



Appeal Decision

by L. Hughson-Smith LLB MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 06/05/2026

Appeal reference: CAS-04628-N1R5Q9

Site address: Swallows Nest, Tyr Pwll, Hardwick, Abergavenny Monmouthshire

- 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 Elizabeth Pengelly, Cwtch Glamping Ltd., against the decision of Monmouthshire County Council.
 - The application DM/2022/01511, dated 18 October 2022, was refused by notice dated 6 August 2025.
 - The proposed development is described as the 'change of use of agricultural land to tourism for camping/glamping. Construction of a movable wash facilities supplemental to the glampsite. Erection of up to 2 Eco Shepherds huts, 2 luxury Shepherd hut and 4 glamping tents. Construction of a field shelter for animals. Entrance through hedge and associated car park.'
 - A site visit was made on 10 March 2026.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description of development from the appeal form, rather than the original planning application form, since it more precisely describes the proposed development.
3. I have taken the site address from the appeal form and decision notice, rather than the original planning application, since it is more accurate.
4. The name of the appellant, as stated on the appeal form, differs to that on the original application form. As the right to appeal is reserved solely for the original applicant, the appeal will proceed in the name of the applicant as stated on the original application form.

Main Issue

5. This is the effect of the proposal on the living conditions of occupants of nearby residential properties.

Reasons

6. The appeal site comprises a paddock in a countryside location, with a limited number of residential properties nearby. The closest of these is Amberleigh House, a detached dwelling, which lies immediately adjacent to part of the appeal site. The appeal seeks planning permission for 8no. holiday accommodation units, comprising four shepherd's huts and four bell tents, together with a washroom facility and animal shelter. A new vehicular access is also proposed to serve a new car parking area which would be positioned immediately adjacent to the shared boundary with Amberleigh House and would extend the full depth of that property.
7. Access to the appeal site would be via a rural lane that serves a small number of residential properties as well as surrounding agricultural land. The lane includes several passing places along its length, enabling space for vehicles to pass each other. However, the section of the lane where the proposed access would be located does not benefit from any formal passing places, although the lane widens significantly just beyond the access point, allowing vehicles to manoeuvre and turn, if required. Despite these features, and bearing in mind the limited number of properties served by the lane, the proposal would result in an increase in vehicular movements which, in my view, would be noticeable.
8. However, I concur with the Council's Highway Authority that, having regard to the nature of holiday uses, such movements are unlikely to regularly coincide with peak traffic periods associated with neighbouring properties. Furthermore, the need to slow, wait, or manoeuvre to allow vehicles to pass is an established characteristic of rural lanes of this nature. Therefore, whilst the proposal would likely result in a greater degree of inconvenience for existing users of the lane, I do not consider that this would be to an extent that would be materially harmful to local amenity. Accordingly, the increased traffic on the access lane alone does not warrant withholding planning permission.
9. Notwithstanding that, I do have concerns regarding the effect of the scale and nature of the proposed use on the living conditions of the occupants of Amberleigh House. During my site visit, whilst some background noise from the wider road network was evident, the area generally benefits from a quiet and tranquil environment. Although the appellant refers to noise arising from a nearby airfield and railway, I did not experience such noise during my visit, nor has substantive evidence been presented to demonstrate that these sources materially influence the area's noise environment. Based on the evidence before me and my site observations, I am of the view the area is characterised by a generally quiet environment with low levels of activity.
10. The proposal would introduce a materially different pattern and intensity of activity compared with the existing use of the land. The proposal could accommodate up to 28no. guests at one time and would likely give rise to irregular pedestrian and vehicle movements, late arrivals and early departures, luggage handling, loading and unloading, the opening and closing of car doors and raised voices. Much of this activity would occur in very close proximity to Amberleigh House and its outdoor amenity space, and the intervening parking area does not persuade me this relationship is acceptable.
11. It is also reasonable to expect that holidaymakers would keep to different times to nearby residents and would make frequent use of the outdoor space, particularly during warmer months when occupancy of the accommodation is likely to be at its highest. As a result, activity could occur during unsocial or unusual hours, when background noise

would likely be at its lowest and when the neighbouring occupants are most likely to have their windows open, increasing the potential for disturbance.

12. Given the scale of the use and low existing noise environment, I am not persuaded that the separation distance between the proposed accommodation and Amberleigh House would adequately address noise arising from the use itself. In any event, this would not address noise and disturbance arising from the parking area which does not benefit from any meaningful separation from the shared boundary. Furthermore, there is no substantive technical evidence to demonstrate that the existing and proposed boundary treatments and vegetation to Amberleigh House would provide any meaningful noise mitigation.
13. The appellant suggests that a noise management and curfew policy could be implemented and monitored, noting that they live adjacent to the site. However, insufficient information has been provided to demonstrate how such measures could operate in practice, or how they would be effectively monitored or enforced. Such measures would also rely heavily on guest behaviour, which is inherently unpredictable, regardless of whether they are seeking a quiet holiday environment. In addition, the officer's report suggests that the proposed use would be seasonal, however, there is no clear evidence to demonstrate that activity would be meaningfully limited to particular periods of the year, and in any event, periods of intensive use would still arise.
14. I note the advice contained in the Sustainable Tourism Accommodation Supplementary Guidance and I am also aware that statutory controls exist in relation to noise nuisance and site licensing. However, these factors do not override the requirements of the Monmouthshire Local Development Plan (LDP), in particular Policy EP1 which makes it clear that, amongst other things, development should have regard to the amenity of occupiers of neighbouring properties and development proposals that would cause or result in an unacceptable harm to local amenity, including in relation to noise pollution, will not be permitted, unless it can be demonstrated that measures can be taken to overcome any significant risk.
15. Drawing the above together and having regard to the quiet rural context and the appeal site's close relationship to Amberleigh House, I find that the scale and nature of the use would result in an intrusive and unacceptable level of noise and disturbance, exceeding what occupiers of that property could reasonably expect in this countryside location. Based on the evidence before me, I am not satisfied that measures can be implemented to overcome this harm. As such, I conclude that the proposal would be harmful to the living conditions of occupants of nearby properties, in conflict with LDP Policy EP1, and Policy DES1, which require all development to maintain reasonable levels of amenity for occupiers of neighbouring properties.

Conclusion

16. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be dismissed.
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.

L. Hughson-Smith

INSPECTOR