



Appeal Decision

by L. Hughson-Smith LLB MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 29/08/2025

Appeal reference: CAS-04098-F6S8Z2

Site address: Land North of Rock Cottage, Arcade Road, Penhow, Newport, South Wales
(Easting – 341308 and Northing – 192279)

- 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 Pitman against the decision of Newport City Council.
 - The application ref: 24/0524, dated 14 June 2024, was refused by notice dated 4 December 2024.
 - The proposed development is the conversion of building into residential use to include a small side extension, construction of detached domestic stable block, standalone bat house and associated works including landscaping, formation of a small domestic garden, improvements to access and provision of two parking spaces.
 - A site visit was made on 18 July 2025.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Following a request from the Council, the appellant proposed a revised description of development (as per the email dated 25 June 2024) from that stated on the original application forms. The revised description of development was used for the purposes of the application, including the Decision Notice. The Council dealt with the proposal on this basis; therefore, I shall do the same.
3. 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.
4. I have used the appeal site address as stated on the Appeal Form and Decision Notice, rather than as stated on the original application form, since it is more accurate.

Main Issue

5. This is whether the proposal would accord with local and national policies which seek to control development in the countryside, having particular regard to its effect on the character and appearance of the area.

Reasons

6. The appeal site forms part of a field parcel that lies in the open countryside, as defined by the Newport City Council Local Development Plan (LDP), and within the Wentwood Special Landscape Area (SLA). The wider field parcel is predominantly bounded by mature hedgerows and accommodates some large trees, reflecting the surrounding landscape of predominantly rolling fields enclosed by established hedgerows and trees, which together create a strong rural pattern. The appeal site slopes upwards from the lane where the access point is located and has a centrally located stone building that occupies an elevated position and is visually prominent. Consequently, the appeal site is clearly visible in both nearby views and the wider landscape.
7. I note the stone building's features, including the inglenook fireplace. However, there is limited substantive evidence which indicates it is of significant historic interest, noting it is not a designated historic asset. Whilst the appellant asserts the proposal will enable the reinstatement of the former cottage and gardens, no evidence is presented which confirms the building has a current lawful residential use. In any case, the proposal seeks permission to convert the building into a new dwelling, and I have considered the appeal on that basis.
8. LDP Policy SP1 seeks to concentrate development in sustainable locations. Policy SP5 states that development in the countryside will only be permitted where, amongst other things, the use is appropriate in the countryside, respects the landscape character of the immediate and surrounding area and is appropriate in scale and design, reflecting requirements of LDP Policies GP2 and GP6. LDP Policy SP8 states that developments in SLAs will be required to contribute positively to the area through high quality design that demonstrate a clear appreciation of the area's special features, as well as other things. These policies are consistent with Planning Policy Wales (Edition 12) (PPW) which seeks to strictly control development in the countryside.
9. Exception policies in the LDP allow for certain forms of countryside development, including Policy H10, which permits the conversions of buildings in the countryside to residential use, subject to specific criteria. These include that the building is structurally sound and capable of conversion (criterion iv); any alterations should not have an unacceptably adverse effect on the integrity of the structure (criterion v); the proposed use is not detrimental to the character or appearance of the surrounding area and does not require the provision of unsightly infrastructure (criterion vi); and there is strict control over the curtilage of the buildings (criterion vii). LDP Policy CF7 is also relevant and permits horse related development where, among other things, the scale, design, siting and materials do not detract from the character and appearance of the locality (criterion i).
10. The Structural Inspection Report (June 2024), prepared by Quorum Consulting Engineers, is based on a 2022 site visit, almost three years ago, and the building's condition may have changed. The report suggests that the proposed extension would address a large fracture in the gable wall by largely removing it to form an opening. However, the Proposed Plans and Elevations Plan (Drawing No. TG2203-21, Rev. B) shows the opening in a different location to the fracture.

