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:-

EC23/0060	Alleged unauthorised cladding to facade/shopfront - Land at Brewery Terrace, Saundersfoot, Pembrokeshire, SA69 9HG
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

EC23/0125	Installation of residential pod in field adjoining driveway – Land east of Bryntirion Lodge, Cippyn, SA43 3LS
Type	Hearing
Current Position	The initial documentation has been forwarded to PEDW

EC25/0051	Unauthorised removal of Hedgerow - Land opposite Wynd Hill, Manorbier, Tenby, Pembrokeshire, SA70 7SL
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 appeal has been dismissed and a copy of the Inspectors decision is attached for your information.

NP/25/0518/CLE	Application for a Certificate of Lawfulness (4 year rule) that Driftwood Lodge is constructed as a fixed & permanent dwelling prior to issuing of Breach of Condition Notice in March 2023 - Driftwood Lodge (Adjacent to The Pool House), Hasguard Cross, Little Haven, Pembrokeshire, SA62 3SJ
Type	Written Reps
Current Position	The initial documentation has been forwarded to PEDW

NP/25/0720/CLE	Siting of caravan/ pod ancillary to lawful leisure use of parcel of land – Land east of Bryntirion Lodge, Cippyn, SA43 3LS
Type	Hearing
Current Position	The initial documentation has been forwarded to PEDW

NP/25/0739/DOC	Discharge Condition 5 (balcony enclosure) of NP/25/0302/FUL - Culverston, 16 Culver Park, Tenby, Pembrokeshire, SA70 7ED
Type	Written Reps
Current Position	The initial documentation has been forwarded to PEDW

NP/26/0025/FUL	Retention of existing bunk barn accommodation with associated amenities for recreation and education as was approved under a temporary permission (18/0621/FUL) - Morawelon, Moylegrove, Cardigan, Pembrokeshire, SA43 3BX
Type	Written Reps
Current Position	The initial documentation has been forwarded to PEDW

NP/26/0036/FUL	Small scale seasonal campsite - Land South of Parc Yr Eglwys, Dinas, Newport, Pembrokeshire, SA42 0SH
Type	Written Reps
Current Position	The initial documentation has been forwarded to PEDW

NP/26/0115/CLE	Completion of Lower Front Cladding area over 4 years ago - Brewery Stores, Brewery Terrace, Saundersfoot, Pembrokeshire, SA69 9HG
Type	Written Reps
Current Position	The initial documentation has been forwarded to PEDW

Penderfyniadau Cynllunio ac Amgylchedd Cymru
Planning & Environment Decisions Wales

Appeal Decision

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by Helen Smith BA(Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 09/10/2026

Appeal reference: CAS-04942-W7M0X8

Site address: Melrose, Whitehill, Cresselly, Kilgetty, SA68 0TX

- 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 Alex Mazaheri against the decision of the Pembrokeshire Coast National Park Authority.
- The application Ref NP/25/0373/FUL, dated 1 July 2025, was refused by notice dated 19 August 2025.
- The development proposed is the siting of a Shepard's hut within the curtilage for holiday let accommodation including creation of car parking space for one vehicle.
- A site visit was made on 9 July 2026.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The shepherd's hut is in situ, as is the parking space, although the hut was unoccupied at the time of my site visit. As such, the appeal seeks retrospective planning permission. I have considered the appeal on this basis.
3. In their appeal statement, the appellant states that the application sought consent for the siting of a shepherd's hut within the curtilage for family and occasional holiday accommodation. However, the terms of the application make it clear that the application was for a holiday let accommodation and not for family accommodation. It is clear that the Pembrokeshire Coast National Park Authority (NPA) considered it on that basis. In the interest of natural justice, I shall do the same.
4. The appellant contends that the siting of the shepherd's hut for domestic curtilage accommodation is lawful, which they state the NPA accepts. However, this matter is outside of my remit in determining an appeal made under section 78 of the Town and Country Planning Act 1990. It is open to the appellant to seek a determination under section 192; any such application would be unaffected by my determination of this appeal.
5. In its delegated report, the NPA stated that in relation to the access for the parking space, the absence of a detailed visibility splay drawing meant that the development did not demonstrate full compliance with Policy 60 (Impacts of Traffic) of the Pembrokeshire Coast National Park Local Development Plan 2 (LDP). However, such concerns did not

result in a reason for refusal. Local representations to the planning application and the appeal also raised such concerns. As these concerns relate to a material planning consideration, I have addressed this as a Main Issue below.

