
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 11/05/17

**gan Paul Selby BEng (Hons) MSc
MRTPI**

**Arolygydd a benodir gan Weinidogion Cymru
Dyddiad: 15.06.2017**

Appeal Decision

Site visit made on 11/05/17

by Paul Selby BEng (Hons) MSc MRTPI

**an Inspector appointed by the Welsh Ministers
Date: 15.06.2017**

Appeal Ref: APP/E6840/A/17/3170064

Site address: White House, Pant y Rheos Road, Gwehelog, Usk NP15 1RE

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 failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Professor Kathy Triantafilou against Monmouthshire County Council.
 - The application Ref DC/2016/01221, is dated 21 October 2016.
 - The development is described as 'Existing agricultural building (goat barn) attached to an existing outbuilding'.
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Decision

1. The appeal is allowed and planning permission is granted for Existing agricultural building (goat barn) attached to an existing outbuilding at White House, Pant y Rheos Road, Gwehelog, Usk NP15 1RE, in accordance with the terms of the application, Ref DC/2016/01221, dated 21 October 2016, subject to the following condition:
 - 1) The development shall be carried out in accordance with the following approved plans and documents: 1238(2)/PLN/01 (Goats Barn As Built); 1238(2)/PLN/02 (Goats Barn Site Layout).

Procedural Matters

2. The development has been completed. Notwithstanding the description of development given on the planning application form, I have determined the appeal on the basis that retrospective planning permission is sought for an Existing agricultural building (goat barn) attached to an existing outbuilding.
 3. On my site visit I saw some minor differences between the appearance of the constructed lean-to and those on the submitted plans, including a small chimney on the western roof slope, which I am informed was previously on the site and was incorporated into the structure subject to the appeal. Whilst the differences between the submitted drawings and the constructed lean-to are minor, for the avoidance of doubt I have determined the scheme on the basis of the submitted plans.
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Main Issue

4. The Council failed to determine the planning permission within the statutory timeframe. Based on the submitted information I consider the main issue to be the effect of the development on the character and appearance of the area.

Reasons

5. The appeal relates to a structure located at the southern end of a farmstead, which occupies an area of sloping land elevated above a shallow depression. A short way to the west of the site is a public footpath which traverses fields in the appellant's wider landholding. The surrounding fields, hedgerows, scattered woodland and undulating topography present an attractive, pastoral landscape of high intrinsic value.
6. The appellant contends that the appeal development is necessary to provide feed and shelter to a herd of goats during inclement weather. I saw on my site visit that the herd of goats is of some size and that the existing building is unlikely to provide shelter necessary for their health and wellbeing. As the appeal site forms part of a registered smallholding, I do not dispute that there is a need for a goat shelter.
7. Whilst the immediate vicinity has a strongly rural character, farmland predominates. Accordingly the surrounding landscape is as much a human one as it is natural, and the presence of farm buildings is an intrinsic element of it. That said, the structures within the smallholding exhibit a wide range of designs and materials. On my site visit I saw a variety of boundary treatments and buildings with little consistency in form, external materials or siting, and which, due to their relatively elevated position on an area of sloping land, are readily visible in views from the north and west. Nonetheless, the smallholding is not extensive and the combined visual effect of these structures is confined to a relatively modest area within the wider landscape.
8. The appeal scheme before me relates solely to a lean-to structure attached to a rendered brick outbuilding, which itself was permitted at appeal in 2014 (ref: APP/E6840/A/13/2206994). In that decision, the previous Inspector described the current goat barn as an 'unassuming agricultural building', a description with which I concur. Whilst the lean-to extension significantly extends the footprint of the goat barn, it is lower in height than the main part of the building and is well screened by nearby mature rural boundaries in long range views. Consequently, despite its somewhat elevated position, the appeal scheme is not a prominent feature when viewed from the highway and it is unlikely to be readily apparent from nearby properties.
9. Part of the appeal structure is located on a raised concrete base. Due to its elevated position relative to the adjacent footpath the lean-to is clearly visible against the skyline in short range views from the west. Nonetheless, its simple rural form and modest scale appropriately reinforces the character of the original building, and whilst it is visually separated from most other structures within the farmstead its overtly rural character is appropriate to the context of the smallholding. The raised concrete base and part of the west elevation are partially obscured by a food storage building which is not featured on the submitted plans, but in any case this adjacent building has little mitigating impact on the appearance of the appeal structure, and the concrete base is not so extensive as to cause visual harm by itself. Inelegant finishes within the lean-to, such as the slightly awkward junctions between the roof slope and eaves of the original building, are not unusual in an agricultural structure and are not perceptible from the public footpath.

10. Consequently I find that the extended goat barn remains as an unassuming agricultural building and does not detrimentally encroach into the open countryside. The timber construction, simple form and modest height of the appeal structure are appropriate to the rural location and do not cause harm to the character and appearance of the immediate area, either individually or cumulatively in combination with other structures nearby. For the given reasons I conclude that the appeal development accords with the design and landscape objectives of policies S13 and LC5 of the Monmouthshire Local Development Plan (LDP).

Other Matters

11. I have had regard to the representations submitted by interested parties. Whilst planning permission is applied for in retrospect, this has had no bearing on my decision. I note the concerns regarding alleged discrepancies and inaccuracies within the submitted plans and documents, but having visited the site and considered the evidence and representations, I find that satisfactory accurate information is before me upon which to base my decision. As planning decisions are based on their individual merits, I am satisfied that allowing the appeal scheme would not set an undesirable precedent for development in the open countryside, and the use of the appeal site for business purposes would require separate planning permission. I afford these matters limited weight.
12. Some representations have referred to a Special Landscape Area, but the Council has confirmed that that designation related to the former Monmouthshire Unitary Development Plan and is no longer extant. I have proceeded to determine the appeal scheme on the basis of the relevant policies of the adopted LDP.
13. Allusions have been made to a legal dispute, but that is a private concern. Matters pertaining to the public right of way through the appellant's land are not relevant to the appeal scheme before me. Similarly, references and allegations relating to other developments outwith the appeal site have no bearing on the development or my decision. I attach little weight to these matters and have made my decision on the basis of considerations relevant to planning.
14. 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 the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities.

Conclusion

15. In the interests of proper planning, I have attached the standard plans condition to the permission. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Paul Selby

INSPECTOR