11. Notwithstanding this, the Structural Enhancement Strategy (Drawing No. TG2203-32) proposes retaining and repairing the fracture using the Helibar system. However, the accompanying method statement refers to the 'repair of a crack near a corner in a stone wall', whereas the fracture is central to the gable wall. Therefore, I am unclear if this system is an appropriate approach. Given these discrepancies and the outdated inspection, I am not satisfied it has been demonstrated the building is structurally sound and capable of conversion. Therefore, on the evidence before me, I am not persuaded the proposal meets criterion iv) of Policy H10.
12. The proposed dwelling would provide adequate amenity for future occupiers in accordance with Policy GP2, noting the reasonably sized habitable rooms all served by windows. However, this is reliant on the proposed side extension. Despite its sympathetic detailing, the extension would have a substantial footprint and volume relative to the modest original structure, elongating its form which would materially alter its scale and undermine its integrity, despite the original features and openings being retained. On this basis, I find the proposal to be contrary to criterion v) of Policy H10.
13. I am not persuaded the proposed bat house is an ecological benefit, rather than mitigation for the loss of the lesser horseshoe bat maternity roost within the existing chimney, since there is no substantive evidence that the stone building, if left, would cease to support the roost. The proposed bat house itself would be a sizeable structure, have a similar form and appearance to a domestic garage and be located on higher ground than the stone building. In this prominent position, and in combination with the enlarged dwelling, it would create a substantial mass of development that would be domestic in character and unsightly in the remote countryside context.
14. The proposed garden would extend to the front and rear of the building, with a large patio, gravel driveway and turning area. This would create a disproportionately large residential curtilage relative to the scale of the building which fails to align with the aim of criterion vii) of Policy H10. Planning conditions could be imposed to control certain elements of the garden's appearance, such as, restricting external lighting, boundary treatments and permitted development rights. However, such measures would not prevent the domestication of the site through the likely presence of parked cars, seating areas, play equipment and other domestic features, regardless of the dwelling's limited size.
15. The landscaping scheme includes orchard planting and new and translocated hedgerow arranged in an irregular pattern around the appeal site as well as the three buildings. Whilst this is claimed to reflect the historic field boundaries, there is limited evidence to suggest these are of significance and, therefore, warrant reinstatement in line with the advice in PPW. In my view, the proposed planting would be at odds with the present-day rural landscape pattern, introducing an ornamental and more domestic form of landscaping. In addition, cutting the driveway into the sloping land would not reduce its impact; on the contrary, it would draw further attention to it by altering the ground levels.
16. The proposed stable building, though modest in height and simple in design, would nevertheless have an extensive footprint, accommodating three stables, a tack room and hay and feed store. Although located on lower ground than the stone building and bat house and partly screened by the roadside hedgerow, the cumulative effect of this large building alongside the other elements of the proposal would further alter the appeal site's appearance.
17. Taking the above factors together, I am of the view the proposal would result in an unacceptable domestication of the appeal site that would significantly alter its appearance. This, due to the appeal site's prominence, would erode the rural character of the landscape, including the SLA, and the presence of other properties in the wider

landscape does not persuade me otherwise. The proposal, therefore, conflicts with criterion vi) of Policy H10, criterion i) of Policy CF7 and Policy SP8.

18. The Visual Impact Assessment (VIA), prepared by Ty Green claims to assess the potential effects of the proposed development on the surrounding landscape. However, its assessment focusses primarily on visual impacts, and provides limited detail of the methodology used, whether recognised industry guidance was applied and on which plans the assessment was based. It acknowledges the proposal's materials would contrast with the landscape for the first 5-10 years but suggests this could be mitigated by new and translocated hedgerows. However, given the time required for planting to mature to a height and density to sufficiently screen the development, I have reservations about its effectiveness in this regard. In any event, landscaping should not be relied upon to conceal an otherwise unacceptable development.
19. I also find the photomontages unreliable. The VIA omits essential information, such as, precise locations from which the base photographs were taken, camera height and angles, the methodology for the montage production, and the stage in the development's lifetime they depict. It is also unclear whether they reflect the submitted Soft Landscaping Plan (drawing no.: TG2203-25, Rev. D) as some elements, such as the orchard planting, are omitted. Furthermore, the photomontage of viewpoint 3 suggests the stable building would not be visible, yet the Proposed Site Section (drawing no: TG2203-28) shows it would sit higher than the boundary hedgerow, therefore, would likely be seen from outside of the appeal site.
20. Whilst I am mindful the Council's Landscape Officer raised no objection; I am not satisfied the VIA provides a robust or reliable assessment of the proposal's visual impact. Therefore, based on my findings above, I conclude that the proposal fails to meet the requirements of Policies H10 and CF7 and, therefore, does not qualify as an exception to the relevant LDP policies set out above, and would have a harmful impact on the character and appearance of the area, including the SLA. This is in conflict with LDP Policies SP1, SP5, SP8, GP2 and GP6.

Other Matters

21. I note the appellant's acceptance of the requested financial contributions towards the provision of affordable housing, and the appeal is accompanied by a signed Unilateral Undertaking (UU) to secure these contributions. However, the UU has several omissions, such as not specifically being tied to the planning application or appeal, and it does not include plans showing the appeal site. These deficiencies affect its ability to take effect. As it stands, I am not satisfied the development provides the necessary infrastructure as sought by LDP Policy H4. Given that I am dismissing the appeal on other substantive issues, I have not pursued this matter further as, since even if the UU was complete, it would not alter the outcome of this appeal.
22. I have considered the benefits of the scheme as cited by the appellant, including re-use of a vacant building to deliver a new housing unit, the re-purposing of stone on site, reducing pressure on greenfield land, and biodiversity enhancements. However, given the small-scale nature of the proposal, I find the scope of the benefits to be limited and would not outweigh the policy conflicts and harm to the character and appearance of the area I have identified. Furthermore, there is limited substantive evidence which demonstrates it is essential the appellant needs to live on site to care for their narcoleptic horses. I have, therefore, given this limited weight in my assessment.
23. I note the appellant's concerns in relation to the Council's handling of the application; however, such matters are not relevant to the planning merits of the appeal proposal. I

am also aware that some consultees did not object to the proposal, however, this does not imply it is acceptable.

Conclusion

24. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be dismissed.
25. 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