6. The Appellant's appeal submissions include a Visibility Splay drawing. As it has not altered the development, and as all parties have had the opportunity to comment on it, I have had regard to it in my decision.

Main Issues

7. The main issues are:

    - whether the development complies with national and local planning policies relating to the protection of the countryside and the Pembrokeshire Coast National Park (PCNP);
    - the effect of the development on highway safety;
    - whether the development makes suitable provision for foul water drainage, having regard to planning policies that seek to safeguard the environment from pollution, including the Pembrokeshire Marine Special Area of Conservation; and
    - the effect of the development on the biodiversity interests of the site.

Reasons

Countryside

8. The appeal site is within the open countryside, as identified by Policy 7 of the LDP, characterised by open fields interspersed with hedges and woodland and sporadic groups of dwellings. The appeal site comprises a traditional detached dwelling situated within a large garden. The dwellings in the immediate context of the appeal site primarily comprise detached bungalows with outbuildings varying in size and style. A Shepard's hut has been sited within the residential curtilage of the appeal dwelling for use as holiday accommodation. The NPA accepts that the Shepard's hut meets the legal definition of a caravan. I agree.

9. LDP Policy 7 identifies forms of development that will be acceptable in principle in the countryside including, amongst other things, a rural enterprise, tourist attractions or recreational activity where the need to locate in the countryside is essential. In support of Policy 7, Policy 38 seeks to attract visitors outside the peak season while ensuring that the PCNP environment is conserved and enhanced by, amongst other things, allowing limited caravan, camping and chalet development.

10. The appeal site is located away from, and not intervisible with, the coast and the Preseli's. In such locations Policy 41 permits limited caravan, camping and chalet development subject to certain criteria. Criterion b) seeks to ensure that units are sited so that they can be readily assimilated into the landscape without causing an unacceptable adverse effect on the National Park landscape. It cross references Policy 14 which, together with Policy 8, seek to conserve and enhance the special qualities of the PCNP.

11. These policies generally accord with the objectives of Planning Policy Wales (PPW) to strictly control development in the countryside, ensure all new development is of a scale and design that respects the character of the surrounding area, and to conserve and enhance National Park's natural beauty and special qualities.

12. I acknowledge that as the development does not specifically demonstrate an essential need for it to be located in the countryside, it conflicts with criterion d) of Policy 7 and criterion e) of Policy 38. Nevertheless, the development relates to the provision of visitor/tourism accommodation, which is supported by the LDP's Visitor Economy Strategy, which includes, amongst other things, the provision of a range of quality holiday accommodation.

13. Although the shepherd's hut is positioned forward of the principal elevation of the main dwelling, it is sited within its residential curtilage and within a group of dwellings varying in styles and size. The hut is a modest structure, clad in timber with a curved roof. Whilst it is close to the road, it is positioned at right angles and owing to the existing mature hedge line on the boundary of the appeal site, much of the small-scale structure is well screened from long distance views in both directions from the road. Although it is visible from the road in the gap in the hedge created as a result of the parking area, such views of it are from a close range and, owing to its modest scale and sympathetic design, it integrates well with the surrounding dwellings and their outbuildings. Indeed, it is not uncommon to see such structures used for small scale agricultural purposes or domestic outbuildings in rural areas. In this context, the shepherd's hut has little visual impact on its rural surroundings.

