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## Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 17/08/16

**gan Mr A Thickett BA (Hons) BTP  
MRTPI Dip RSA**

**Arolygydd a benodir gan Weinidogion Cymru**

**Dyddiad: 25/08/16**

## Appeal Decision

Site visit made on 17/08/16

**by Mr A Thickett BA (Hons) BTP MRTPI  
Dip RSA**

**an Inspector appointed by the Welsh Ministers**

**Date: 25/08/16**

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**Appeal Ref: APP/E6840/A/15/3139390**

**Site address: Palace Farm, St Tewdric Church Lane, Mathern, Monmouthshire,  
NP16 6JA**

**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 Chris Jones & Mr Martyn James against the decision of Monmouthshire County Council.
- The application Ref DC/2015/00790, dated 24 June 2015, was refused by notice dated 23 December 2015.
- The development proposed is a wind turbine with associated works.

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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are:
  - the impact of the proposed wind turbine on heritage assets in the area including listed buildings<sup>1</sup>, Mathern Conservation Area<sup>2</sup> and Registered Parks and Gardens
  - the effect of the proposed development on highway safety

### Reasons

Heritage

3. The proposed wind turbine would have a hub height of 60m with 3 rotors with a radius of 26.45m giving a total height to tip of blade of 86.45m. The proposed turbine would be sited in a large open field adjoining the track which leads southwards from Mathern to Palace Farm. A group of buildings at The Cottage lies on the northern boundary of

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<sup>1</sup> Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require regard to be had to whether development would preserve the listed buildings or their settings, or any features of special architectural or historic interest which they possess.

<sup>2</sup> Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 requires regard to be had to whether the development would preserve or enhance the character or appearance of the Conservation Area.

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the field and on its southern boundary are two large farm buildings. Looking beyond those buildings one can see the second Severn Crossing (M4) and 3 lines of electricity pylons, one of which passes close to the south east corner of the field. Standing on the site the high and thick hedge which encloses the eastern side of the track largely obscures views of the first Severn Crossing<sup>3</sup> (M48) although one catches glimpses of it and the large industrial estate to the south of Chepstow as one walks up the track back to Mathern. Part of the St Pierre golf course is visible to the west.

4. Despite these modern features the area has a pleasant rustic feel with fields bounded by mature trees and hedges. Standing on the site there are long views to the second Severn Crossing and to hills to the north. However, locally views are confined by local topography and, in summer months at least, the mature trees and hedges already referred to.
5. The appellants' Cultural Heritage Assessment records 25 nationally designated historic assets within 1km of the site of the proposed turbine in addition to Mathern Conservation Area and the Gwent Levels Landscape of Outstanding Historic Importance. Standing on the site, over the trees which partly surround them, I could see the top of the tower to St Tewdric's Church (Grade I) and the tower of Moynes Court Gatehouse (Grade II\*). The northern boundary of the field in which the turbine would be sited forms the southern boundary of Mathern Conservation Area.
6. The area has long ecclesiastical associations. There has been a church on the site of St Tewdric's since the 6<sup>th</sup> century and Moynes Court Gatehouse is the surviving portion of the medieval castle of Moyns built by the Bishops of Llandaff and is thought to date back to the 14<sup>th</sup> century. Moynes Court (Grade II\*) was built in the early 17<sup>th</sup> century by the Bishops of Llandaff and occupied as the main seat after leaving Mathern Palace in 1610. Mathern Palace (Grade I) dates from the late 14<sup>th</sup> or early 15<sup>th</sup> century and after the departure of the Bishops to Moynes Court, continued in ecclesiastical use until 1763. In 1889 it was sold to H Avray Tipping who refurbished the buildings and laid out the gardens in the arts and crafts style. The gardens are on the Register of Parks and Gardens in Wales and listed Grade II\*. The gardens at Moynes Court are listed Grade II. This is, therefore, also a historic landscape and all of the above are within the Conservation Area.
7. St Tewdric's Church, Mathern Palace and the buildings around them form a tight knit group and the proposed turbine is unlikely to be visible from the churchyard and the immediate approaches to these buildings from the north. However, given its height it is likely to be visible from their grounds to the south of the buildings and from Moynes Court (and therefore from within the Conservation Area). I walked along the footpath between St Tewdric's Church and Moynes Court. Standing at the top of the field about mid way between the two one can see the church, Mathern Palace and Moynes Court and appreciate the long historical associations between these places. The surrounding fields are all part of the setting of these buildings and their registered gardens and, in my view, the importance of maintaining links between them make this setting even more precious. The proposed turbine whilst not directly intervening between these features would be clearly visible and, in my view the appellants' Cultural Heritage Assessment significantly underestimates its impact. Such an overtly modern, large mechanical structure would inevitably dominate its immediate surroundings including the southern part of the Conservation Area and would appear significantly at odds with the local historic landscape and the setting of the listed assets referred to above.

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<sup>3</sup> Grade I Listed

8. The appellant points to the Severn Crossing and the industrial estate and argues that the turbine would not detract from the appreciation of the local heritage assets and their setting. The rows of pylons are also a detracting feature. However, the pylons would be much smaller than the proposed turbine. The impact of the bridges is diminished by the distance to them and the strong landscape features referred to above limit the visual impact of the industrial estate. The proposed turbine would be much closer and very much in the immediate setting of these assets. As a result, it would, in my view, have a significantly adverse impact on the setting of the Mathern Conservation Area and the listed buildings and other features within it. I conclude, therefore that the proposed development would conflict with Policies DES1, LC5, SD1, S8, S10, S13 of the Monmouthshire Local Development Plan 2011-2021, adopted 2014 (LDP).

#### Highway safety

9. The Council's objection in this regard relates to an alleged lack of detail in relation to how the proposed turbine would be delivered to the site. According to the Design and Access statement large vehicles would use the M48, the A48 and then the road through Mathern village to a point just south of the M48 over bridge. From there a temporary access track would be constructed to the west of the remainder of the village (and the church and Mathern Palace) eventually ending at the proposed location for the turbine.
10. I have considered the information sought by the Highway Authority and consider it to be unduly onerous given that this is a proposal for a single turbine. No doubt delivery vehicles and large agricultural machinery uses the road through the village often and I have neither seen nor read anything to suggest that the proposed route up to the railway bridge would be unsuitable. Beyond that large vehicles would be diverted onto the temporary track. It seems to me that a condition requiring details such as the design and construction of the proposed temporary access to the highway would be sufficient to ensure that the proposed development would not have an adverse impact on highway safety. I conclude, therefore, that the proposed development would not have an adverse impact on highway safety and that it complies with Policies S16 and MV1 of the LDP.

#### Conclusions

11. I acknowledge the benefits of the renewable energy the proposed turbine would produce and the encouragement for such development in national policy. I am also satisfied that the proposed development would not have an adverse impact on highway safety. However, Planning Policy Wales (PPW) states that '*where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses*<sup>4</sup>. The serious harm I have identified provides compelling grounds to withhold planning permission and, for the reasons given above and having regard to all matters raised, I conclude that the appeal should be dismissed.

*Anthony Thickett*

Inspector

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<sup>4</sup> Paragraph 6.5.9