



Appeal Decision

by G Hall BSc (Hons) DipTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 07/02/2025

Appeal reference: CAS-03562-N5C1N9

Site address: Penparc, C1107 From Dihewyd to the junction of the U5179, Dihewyd SA48 7PZ

- 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 Mrs Tracy Kirtley against the decision of Ceredigion County Council.
 - The application Ref A230815, dated 15 November 2023, was refused by notice dated 10 January 2024.
 - The development proposed is described as 'Proposed change of use of two lorry backs into 1.no holiday let to include changes to existing vehicular access and parking area'.
 - A site visit was made on 10 December 2024.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The use of the building as a holiday let has commenced. The works to the access and parking area have not been undertaken. This appeal seeks retrospective planning permission for the existing holiday use and planning permission for the proposed access and parking arrangements. In order to ensure both the retrospective and proposed elements are fully addressed by this decision, I have determined the appeal based on the plans submitted at the application stage.

Main Issues

3. The main issues are whether the development complies with local and national policies designed to secure sustainable development; and the effect on ecology.

Reasons

4. The appeal relates to a detached building used as a holiday let, situated within the garden of Penparc, a detached residential dwelling set in extensive grounds. The appeal building is located to the southeast of Penparc, away from the road. The site includes a separate building housing a rosette-making business to the north of the residential dwelling.

Sustainable development

5. Dihewyd is identified as a linked settlement in the adopted Ceredigion Local Development Plan (LDP). The appeal site is unallocated and lies outside the coastal area.
6. The appellant explains that the holiday let business was initially established to provide financial support for the rosette business during the Covid-19 pandemic and to address ongoing economic uncertainties. They say that the appeal scheme would attract more visitors, further develop a family-run enterprise, and potentially create local employment opportunities while supporting nearby shops and restaurants. Regarding local needs, the appellant argues that the holiday let serves as a unique attraction, with few comparable offerings in the area, enhancing the overall quality of tourist accommodations in Ceredigion. In this regard, positive guest reviews of the accommodation have been provided. Furthermore, the appellant highlights the holiday let's rural location as an opportunity to promote dark sky tourism initiatives, sustain local facilities and amenities, and encourage visitors to explore the surrounding countryside.
7. Policy S04 states, amongst other things, that proposals for economic development on unallocated sites in linked settlements will only be permitted where in accordance with criterion 3(b)(i) development is either 'small scale' meeting a specific local need, or in line with criterion 3(b)(ii) it accords with Technical Advice Note (TAN) 6 requirements in terms of a rural enterprise. Tourism is included in the description of economic development in the supporting text to Policy S04.
8. While the scheme is modest in scale and would support tourism in non-coastal Ceredigion by providing additional accommodation, the justifications provided in the submitted evidence are overly broad. In particular, they lack the detail and specificity required to demonstrate alignment with a clearly identified local need for this type of tourist accommodation. In the absence of a clearly defined local need, the appeal scheme would undermine the objective of fostering sustainable growth within linked settlements. Consequently, the development does not comply with Policy 3(b)(i).
9. TAN 6 defines rural enterprises to provide a framework for supporting qualifying rural enterprises in meeting their essential housing needs, and it provides a detailed framework to support the assessment of proposals for rural enterprise dwellings. While the development involves an enterprise located in a rural area, it is for a holiday let rather than a rural enterprise dwelling. In my view, as the development is not for a rural enterprise dwelling, it does not meet the definition of a qualifying rural enterprise under TAN 6 and accordingly the development does not comply with Policy S04 3(b)(ii). Whilst I note that the development is intended to support a home-based business venture, scant evidence has been provided to explain the nature of the existing enterprise or to justify the need for economic diversification.
10. Policy LU14 part 2(a), says that outside the coastal area, new sites for accommodation will be permitted in accordance with four criteria. The appellant has submitted a tourism needs and development impact assessment, and, given the small scale and nature of the development, there would be no harm to the vitality of services which already exist within the settlement. The scale of the development is appropriate to the role and function of the settlement, and its small scale inherently limits opportunities for community facilities. Consequently, there would be no conflict with criteria (ii), (iii) and (iv) of policy LU14 part 2(a).
11. Policy LU 2(a)(i) states that holiday accommodation will be permitted provided it supports strategic tourism nodes wherever possible. While the appellant acknowledges that the appeal scheme does not directly support a strategic tourism node, they argue it

contributes to diversifying the region's tourism offerings. Although the phrase "where possible" introduces some flexibility, the broader objectives of the policy remain clear. The LDP seeks to direct development toward the most sustainable locations, considering the services and facilities visitors require and the attractions they are likely to visit. Due to its distance from major tourist centres, the appeal development would necessitate car travel for basic services and visits, thereby increasing reliance on private vehicles, contributing to carbon emissions, and undermining overarching sustainability goals. Consequently, I find the appeal scheme to be contrary with the objectives of Policy LU14 2(a)(i).

