



## Appeal Decision

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by Helen Smith BA(Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 09/02/2024

Appeal reference: CAS-03086-Z4Z3Z7

Site address: The Cedars, Chapel Lane, Pwllmeyric, NP16 6LE

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- 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 and Mrs David and Catherine Carne against the decision of Monmouthshire County Council.
  - The application Ref DM/2023/01210, dated 29 August 2023, was refused by notice dated 20 October 2023.
  - The development proposed is a double garage with craft room over (replacement of application DC/2018/00183 Rev A).
  - A site visit was made on 17 January 2024 and 31 January 2024.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. At the time of my site visit, a detached outbuilding was under construction at the appeal site. For the avoidance of doubt, my decision is made on the basis of the application plans considered by the Council.

### Main Issues

3. These are the effects of the proposed development on (a) the character and appearance of the area, with particular regard to the setting of a listed building; and (b) the living conditions of the occupiers of Rose Cottage, having particular regard to light and outlook.

### Reasons

#### *Character and appearance*

4. The appeal site relates to a Grade II listed building, comprising of an attractive and well preserved late Georgian Villa. It is set within a large and mature landscaped garden generally free from built form. Its garden is to the front and to the side of the dwelling and has mature trees and vegetation separating different parts of the garden. To the east of the site is the adjacent dwelling Rose Cottage, which is separated from the appeal site by a stone boundary wall. The section of the appeal site where the proposed development

would be located is at a higher level than the listed building, due to the sloping nature of the site.

5. The proposed development would have a tall pitched roof with high eaves, to accommodate a large craft room above the double garage which would be partly within the roof space. It would be a wide building with a long length and this in combination with its height would result in an outbuilding of a significant scale and bulk. Whilst there are other two storey properties in the vicinity, most notably Rose Cottage and the modern houses to the west, these lie distinctly outside the curtilage of the listed building and as such do not inform its immediate setting. The proposal's glazed apex, glazed doors and projecting balcony on the front elevation, together with the galvanised metal staircase and flat roof dormers, would result in a large outbuilding with a modern appearance which would be at odds with the traditional Georgian characteristics of the listed building. This would exacerbate the visual dominance of the proposed building. Consequently, the proposal would be an unsympathetic and incongruous outbuilding in its setting.
6. Although the mature vegetation adjacent to the proposed garage would partly screen the proposal from some viewpoints within the garden, it would still be viewed in the context of the principal elevation of the listed building, particularly when viewed from the south western entrance to the driveway. Given its elevated position forward of the listed building, and despite it being partially set within the rising ground levels, the proposal would result in a dominant and incongruous outbuilding which would intrude on the setting of the listed building and would visually compete with it. This would significantly detract from the attractive verdant setting of the Georgian building and would erode its special character.
7. Although the proposal would not be visually prominent from wider views outside of the site, this does not mitigate the localised impacts I have identified to the setting of the listed building and does not warrant permitting such effects given the statutory duty to have special regard to the desirability of preserving the setting of the listed building.
8. For the above reasons, I conclude that the proposed development would cause significant harm to the character and appearance of the area and would fail to preserve the setting of the listed building. This would be contrary to criterion (c) of policy DES1 of the Monmouthshire County Council Adopted Local Development Plan (LDP) which seeks to ensure, amongst other things, that development proposals respect the existing form, scale, siting, massing, materials and layout of its setting and any neighbouring quality buildings.

#### *Living conditions*

9. Rose Cottage is located on the shared boundary of the appeal site and its rear elevation faces towards the proposed building. There are two windows in its rear elevation, a first floor landing window and a ground floor window which has been blocked up internally.
10. As the first floor window serves the landing of Rose Cottage, a non-habitable room, and bearing in mind the proposal would be set off the boundary, any impacts on outlook would be minor. Although it is argued that the ground floor window could be reinstated, it does not currently contribute to the existing light levels or outlook from the lounge which it serves. In any event, this room benefits from sufficient light and outlook from the existing front window and bi-folding doors to the side. The proposal would not therefore result in any harmful overbearing impacts.
11. For the above reasons, I conclude that proposal would not harm the living conditions of the occupiers of Rose Cottage, and would comply with criterion (d) of policy DES1 of the LDP.

## **Conclusion**

12. Although I have concluded that the proposal is acceptable in regard to the living conditions of the occupiers of Rose Cottage, this does not outweigh my findings on character and appearance and the setting of the listed building, which are overriding considerations. For the reasons set out above, and having regard to all matters raised, the appeal is dismissed.
13. 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