



Appeal Decision

by Paul Selby BEng (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 24/03/2023

Appeal reference: CAS-02160-V3Y3X9

Site address: Land at Frondeg, Gwrhyd Road, Pontardawe SA8 4TH

- 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 Dane Lacey against the decision of Neath Port Talbot County Borough Council.
 - The application Ref P2022/0261, dated 19 March 2022, was refused by notice dated 1 July 2022.
 - The development is Proposal to replace existing stables with residential bungalow to enable the applicant to live on the land that he works on a daily basis.
 - A site visit was made on 14 March 2023.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Whilst enforcement matters have been referred to, these lie outside the scope of an appeal made under section 78 of The Town and Country Planning Act 1990 and I have therefore not had regard to them.

Main Issues

3. The main issues in this case are:
 - Whether the proposal complies with local and national policies designed to protect the countryside, and
 - The effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is partly occupied by a linear stable block and forms part of a wider landholding comprising a manège, paddocks and various ancillary structures. The site is accessed from Gwrhyd Road and is located a short way outside the settlement boundary designated in the Neath Port Talbot Local Development Plan (LDP), and it therefore lies within the open countryside. To the site's north, east and south are fields and hedgerows which, with the appeal site, form part of a designated Special Landscape Area (SLA). A short way west of the site is a public house and a scattered cluster of dwellings, some of them recently constructed, which lie near to the junction of the A4118 and Gwrhyd Road. The frontage of the appeal site is marked by a high fence and gate.

5. I saw on my site visit that the LDP settlement boundary roughly follows a wedge of development extending along the A474. Whilst Gwrhyd Road provides vehicular access to the nearby public house and two residential properties, its appearance differs markedly to the A474, being of modest width and predominantly bounded by trees and hedgerows. Consequently, the experience of entering Gwrhyd Road from the main road is one of leaving the settlement.
6. Although the boundary fence and gate of the appeal site are visually prominent features on this section of Gwrhyd Road, the rustic appearance of the site is nonetheless consistent with the lane's rural character. The modest scale and simple design of the proposed dwelling, and screening provided by hedgerows and boundary treatments, would go some way to reducing its visual prominence. Nonetheless, despite being near to other residential properties, the site is visually detached from developed areas within the settlement boundary. Whilst having a smaller footprint to the existing stable block, the overtly domestic appearance of the proposed dwelling would appear as a patent visual incursion into the open countryside which would harm its rural character and appearance.
7. LDP policy EN2 seeks to avoid significant adverse impacts on features and characteristics for which an SLA has been designated. From what I saw on my site visit, the part of the SLA in proximity to the appeal site exhibits an overtly rural character of rolling hills, with moorland evident at higher altitudes, and pasture and deciduous woodland within valleys. Whilst the appeal proposal would represent a minor incursion into the SLA and would not affect natural landscape features, for the reasons already given the appeal scheme would materially alter the character of the site, and in my view would harm the SLA's essentially rural characteristics.
8. LDP policy SC1 allows development outside designated settlement limits in certain circumstances, including for dwellings associated with rural enterprises or for affordable housing. Whilst the appellant contends that the dwelling would enable him to live locally and to work on the associated landholding, insufficient evidence has been provided to justify the proposed dwelling on the basis of supporting an established or future rural enterprise, or to confirm that the dwelling would be held within an affordable tenure, in the terms sought by Technical Advice Note 6 'Planning for Sustainable Rural Communities'. I have also been informed that land near to the site has been earmarked for further development, but few details of this have been provided and, in any case, planning applications are determined on their own merits. I afford these matters limited weight.
9. As I have found that the proposal would not be a form of development in the open countryside which would be supported by LDP policy SC1, its harmful visual effects would not be justified. For the foregoing reasons I conclude that the proposal would conflict with the spatial, landscape and design objectives of LDP policies SP14, SC1, BE1 and EN2.
10. I have had regard to the other matters raised but none alters my decision. For the reasons given above I conclude that the appeal should be dismissed.
11. 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.

Paul Selby

INSPECTOR