

REPORT OF HEAD OF DEVELOPMENT MANAGEMENT ON APPEALS

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

NP/11/433	Timber Log Cabin Permanent Agricultural Dwelling (Retrospective) - Ffynnonddofn Farm, Newport, Pembrokeshire
Type	Hearing
Current Position	The Initial paperwork has been forwarded to the Inspector and a Hearing has been arranged for 23 rd April, 2013.
NP/12/0190	Erection of 11kw wind turbine on 18m tubular tower - Porthclais, Ffordd Porth Clais, St Davids.
Type	Written Representations
Current Position	The initial paperwork has been forwarded to the Inspector.
NP/12/0230	Low Impact Development on 6 hectares to include dwelling, an agricultural barn, an education room, a polytunnel and volunteer sleeping space - Land adjacent to Binchurn Farm, Llanon, Haverfordwest
Type	Hearing
Current Position	The Appeal was dismissed and the decision is attached for your information.
NP/12/0319	Detached dwelling - Land adjacent to Yr Efail, Pontiago
Type	Hearing
Current Position	A Hearing has been arranged for 9 th April 2013.
NP/12/0342	Installation of one 15kw wind turbine (15m mast height to hub, 20.979m to blade tip) plus associated foundation pad and underground cable - Philbeach Farm, Dale, Haverfordwest
Type	Written Representations
Current Position	The initial paperwork has been forwarded to the Inspector.
NP/12/0386	Certificate of Lawfulness for siting of static caravan & metal container and all uses in excess of 20 years up to the present day, taking place on the holding – Erw-Lon, Lydstep
Type	Inquiry
Current Position	An Inquiry took place on 12 th March, 2013 and the Inspectors decision is awaited,

NP/12/0408	Erection of single dwelling - Taskers Garden, Opposite The Smithy, West Williamston
Type	Written Representations
Current Position	The initial paperwork has been forwarded to the Inspector.
NP/12/0412	Renovation of existing former farm workers (dwelling) cottage to create a rural enterprise workers dwelling - Penpant, Nine Wells, Solva
Type	Hearing
Current Position	The Initial paperwork has been forwarded to the Inspector and a hearing has been arranged for 30 th April, 2013.
NP/12/0427	External wall insulation (Retrospective) - 16, The Terrace, Rosebush, Clunderwen
Type	Written Representations
Current Position	The Appeal has been dismissed and The Inspectors decision is attached.
NP/12/0529	Replacement side extension with proposed rear first floor balcony - Park Cottage, 29, Prendergast, Solva,
Type	Householder Appeal
Current Position	The appeal has been dismissed and the decision is attached for your information
NP/12/0535	Roof alterations consisting of change in pitch of roof on rear elevation and re-covering with slate - Lower Hill Cottage, Haroldston Hill, Broad Haven,
Type	Written Representations
Current Position	The Initial paperwork has been forwarded to the Inspector.
NP/12/0542	Conversion and single storey extension to vacant agricultural building to create a one bedroomed dwelling - Danygarn, St Davids
Type	Hearing
Current Position	The Initial paperwork has been forwarded to the Inspector and a hearing has been arranged for 12 th June, 2013.
NP/12/0560	Extension of time for retention of caravan - Barry Island Farm, Llanrhian, Haverfordwest,
Type	Hearing
Current Position	The Initial paperwork has been forwarded to the Inspector and a hearing has been arranged for 11 th June, 2013



Penderfyniad ar yr Apêl

Gwrandawriad a gynhaliwyd ar 13/02/13
Ymweliad â safle a wnaed ar 14/02/13

gan **Clive Nield BSc(Hon) CEng MICE**
MCIWEM C.WEM

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: **08/03/13**

Appeal Decision

Hearing held on 13/02/13
Site visit made on 14/02/13

by **Clive Nield BSc(Hon) CEng MICE**
MCIWEM C.WEM

an Inspector appointed by the Welsh Ministers

Date: **08/03/13**

Appeal Ref: APP/L9503/A/12/2184276

**Site address: Land adjacent to Binchurn Farm, Llanon, Haverfordwest,
Pembrokeshire, SA62 5AE**

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 failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Mr Tom O'Kane against the Pembrokeshire Coast National Park Authority.
- The application Ref NP/12/0230, is dated 1 May 2012.
- The development proposed is a low impact development on 6 hectares to include a dwelling, an agricultural barn, an education room, a polytunnel & volunteer sleeping space.

