeal. If the appellant feels aggrieved by the actions of councillors she should take this up directly with the community council and/or the National Park Authority.

Conclusions

21. I consider that the proposal would result in the loss of an important community facility contrary to Policies 39 and 54 of the LDP and national planning guidance set out within PPW.

22. Having regard to the above and considered all other matters raised by the appellant in support of her appeal, I conclude that the appeal should be dismissed.

23. In reaching my conclusions, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objectives.

R.H Duggan

INSPECTOR



Appeal Decision

by Helen Smith BA(Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 19/03/2026

Appeal reference: CAS-04661-P0K0N5

Site address: 34 Maes Y Cnwce, Newport, Pembrokeshire, SA42 0RS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
 - The appeal is made by Mr and Mrs Susan and Stephen Harries against the decision of the Pembrokeshire Coast National Park Authority.
 - The application Ref NP/25/0271/FUL, dated 4 May 2025, was approved on 19 August 2025 and planning permission was granted subject to conditions.
 - The development permitted is erection of wooden fence along part of the back garden of property (retrospective).
 - The conditions in dispute are Nos 1 and 3 which state that:
Condition 1: The fence shall be removed from the land in its entirety, and the land shall be restored to its former condition on or before five years following the date of this decision.
Condition 3: A replacement native hedgerow comprising six plants per metre, in double staggered rows is to be planted as close as is practicable to the original location in the first planting season following the approval hereby authorised. All planting shall be carried out in the first planting and any trees or plants which within a period of 5 years of 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.
 - The reasons given for the conditions are:
Reason 1: The materials and form of construction are of a temporary nature and are not conducive to a permanent permission. Policy: Local Development Plan 2 – Policies 1 (National Park Purposes and Duty) and 14 (Conservation of the Pembrokeshire Coast National Park).
Reason 2: In the interest of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancements of links between sites and their protection for amenity, landscape and biodiversity value. Future Wales: The National Plan 2040, Local Development Plan 2 – Policies: 01 (National Park Purposes and Duty), 08 (Special Qualities), 14 (Conservation of the Pembrokeshire Coast National Park), 30 (Amenity), SPG 02 – Landscaping, SPG 07 – Biodiversity, Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009), Technical Advice Note (TAN) 10: Tree Preservation Orders (1997).
 - A site visit was made on 26 February 2026.
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Decision

1. The appeal is allowed and planning permission Ref NP/25/0271/FUL for erection of wooden fence along part of the back garden of property (retrospective) at 34 Maes Y Cnwce, Newport, Pembrokeshire, SA42 0RS, granted on 19 August 2025 by the Pembrokeshire Coast National Park Authority, is varied by deleting conditions 1, 2 and 3 and substituting them for the following condition:
 - 1) Within 3 months of the date of this decision a scheme for biodiversity enhancements shall have been submitted for the written approval of the Local Planning Authority in accordance with the details set out in the Green Infrastructure Statement. The scheme shall include a timetable for its implementation. The biodiversity enhancements shall be carried out in accordance with the approved scheme and shall be retained for as long as the development hereby approved remains in existence.

Reason: In the interests of maintaining and enhancing biodiversity, in accordance with Future Wales Policy 9.

Background and Main Issue

2. Retrospective planning permission was granted subject to conditions for a fence (Ref: NP/25/0271/FUL). The appellant seeks the removal of Conditions 1 and 3, which require the removal of the fence within 5 years of the date of the decision and the planting of a replacement hedge. The effect of removing these disputed conditions would be the permanent retention of the development. The main issue is whether the disputed conditions are necessary, having regard to planning policies that seek to protect the character and appearance of the area, including the special qualities of the Pembrokeshire Coast National Park (PCNP), and biodiversity.