14. In visual terms, the loss of the part of the hedgerow to create the access is limited, and as the lane has comparable openings in the roadside hedge at the access points to the surrounding dwellings, this loss does not significantly erode the verdant qualities or the rural character of its surroundings. Consequently, and having regard to the small scale of the development and its sympathetic appearance, it does not unacceptably harm the character and appearance of its rural surroundings or the natural beauty and special qualities of the PCNP.

15. For the reasons set out above, I conclude that the development complies with LDP Policies 8, 14, and 41 and the objectives of PPW. Although the development conflicts with criterion d) of Policy 7 and criterion e) of Policy 38, in that the development does not demonstrate why a countryside location is essential, I conclude that the individual circumstances of this case, and the lack of any associated harm to the countryside and the PCNP, outweigh this conflict.

Highway safety

16. A new access has been created off the road fronting the appeal site, the C3064, to serve a parking space for one vehicle for the occupiers of the Shepard's hut. The C3064 is a rural lane with no footways and narrow verges. The section of the lane fronting the appeal site is subject to a 20 mph speed limit, which changes to the national speed limit at its junction with Rosemary Lane to the north of the appeal site. It provides access to several dwellings and links to the A4075 to the southeast. Given that the appeal site is located on a long straight section of the lane with good forward visibility, drivers are likely to drive at or close to the speed limit. Whilst no speed surveys were carried out, my observations of vehicles passing the appeal site were consistent with this.

17. Whilst the County Highway Officer raises no objections, this is on the basis that the required 2.4m x 25m visibility spays in both directions are provided. In response to the appeal, the appellant has provided a plan showing what visibility splays could be achieved. These are shown to be 1.7m (X distance) x 25m (Y distance) in both directions. As the NPA have not submitted an appeal statement, they have not commented on this. Nevertheless, the Y distances on the submitted drawings are drawn to the outer edge of the carriageway, whereas Manual for Streets and Technical Advice Note 18 advise that they should normally be measured to the nearside kerb. Given the siting of the Shepard's

hut, close to the carriageway, it would also obstruct visibility splays drawn to the nearside edge of the carriageway to the right when emerging from the access.

18. Furthermore, the X distance is limited to 1.7m, due to the depth of the parking space. Whilst a 2m X distance may be justified in some circumstances, even this reduced distance could not be achieved in this case. Consequently, vehicles emerging from the access, whether in a forward gear or reversing, would have to edge out onto the carriageway for some distance before making a decision to egress the site. Given the single lane carriageway, there would be limited space for oncoming vehicles to navigate any vehicle entering the carriageway before making a decision to pull out.

19. Based on the evidence before me, and my observations, despite the lightly trafficked nature of the road and access, vehicles leaving the site would not be able to clearly see vehicles or other users of the road, including cyclists and horse riders, approaching the site from either direction. Similarly, vehicles and other users of the road, would have insufficient warning of vehicles leaving the site to react accordingly. This would give rise to an undue risk of conflict between vehicles and other uses of the road. The lack of records of road traffic collisions/incidents in the vicinity of the appeal site does not justify granting an unsafe access.

20. For these reasons, I conclude that the development would be harmful to highway safety, contrary to LDP Policy 60 which seeks to, amongst other things, ensure appropriate access is achieved.

Foul drainage

21. The appeal site is located within a river catchment for the Milford Haven Inner of the Pembrokeshire Marine Special Area of Conservation (SAC), where decision makers must consider the impact of developments on water quality. The planning application submissions indicated that the existing dwelling is served by a sealed cesspit. However, the appeal submissions have since confirmed that it is served by an existing septic tank connected to a soakaway/drainage field and that the Shepard's hut is served by these existing arrangements.