Decision

1. The appeal is dismissed and planning permission for a low impact development on 6 hectares to include a dwelling, an agricultural barn, an education room, a polytunnel & volunteer sleeping space is refused.

Procedural and Background Matters

2. The appeal site comprises 2 fields of pasture and rough grazing and an area of woodland/scrub immediately to the east of the small hamlet of Llanon and about 1.5 km (1 mile) south of the village of Trefin. The land falls steadily from south to north and is bordered by mature hedgerows.
3. The proposal is for a low impact development where the Appellant and his family (partner and 2 children) would be largely self-sufficient. The buildings would be constructed in traditional materials (substantially timber) with green roofs. The dwelling would be curved in plan, approximately 21 metres long, 8 metres wide and 5.25 metres high. The agricultural barn would also be curved in plan and about 21 metres by 5 metres and 4 metres high. The education building would be almost round, some 7 metres diameter by 3 metres high. The volunteer accommodation cabin and compost toilet building would be approximately 6 metres by 4 metres and 5 metres by 3 metres respectively, both about 3 metres high. This group of buildings would be situated close to the middle of the eastern boundary of the site with a connecting access track to the present field entrance from the public highway, which runs along the southern boundary of the site.

4. The proposed polytunnel would be 20 metres by 4.5 metres by 3 metres high and would be situated near the western side of the site close to the existing wooded area. The Appellant would propose to grow fruit, vegetables and cereal crops and raise livestock on part of the land. Broadleaf woodland would be grown and harvested on most of the rest, and substantial areas of new woodland have already been planted.
5. A previous application was made and refused by the National Park Authority in February 2012 (Ref NP/11/398). That proposal was also for a low impact development but differed from the current scheme in the proposed location of the buildings (close to the road) and the inclusion of a farm shop. The Authority refused that application for the same reasons it has indicated it would have refused the appeal scheme if the appeal had not been lodged before the application was determined.
6. A Section 106 Unilateral Undertaking has been submitted, which would come into effect if planning permission was granted and implemented. It comprises 4 obligations on the part of Mr O'Kane: to use the site in accordance with the Management Plan submitted as part of the application (and appeal); to maintain the dwelling, buildings and land comprising the site as a single unit; to tie occupation of the dwelling to residents solely, mainly or last working on the site and dependent relatives; and that the dwelling will be the sole residence of the residents. I have taken this into account in my considerations.

Main Issues

7. The main issues in this case are:
 - the effect on the character and appearance of the area, bearing in mind its location within the Pembrokeshire Coast National Park;
 - whether or not the development would make a positive environmental, social and/or economic contribution with public benefit;
 - whether or not the development would provide sufficient livelihood for and substantially meet the needs of residents on the site; and
 - whether or not the Management Plan meets the requirements of national policy for the provision of evidence to justify the exceptional nature of the development, and to provide a basis for ongoing monitoring and review of the development to ensure it fulfils its objectives.

Policy

8. The adopted development plan is the Pembrokeshire Coast National Park Local Development Plan, adopted in September 2010. Policy 1 sets out the purposes and duty of the National Park and that development must be compatible with "*the conservation or enhancement of the natural beauty, wildlife and cultural heritage of the Park*" and "*the public understanding and enjoyment of those qualities*". It also says that "*in determining proposals, due regard will be paid to the need to foster the economic and social wellbeing of the local communities within the Park provided this is compatible with the statutory National Park purposes embodied in the foregoing considerations*". Policy 7 (Countryside) only permits development in the countryside outside the identified centres in particular specified circumstances, one of which is low impact development making a positive contribution and meeting the requirements of Policy 47.

