



## Appeal Decision

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by [NAME]

an Inspector appointed by the Welsh Ministers

Decision date: 12/12/2023

Appeal reference: CAS-02740-B1K5J5

Site address: Ty Gwyn, Cei Bach, New Quay, Ceredigion, SA45 9SL

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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 Paul Christopher against the decision of Ceredigion County Council.
  - The application Ref A220031 dated 7 January 2022, was refused by notice dated 4 January 2023.
  - The development proposed is 1 No. shepherd's hut.
  - A site visit was made on 21 November 2023.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. It is evident from the submissions and my site visit that the development has already taken place. As such I have determined the appeal on the basis that it seeks retrospective consent under the terms of Section 73(A)(2)(a) of the 1990 Act.

### Main Issue

3. The main issue is whether the proposal provides an appropriate site for holiday accommodation having regard to planning policies relating to the location of such development.

### Reasons

4. The subject shepherd's hut is located on a small strip of land to the fore of the dwelling Ty Gwyn and adjacent to the access drive that serves it. A caravan site is located a short distance to the south-west and several other dwellings and caravan sites are located within the vicinity. Nonetheless, the area has a rural character with development being dispersed and segregated by mature planting. Whilst I did not have access to the inside of the hut, the evidence before me suggests it has all the facilities rendering it capable of independent occupation.

5. The site is located outside any settlement area defined in the adopted Ceredigion Local Development Plan (the LDP). It lies within an area defined as the coastal area where housing development falls to be considered against policy S04 which is concerned with development in linked settlements and other locations. As the site falls within an “other location” for the purposes of the policy, housing development is only exceptionally allowed to either meet unmet affordable housing needs or for rural enterprise dwellings. No case has been made in respect of either. An unfettered dwelling fails to comply with policy S04 of the LDP.
6. The appellant’s case is that the hut is used as a secondary holiday let to the main house Ty Gywn which is also used as a holiday let. Whilst the appellant states a shepherd’s hut is different to other holiday accommodation types, I am satisfied that it falls under the same category of development as caravans, cabins or chalets.
7. As such policy LU14 relating to tourism development is of relevance. Under the policy, no additional units relating to static caravans, touring caravans, cabins and chalets will be permitted in the coastal area. The reasoned justification for the policy is that provision of such accommodation is already high in the coastal area and has a significant impact on the landscape. Whilst Future Wales provides the national policy framework and postdates the LDP, policy LU14 accords with its support of tourism development in appropriate locations as defined in LDPs.
8. The hut is an additional unit of holiday accommodation within the countryside. Despite it being of a relatively small scale, of an agricultural design and located adjacent to a caravan site, and taking account of other development in the vicinity, it adds further sporadic and unjustified development outside any settlement area. Despite the appellant’s contention to the contrary, given the need to walk for 20 minutes to access the bus, and the position of the site away from the village, I do not find the location to be a sustainable one. I find it is highly likely that occupants use the private car for accessing services and facilities in the surrounding area.
9. I note the appellant’s contention that the main dwelling is rarely occupied at full capacity and thus adding the hut does not result in any additional impact to the surroundings or local services. However, the hut is a separate building to the dwelling and occupied independently from it. Both the dwelling and hut are capable of being occupied at their full capacities, and the independent use of both will generate additional vehicular movements and activity. Whilst the guests may provide some additional income for local services and amenities, this will be very minor in nature.
10. Decisions are required to be made in accordance with the development plan unless other material considerations indicate otherwise. In this instance, I do not find that there any other such considerations which outweigh the harm that arises from allowing this development. It would be harmful to the adopted approach to providing further tourist accommodation. As such the site does not provide an appropriate location for holiday accommodation having regard to planning policies relating to the location of such development.

## **Conclusion**

11. I have taken into account all other matters including the appellant’s contention that the hut offers a different holiday experience to other accommodation and the reference to other similar developments that have been granted planning permission. I do not have the full details of the circumstances relating to those cases, but I have reached my decision on the individual merits of the particular proposal before me. I do not find the provision of a shepherd’s hut as a holiday let to be materially different to other types of

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caravans, chalets and cabins that offer the same or a similar holiday experience. For the above reasons I dismiss the appeal.

12. 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.

*VK Hirst*

INSPECTOR