



Appeal Decision

by G Hall BSc (Hons) DipTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 06/02/2025

Appeal reference: CAS-03747-T5M5P5

Site address: Millers Arms, Mathern Road, Mathern, Monmouthshire NP16 6JD

- 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 Shaun Barnsley against the decision of Monmouthshire County Council.
 - The application Ref DM/2024/00526, dated 14 February 2024, was refused by notice dated 13 June 2024.
 - The development proposed is Retention of Timber Building.
 - A site visit was made on 14 January 2025.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant has submitted an additional plan with the appeal showing an amended roof design. The appeal process cannot be used to evolve a scheme, and appeal decisions must be based solely on the scheme and plans originally considered by the Council. Only in limited circumstances, which do not apply in this case, may an amendment be accepted. I have therefore determined the appeal based on the submissions on which the Council made its decision.
3. The development is already in place and the appeal therefore seeks retrospective planning permission.

Application for Costs

4. An application for costs has been made by Mr Shaun Barnsley against Monmouthshire County Council. This application is the subject of a separate Decision.

Main Issue

5. The main issue is the effect of the development on the streetscape and whether it preserves or enhances the character or appearance of the Mathern Conservation Area (CA).

Reasons

6. The appeal concerns a timber building constructed adjacent to a detached public house. This structure serves as a covered external seating area ancillary to the pub.

7. As identified in the Mathern Conservation Area Appraisal, the appeal site lies near to an attractive core of 19th-century buildings interspersed with late 20th-century houses.
8. The Millers Arms, although of simple design, is a key landmark in this part of the CA, elevated and visually prominent with an attractive front elevation. When viewed from the main road, the pub, along with the land to its front and side, makes an important contribution to both the character and appearance of the CA.
9. The timber building has a utilitarian appearance, designed for its functionality, providing a covered outdoor seating area. While I observed domestic sheds in the surrounding area, I saw no other timber structures of a similar scale.
10. The scale and elevated position of the building relative to the main road make it a highly prominent feature within this key part of the CA. Its substantial size and shallow pitched roof design competes visually with the pub, diminishing its contribution as an important and locally significant landmark. This impact is further exacerbated by the building's position forward of the pub's frontage, disrupting the established building line and drawing attention away from the more traditional form of the host building. Although I recognise that the timber would weather or could be painted, neither this nor its siting adjacent to natural landscaping would sufficiently mitigate these adverse effects.
11. While ancillary structures can, in principle, be accommodated within CAs, and it is reasonable for simple, functional buildings to reflect their purpose, this development's scale, position and design prevent it from being either complementary or subservient to the host building. As a result, it appears as a large, prominent, discordant modern structure that harms the established character of the CA and the streetscape.
12. I have considered the appellant's case for retaining the building, recognising that it is not demountable. I do not dispute that the additional space has contributed to the pub's viability while serving a broad range of community groups and promoting inclusivity and accessibility to customers. I also recognise the strong local support for the appeal scheme, the considerable economic pressures facing pub businesses, and the vital role of pubs at the heart of their communities.
13. Nonetheless, Planning Policy Wales establishes a strong presumption against granting planning permission for developments that unacceptably damage the character or appearance of a CA or its setting. In exceptional cases, this presumption may be overridden in favour of development deemed desirable on public interest grounds. While I acknowledge that this development supports a valued local business serving both residents and visitors, and that the continuation of its historic use makes a positive contribution to the character of the CA, there is no substantive evidence that the appeal scheme is the only viable means of providing additional outdoor space. I am therefore not persuaded that the economic and social benefits, or any broader public interest, outweigh the significant harm to the CA that I have identified.
14. I have attached considerable weight and importance to the harm the appeal scheme causes to the CA and therefore conclude that dismissing the appeal is both proportionate and necessary, and find the development is contrary to the conservation and design objectives of policies HE1 and DES1 of the Monmouthshire Local Development Plan.
15. I note the appellant's comments regarding the Council's pre-application advice, but this matter has little bearing on the merits of the case, and I afford them limited weight.
16. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

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17. 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.

G Hall

INSPECTOR