9. It is common ground that Policy 47 is the main policy consideration. It says low impact development in the countryside that makes a positive contribution will be permitted provided 8 criteria are met. The Authority's intended refusal referred to 4 of these that the Authority maintains would not be met:

"a) the proposal will make a positive environmental, social and/or economic contribution with public benefit";

"b) all activities and structures on site have low impact in terms of the environment and use of resources";

"d) the development is well integrated into the landscape and does not have adverse visual effects"; and

"f) the proposal will provide sufficient livelihood for and substantially meet the needs of residents on the site".

10. National policy is contained in Planning Policy Wales, Technical Advice Note 6 (TAN6) – Planning for Sustainable Rural Communities, and the recently issued (October 2012) Practice Guidance for One Planet Development, which provides practical guidance in support of TAN6. Whilst the Welsh Government supports the principle of low impact development, it places emphasis on the need to ensure it is properly controlled: Particular emphasis is placed on the need for a Management Plan produced by a competent person(s), which "*should set out the objectives for the proposal, timetable for development of the site and timescale for review*" and "*should be used as the basis of a legal agreement relating to the occupation of the site, should planning consent be granted*". The scope of the Management Plan is defined in TAN6 and the Practice Guidance document.

Reasons

Character and Appearance

11. The driving policy aim for the National Park is "*the conservation or enhancement of the natural beauty, wildlife and cultural heritage of the Park*", and the Appellant has sought to address this by carrying out a landscape and visual impact assessment. However, this assessment has not been done in a sufficiently structured way and places more emphasis on assertion than on factual analysis.
12. The landscape is predominantly pastoral in character with mainly medium sized fields, small areas of woodland, stone walls and banks, and scattered farmsteads, small hamlets and villages. The LANDMAP assessment system indicates that one of the key qualities that should be preserved in the area is its low intensity of use. The appeal proposal would introduce an area of intensive horticulture and a pattern of smaller fields that would be quite different to the surrounding landscape. The Appellant argues that this would be an improvement and that the smaller fields would return the land to its traditional form of many years ago. However, there can be no doubt it would be out of place in its surroundings and harmful to the general open, spacious character.
13. In terms of appearance, the site is clearly visible from many directions and can be seen from the nearby village of Trefin, from the coastal path and from a network of public rights of way. In those views the proposed development would be seen as an incongruous feature in an otherwise generally open landscape. It is argued that the site is alongside a number of other buildings in the small hamlet of Llanon. However, the main area of built development would be remote from these, in the middle of the

otherwise open fields and alongside the eastern boundary of the site. The access drive would also be lengthy and remote from the rest of the hamlet, and the visitor parking area and array of solar panels would be in yet another part of the site. All of these buildings and constructions would appear as intrusions in the open countryside.

14. It is submitted that planting and other landscape measures would in time provide adequate screening of these features and that the natural materials used would be less intrusive than other building materials. Clearly, some mitigation could be achieved. However, even this would not adequately conceal the nature of the built development, which would be harmful to the rural character and appearance of the area. The importance of this is heightened by the location of the site within the National Park, even though it is on the edge of the Park. I conclude that the proposal would be unacceptably harmful to the character and appearance of the National Park and would fail to conserve or enhance its natural beauty.