22. Welsh Government Circular 008/2018 (the Circular), sets out the planning requirements for the use of private sewerage in new development. In this case, I am satisfied that Welsh Water's Public Sewer Map Extract shows that there are no public sewer infrastructure in the vicinity of the appeal site. The appellant's Drainage Hierarchy also discounted a package treatment plant as not practical. The appellant states that the utilisation of the existing septic tank represents the highest feasible option. However, the Circular sates that the assessment of private drainage proposals should include full and detailed consideration including, amongst other things, damage to controlled waters and the environment.

23. Whilst I accept that the Shepard's hut may be occupied at times by friends and family visiting the appellant who would otherwise stay at the appellant's home, it would also be occupied by holiday makers who would likely be from outside of the catchment. I note that the appellant intends the use of the holiday let to be occasional and seasonal, nevertheless, there is the potential for it to be occupied all year round. This would increase the wastewater discharging into the existing septic tank and drainage field.

24. Natural Resources Wales (NRW) has drawn my attention to their 'Advice to planning authorities for planning applications affecting nutrient sensitive Special Areas of Conservation'. In relation to additional wastewater being discharged to existing private treatment systems, this advice states that such proposals are not likely to have a significant effect if: the existing drainage is to the ground; the drainage field is located

more than 40m from any surface water feature (and located more than 50m from the SAC boundary); the design of the existing private sewerage system (inc the drainage field) has the capacity to effectively treat and discharge the additional wastewater; and increases in effluent discharge to ground can be made where the discharge remains eligible for an existing exemption under the Environmental Permitting Regulations or can operate in compliance with conditions of an extant environmental permit.

25. I have no evidence to dispute the appellant claims that the combined estimated flows from the dwelling and the holiday let are below the 2 m³/day permitted by their current wastewater exemption certificate for the existing dwelling. Nevertheless, the appellant has identified a nearby watercourse feature and confirms that without a drainage survey, they are unable to positively certify that the existing soakaway/drainage arrangement is more than 40m away from that feature. Neither do I have the design of the existing septic tank and drainage field/soakaway demonstrating that it has the capacity to effectively treat and discharge the additional wastewater.

26. In the absence of this information, I cannot conclude with any certainty that the foul drainage arrangements for the development are suitable and, consequently, I cannot reasonably conclude that the development does not result in an increase in phosphate levels to the SAC, nor adversely affect its integrity. As a result, and bearing in mind the precautionary principle, I must conclude that the proposal would be likely to be detrimental to the SAC, thereby conflicting with Policy 11 of the LDP and the objectives of Technical Advice Note 5 and PPW in relation to protected sites.

Biodiversity

27. The development has resulted in the removal of a limited length of hedgerow on the appeal site's front boundary. The appeal submissions also show that a further small section of the hedgerow would need to be removed to provide visibility from the access. The Green Infrastructure Statement and the Biodiversity Enhancement Plan sets out biodiversity enhancements including new planting, tree planting and bat and bird boxes. However, full details have not been provided. Nevertheless, given the small scale of the development and the limited loss of hedgerow, I am satisfied that had I allowed the appeal, a condition could have secured a scheme of biodiversity enhancement.

28. I conclude that, subject to an appropriately worded condition securing a scheme of biodiversity enhancements, the development would not have an adverse effect on the biodiversity interest of the site and would provide adequate biodiversity enhancements. This complies with Policy 11 of the LDP, Policy 9 of Future Wales and the objectives of PPW.

Other Matters

29. I have had regard to the appellant's personal circumstances set out in their appeal statement, which I have sympathy for. Nevertheless, this does not out outweigh the harm to highway safety, the integrity of the SAC and the biodiversity interests of the site.

30. The fact that the development has already been carried out has no bearing on the merits of the case.

Planning Balance and Conclusion

31. Although I have found that the development is acceptable in terms of its impacts on the countryside and the PCNP and the biodiversity interests of the site, this does not outweigh or justify the harm to highway safety and the integrity of the SAC. Neither does the appellant's personal circumstances. For the above reasons, and having regard to all matters raised, I 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.

H Smith

INSPECTOR