12. Policy S01 sets out the strategic direction for employment development, which includes tourism, with the objective of securing a sustainable pattern of development. Dihewyd lacks services and facilities and regular public transport. Visitors to the holiday let would be likely to arrive by car. S01 says that the LDP's development management policies will ensure that growth is achieved in a sustainable manner, and that Policy LU14, amongst others, will be used to determine employment opportunities on unallocated sites. As I have found the appeal scheme would not accord with LU14, I find the development to be contrary to the sustainability objectives of policy S01.
13. The appellant has outlined several initiatives, including the provision of electric vehicle (EV) charging facilities, the offer of electric bikes for visitors, and the promotion of the cycle route from Llanerchaeron to Aberaeron. They also highlight the potential for cycling to the nearby settlement of Ystrad Aeron, which has a public house and shops, and have expressed a willingness to offer pick-up and drop-off services to support public transport use. While I recognise the positive intentions behind these proposals, I attach limited weight to them as they would be difficult to enforce via condition and could not be relied upon to effectively mitigate the harm arising from the site's location and its associated transport patterns. Furthermore, notwithstanding the adjacent public footpath, I am not persuaded that designated cycle routes are sufficiently proximate to the site to offer guests a genuine choice of Active Travel modes.
14. Whilst TAN 6 acknowledges that, in rural areas, some sites may not be accessible other than by private car, it also emphasises that developments not primarily intended to cater to local needs should be located in the more accessible market towns, local service centres, or clusters of smaller settlements. Although I have no reason to dispute that previous guests may have used the ffilecsi Bwcabus service which has since been withdrawn from Dihewyd, for the foregoing reasons I find that the appeal development's siting does not align with TAN 6 or national policy's broader sustainability objectives.
15. The Council considers the siting, appearance, and impact of the holiday let on the area's character acceptable, and I see no reason to disagree. My attention has been drawn to Policy LU16 criterion 3 which relates to types of accommodation not covered by Policy LU14. This criterion applies to locations outside of linked settlements and therefore would not apply to the appeal scheme. I am satisfied the development before me is covered by Policy LU14 and I do not find Policy LU16 to have any bearing on this appeal.
16. Whilst the appellant has drawn my attention to other proposals for holiday accommodation including a scheme at Cnwch Coch, I do not have full details of the circumstances that led to that permission. As appeal schemes are determined on their individual merits, I have proceeded to assess the development against the provisions of the LDP and national policy.
17. Consequently, for the above reasons I conclude that the appeal scheme amounts to an unsustainable form of development, in conflict with the overall objectives of LDP Policies S01, S04 and LU14.

Ecology

18. PPW sets out a step-wise approach for proposals to maintain and enhance biodiversity, build resilient ecological networks and deliver net benefits by ensuring that adverse effects are firstly avoided, then minimised, mitigated and compensated for. Paragraph 6.4.16 makes clear that all development must provide a net benefit for biodiversity and ecosystem resilience.
19. The Green Infrastructure Statement (GIS) submitted by the appellant proposes the installation of bat and bird boxes, and the planting of a new mixed species hedgerow around the parking and turning area.
20. The holiday let is predominantly surrounded by lawn, and in the absence of any evidence to the contrary, it is reasonable to assume that the area occupied by the holiday let previously accommodated maintained grassland of little ecological value. The existing hedgerow on the western boundary of the site is mature, well established, appears in healthy condition, and makes an important contribution to local biodiversity providing shade, shelter and foraging opportunities, and supporting resilient ecological networks. The 'Proposed Block Plan - Drawing No. 2 – Dated 01/08/23' identifies a section of hedgerow adjacent to the road to be removed to form a new access, and the planting of a new mixed species hedgerow comprising native wooded species along the northern and eastern edge of the parking area. The proposed hedge would adjoin the remaining existing hedge, and on the basis of the plans before me, would result in a larger extent of hedgerow than is presently the case. I am satisfied that the replacement hedge would, together with bird and bat boxes as identified in the GIS and subject to appropriate conditions, provide a net benefit for biodiversity, in accordance with the aims of national policy set out in PPW Chapter 6.

Conclusion

21. I have found the development to be acceptable in terms of its effect on biodiversity. I also note the support from the Community Council and local MP. However, neither this nor the other matters raised outweighs the policy conflict caused by the development's unsustainable siting. For the above reasons I therefore conclude that the appeal should be dismissed.
22. 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.

G Hall

INSPECTOR