Positive Contribution with Public Benefit

15. LDP Policy 47 requires low impact developments to "*make a positive environmental, social and/or economic contribution with public benefit*", and it is argued that positive benefits would be generated in terms of environmental improvements, enhanced natural habitats, opportunities for training in sustainable living, and in the provision of surplus fresh local produce available for sale. Environmental improvements would include the repair of hedges and fences, woodland management, the production of sustainable vegetable variety seeds, and the introduction of bee hives. These measures, together with the introduction of more hedges (for smaller fields), would provide an improved range of natural habitats and connection corridors for wildlife.
16. These would be positive environmental improvements with some public benefit in ecological terms, provided public access was encouraged (a footpath is proposed). However, most of the benefits would be to the occupiers of the site themselves.
17. The Appellant would provide facilities for visits and on-site training in low impact living. The National Park Authority is sceptical of this as similar opportunities are already provided at other low impact developments elsewhere in Pembrokeshire. However, there is evidence of interest in this aspect of sustainable living, particularly from local schools, and I consider it would be a useful potential public benefit. It is submitted that similar training could be provided elsewhere without having to allow the appeal development and that the associated travelling to the site would itself be contrary to sustainability principles. Both of these may well be correct; however, I consider the potential benefits of the training to outweigh them.
18. Finally, it is submitted there would be public benefits from the availability of fresh local produce for sale. It is questionable how much surplus produce would be available, and I consider this in more detail below. However, the availability of locally grown, organic fresh produce must be accepted as a public benefit. It is arguable that this benefit could be comparably achieved by intensive horticulture of the land without the need to live on the site. Nevertheless, it would amount to a positive contribution with public benefit, albeit one that is difficult to quantify without evidence of the likely productivity of the land in question.
19. Overall, I conclude there would be likely to be a small positive contribution to public benefit in the form of an improved range of natural habitats, the provision of training opportunities in sustainable living, and the provision of fresh produce for sale to the public. This requirement of Policy 47 would be met, albeit with limited weight.

Provision of Livelihood for Residents

20. LDP Policy 47 requires low impact development to "*provide sufficient livelihood for and substantially meet the needs of residents on the site*". The policy itself does not define how this can be measured but the Authority's supplementary planning guidance on Low Impact Development, adopted in 2006, advises that at least 75% of household needs should be met through land-based activities.
21. The recent national guidance says it should be expected that low impact development (the guidance uses the term "One Planet Development") will be able to produce at least 65% of basic food needs or a minimum of 30% with the further 35% being purchased or bartered using income or surplus produce grown or reared on the site. In addition, it is expected that monetary income will need to be generated to enable the purchase of other basic needs, such as clothes, travel, IT/communications and Council Tax. The majority of this income should be generated by land-based activities, though subsidiary income may be generated by non land-based activities, such as the provision of training and education courses.
22. Taken together these provide useful guidance on what should be expected from low impact developments of the type proposed. In this case, Mr O'Kane submits that within 5 years adequate food and other produce would be generated to meet these objectives comfortably, leaving a margin for error or over-optimism in his projections. However, the Authority disputes these projections and argues that the site is in an exposed, windy and salt air location where such produce would struggle to grow. Having taken professional advice, it considers it unlikely the crops could be cultivated to produce the quantities required and that the Appellant's projections are implausible.
23. I heard further conflicting views on this at the hearing and find it difficult to reach a confident conclusion. At present most of the land in the area is used just for grazing, which also raises doubts about the suitability of the local soils and micro-climate for the growing of other crops. On the other hand, I heard glowing testimonies about Mr O'Kane's horticultural abilities. I have taken all of these into account. On balance, I am not satisfied that sufficient evidence has been provided to justify the projections made about the likely levels of production on the land and the sustainability of the land-based enterprise. In view of the uncertainty I do not attribute great weight to this conclusion but nor do I accept that this requirement would be met.

Adequacy of Management Plan

24. Finally, I turn to the fourth main issue, whether or not the Management Plan meets the requirements of national policy for the provision of evidence to justify the exceptional nature of the development and provides a basis for ongoing monitoring and review of the development to ensure it fulfils its objectives.
25. The first matter to address is the reliability of the Management Plan itself as the recent national guidance says it should be "*produced by a competent person(s)*". In other contexts that phrase is generally taken to mean someone who is professionally qualified and suitably experienced. In this case, Mr O'Kane wrote the Management Plan himself, albeit with assistance on certain specialist matters. He has prepared it with painstaking attention to detail and commendable determination and enthusiasm. On many matters he is probably as well placed as anyone to contribute his knowledge and expertise. However, the lack of impartial professional input raises doubts about possible over-optimism, particularly in the absence of supporting evidence.