Reasons

Condition 1

3. The appeal site comprises a detached bungalow located on a corner of a cul de sac within a small residential estate on the outskirts of Newport. It is located within the Pembrokeshire Coast National Park (PCNP). The wider estate is characterised predominantly by detached bungalows set within spacious gardens, giving it a pleasant suburban character. The wider estate predominantly has boundary enclosures comprising low boundary walls and tall hedges, which gives it a pleasing uniformity and verdant character. Nevertheless, owing to the greater variety of front and side boundary enclosures, the immediate vicinity of the appeal site has a more varied suburban character.
4. The Welsh Government's Circular 016/2014 The Use of Planning Conditions for Development Management, advises that, amongst other things, a temporary permission will normally only be appropriate either where the applicant proposes temporary development, or when a trial run is needed in order to assess the effect of the development on the area. The National Park Authority (NPA) has not submitted an appeal statement to substantiate its case for imposing such a condition. However, the stated reason for this condition is that the materials and form of construction of the fence are of a temporary nature and are not conducive to a permanent permission. In its Delegated Report, the NPA also state that its permanent retention would not be in keeping with its surroundings, despite accepting that the fence is acceptable for a significant length of time, 5 years.
5. It is not uncommon for close boarded fences to be permanent boundary enclosures for gardens, and nothing that I saw suggested that its appearance or construction were

temporary in nature. In terms of its visual impact, whilst tall, owing to its limited length, its siting adjacent to the existing hedge of a similar height, and its green colour, the development visually integrates with the remaining boundaries of the appeal site. Given its location at the end of the cul de sac, views of the fence are primarily limited to those from close proximity. Whilst there are wider glimpses of the fence from the entrance to the cul de sac, such views are distant and in the context of the varied boundary enclosures of the cul de sac.

6. In these circumstances, the development does not result in a significant visual intrusion in the cul de sac, and does not unacceptably harm the character and appearance of the immediate context of the appeal site, nor its wider surroundings. As the development does not harm the character and appearance of the area, it follows that it does not harm the special qualities of the PCNP or its statutory purpose. This complies with the objectives of policies 1, 8, 14, 29 and 30 of the Pembrokeshire Coast National Park Local Development Plan 2 (LDP), which seek to, amongst other things, protect amenity and the special qualities of the PCNP. As condition 1 is not necessary, I shall delete it.
7. In its Questionnaire, the NPA have suggested a condition that would limit the height of the fence to 1.8m at any point in height above the adjacent public pavement. Given my foregoing conclusion on the development as built, such a condition would not be necessary or reasonable. I have therefore not imposed it.

Condition 3

8. Condition 3 seeks to reinstate the section of the hedge that was removed to erect the fence. The stated reason for this condition is in the interest of visual amenity, landscape and biodiversity. In terms of visual amenity and landscape, I have concluded that the development does not harm the character and appearance of the area or the special qualities of the PCNP. In terms of biodiversity, given the short length of the hedge that was removed, it does not represent a significant loss of green infrastructure. Furthermore, the Green Infrastructure Statement (GIS) sets out additional planting in the garden and biodiversity enhancements of a bird and bat box. Despite the NPA not suggesting a biodiversity enhancement condition on the Questionnaire, as the GIS does not provide full details of the biodiversity enhancements, such a condition is necessary to secure these details.
9. Given the nature and scale of the development, I am satisfied that the proposed biodiversity enhancements, secured by a condition, would not conflict with the objectives of Policy 9 of Future Wales and LDP policies 1, 8 and 11 of the LDP. As such, condition 3 is not necessary. I shall delete it and replace it with a condition requiring the submission of a scheme for biodiversity enhancements. The wording I have used recognises the retrospective nature of the appeal.

Other Condition

10. Condition 2 requires compliance with the approved plans and documents. Whilst it has not been disputed, as the development is completed and as I have attached a condition requiring a biodiversity enhancement scheme to be submitted in accordance with the details set out in the GIS, this condition is not necessary. I shall therefore delete it.

Conclusion

11. For the reasons set out above, and having regard to all matters raised, I conclude that the appeal should be allowed. I will vary the planning permission by deleting the conditions as set out above, but I shall impose a new condition.

Ref: CAS-04661-P0K0N5

12. 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.

H Smith

INSPECTOR