26. I have already referred to this above in connection with assessment of the landscape and visual impact of the proposal. The Transport and Travel Plan also suffers from a lack of professional rigour and relies heavily on the Appellant's own assertions. Even though these are, no doubt, sincerely held views, the lack of rigour is a shortcoming in the Management Report. Having reached these conclusions, I also acknowledge that Mr O'Kane prepared the Management Plan before the national guidance was issued and before the advice contained in it that the Management Plan should be prepared by a "*competent person*". Consequently, I give little weight to the fact that it has not been so prepared. However, the associated shortcomings remain, for example the shortcomings in the landscape and visual impact assessment and in the transport and travel assessment, and the reduced confidence in the produce production projections. For these reasons I do not consider the Management Plan meets the requirements set out in the national guidance to justify the exceptional nature of the development or to provide a basis for ongoing monitoring and review.

Overall Conclusion

27. Many factors support the proposal, including the strong national policies in support of sustainable development and the exceptional provisions made for low impact development in both development plan and national policy. However, nothing outweighs the considerations that have led me to my main conclusions above, particularly the conclusion that the development would be unacceptably harmful to the character and appearance of the National Park. This weighty conclusion is reinforced by my conclusions on the shortcomings of the Management Plan and on the doubts about the adequacy of crop production levels likely to be achieved. Even though I consider it would make a small positive contribution to public benefit, this and all other matters would be considerably outweighed by the significant harm that would be caused.
28. Several other matters have been raised and were subject to discussion at the hearing, including electricity and water usage and their likely means of supply. However, none of them are key factors in the determination of this appeal.
29. I conclude that, on balance, the proposed development would be contrary to national and development plan policy. For the reasons given above I conclude that the appeal should be dismissed.

Clive Nield

Inspector

APPEARANCES

FOR THE APPELLANT:

Mr Tom O’Kane	Appellant.
Ms Pascale Mesple	Appellant’s partner.
Mr Paul Wimbush	Appellant’s friend, from Lammas LID.

FOR THE NATIONAL PARK AUTHORITY:

Ms Vicki Hirst, MA, MRTPI	Head of Development Management, Pembrokeshire Coast National Park Authority.
Ms Martina Dunne, BA, MSc, MRTPI	Head of Park Direction, PCNPA.

INTERESTED PERSONS:

SUPPORTING APPEAL

Cllr Owen James	Scleddau (adjoining Ward) County Councillor.
Ms Melanie Robinson	LID resident, Cardigan.
Mr Daffydd Hughes	LID resident, Lleyn Peninsula.
Ms Shayne Newlyn	Local resident.
Ms Erica Thompson	Climate scientist.
Mr Steve Wilson	Local resident.
Dr Kathryn Lloyd-Williams	Supporter.
Ms Tracey Styles	LID resident, Cardigan.
Ms Kate McEvoy	Real Seeds Collection Ltd, Newport.
Mr Gerald Miles	Local organic farmer.
Mr Benjamin Eden	Local resident.
Mr Dafydd Williams	Local resident.
Mr John Hargreaves	LID resident, Coshaston.
Mr Tony Wrench	Supporter.
Dr Tony O’Kane	Appellant’s father.

Mrs Val Buick	Local resident.
Mr Wyn Buick	Local resident.
Ms Jackie Banks	Supporter.
Ms Rachel Jenkins	Local resident.

OPPOSING APPEAL

Mr Robin Moore	Local resident, Chairman Conserve Llanon Group.
Mr Tim Murray	Local resident, Member Conserve Llanon Group.
Mr Hugh Edwards	Local resident, Member Conserve Llanon Group.
Mr David Aspden	Local resident, Member Conserve Llanon Group.
Mr David Nicholas	Local resident, Member Conserve Llanon Group.
Mrs Janet Nicholas	Local resident, Member Conserve Llanon Group.
Mr John Ratcliffe	Friends of Pembrokeshire Coast NPA.
Mr Phil Stern	Local winter resident.
Ms Beth Swan	Local resident.
Ms Sarah Bhagat	Local resident.
Ms Gaynor Edwards	Local resident.
Ms Berys Becker	Local resident.

DOCUMENTS SUBMITTED AT HEARING

- 1 Signed copy of S106 Unilateral Undertaking, submitted by Appellant.
- 2 Artist's impression of view of development from site entrance, submitted by Appellant.
- 3 Statement submitted by Cllr Owen James in support of Appellant.
- 4 Supplementary Statement submitted by Mr Robin Moore on behalf of Conserve Llanon Group, commenting on Appellant's hearing statement.
- 5 Note on environmental visual impact in support of Appellant, submitted by Ms Gill Lewis.

PLANS

- A - O Application plans providing details of layout, buildings block plan, dwellinghouse, agricultural barn, education building, volunteer accommodation cabin, polytunnel, compost toilet building, access track and hedge.



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 19/02/13

gan **A D Poulter BA BArch RIBA**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 28/03/13

Appeal Decision

Site visit made on 19/02/13

by **A D Poulter BA BArch RIBA**

an Inspector appointed by the Welsh Ministers

Date: 28/03/13

Appeal Ref: APP/L9503/A/13/2190536

Site address: 16 The Terrace, Rosebush, Clunderwen, Pembrokeshire SA66 7QX.

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 Mrs Alexandria Chitania against the decision of Pembrokeshire Coast National Park Authority.
 - The application Ref NP/12/0427, dated 13 August 2012, was refused by notice dated 22 November 2012.
 - The development proposed is external wall insulation in partnership with British Gas & the Welsh Assembly Nest Scheme.
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Procedural Matter

1. The proposed development has taken place. The application is therefore retrospective.

Decision

2. I dismiss the appeal.

Main Issue

3. This is the effect of the proposed development on the character and appearance of Rosebush Terrace.

Reasons

4. Rosebush Terrace is a row of former quarry workers' cottages, built in the late 19th century to serve a local slate quarry. The Authority's concerns relate only to external wall insulation applied to the access frontage of the appeal property. This is a layer of insulation board fixed over the original stone walling. It is finished with a cream-coloured render, and is up to about 120mm thick.
5. Rosebush Terrace has been altered over time. Some houses retain their original stonework finish. Others are now rendered. External walls have been painted in a variety of colours, and there is also much variety in window type and roof finish. However, many traditional features have been retained and to a substantial degree the terrace remains in its original condition. The quality of the terrace's architecture is good, and it is in a prominent position and has a significant influence on the landscape. It is closely associated with historic slate quarrying in the area. Because of its history, vernacular architecture and construction I consider that it should be

regarded as a building which makes an important contribution to the character and interest of the local area.

6. Photographs show that prior to the insulation being installed the appeal property had an exposed stonework wall finish and traditional window cills. These features would have contributed significantly to the building's traditional vernacular character. In contrast, because of its thickness, it is now apparent that a non-traditional external wall treatment has been applied. As the traditional cills have either been removed or covered by the thickness of the insulation the vernacular appearance of the window openings has been lost. Whilst the cream colour does not look out of place, the self-coloured render is smooth and modern in appearance.
7. I consider for these reasons that the installation of the insulation has significantly adversely affected the distinctive appearance and architectural integrity of the terrace. Its retention would therefore conflict with Policy 14 of the adopted Pembrokeshire Coast National Park Local Development Plan (LDP)(2010). It would also conflict with Policies 15(e) and 20(d).
8. Improved levels of insulation are clearly an important component in the drive towards more resource-efficient buildings. However, the Authority's guide to Sustainable Design (adopted June 2011) provides advice on a range of other measures that can improve resource efficiency in ways that would not be at the expense of local distinctiveness. I therefore do not consider that the harm and conflict with planning policy that I have identified would be justified or outweighed by the benefits of the additional insulation.
9. Neighbours' concerns about the effect of the insulation on the breathability of the traditional stone walls are supported to an extent by Welsh Office Circular 61/96: *Planning and the Historic Environment: Historic Buildings and Conservation Areas*, the Appendix to Annex D of which advises that non-porous coatings can form a barrier which prevents moisture trapped within walls from evaporating, leading to problems arising from damp. However, the performance and suitability of the particular system installed in this instance is a matter principally for the installer. It is therefore not a consideration that has influenced my decision.
10. I have taken into account all other matters that have been raised, including that the materials used carry a guarantee and the exterior of the building should not need redecorating for many years. However, I find no material considerations that would indicate that the appeal should be determined other than in accordance with the development plan for the area.
11. I conclude that the appeal should be dismissed.

A D Poulter

INSPECTOR



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 12/02/13

gan Clive Nield BSc(Hon) CEng MICE
MCIWEM C.WEM

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 02/04/13

Appeal Decision

Site visit made on 12/02/13

by Clive Nield BSc(Hon) CEng MICE
MCIWEM C.WEM

an Inspector appointed by the Welsh Ministers

Date: 02/04/13

Appeal Ref: APP/L9503/A/13/2191267

Site address: 29 Prendergast, Solva, Haverfordwest, SA62 6XA

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 Mr David Magee against the decision of the Pembrokeshire Coast National Park Authority.
 - The application Ref NP/12/0529, dated 18 October 2012, was refused by notice dated 11 December 2012.
 - The development proposed is for the existing extension to be removed and replaced with a new one.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed replacement extension on the amenity of the neighbouring occupiers, particularly in respect of privacy, visual impact and light.

Reasons

3. The present side extension has a roof that slopes down to eaves along the side wall on the boundary with the neighbouring house, Number 27. The proposed extension would have a gable end along that boundary, which would be significantly higher than the present eaves height over most of its length.
4. Between the 2 houses there is a side path to the rear of Number 27, varying in width between approximately 1.0 and 1.6 metres. There are also 2 small bedroom windows on the side elevation of Number 27 facing towards the appeal property. The change in height and proximity of the proposed end wall would be harmful to the outlook from these windows and path and would have an overbearing appearance viewed from such close quarters.
5. The proposal includes a balcony at the rear, which would give direct access from the bedroom to the rear garden, which rises steeply at the rear of the house. Notwithstanding that some overlooking is already possible from the rear garden, the balcony would significantly increase the potential for overlooking at close quarters,

particularly into the bedroom of Number 27. Mr Magee says the balcony would be 1.2 metres below the level of the existing boundary wall and that he would be prepared to reduce the size of the balcony if necessary. However, these factors do not change my conclusion that the proposal would detract from the privacy enjoyed by the occupiers of Number 27.

6. The Council also expresses the view that the proposal would affect the level of daylight enjoyed by the neighbouring property, and that might be so to some extent. However, I do not consider it to be significant in this case.
7. It is relevant that the appeal property is situated within the Solva Conservation Area, where there is a duty on the decision maker to pay particular attention to the desirability of preserving or enhancing the character or appearance of the area. In this case, there is no dispute that the proposed extension would be of such a design as to have little impact on the wider character or appearance of the area, and I am satisfied it would meet the statutory test.
8. I have taken into account this and all other matters raised but they do not outweigh the considerations that have led me to my main conclusions that the proposed new extension would have an unacceptably harmful effect on the amenity of the neighbouring occupiers by reason of its visual impact and effect on privacy. I conclude the scheme would conflict with Policy 30 of the Pembrokeshire Coast National Park Local Development Plan.
9. For the reasons given above I conclude that the appeal should be dismissed.

Clive Nield

Inspector