



## Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 17/01/08

## Appeal Decision

Site visit made on 17/01/08

**gan/by Clive Nield BSc, CEng, MICE, MCIWEM**

**Arolygydd a benodwyd gan y Gweinidog  
dros yr Amgylchedd, Gynaliadwyedd a  
Thai, un o Weinidogion Cymru**

**an Inspector appointed by the Minister for  
Environment, Sustainability and Housing,  
one of the Welsh Ministers**

Dyddiad/Date 23/01/08

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**Appeal Ref: APP/P9502/A/07/2056470**

**Site address: Car Park, near The Boathouse Llanfrynach, Brecon, LD3 7LJ**

**The Minister for Environment, Sustainability and Housing has 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 M Picken against the decision of the Brecon Beacons National Park Authority.
- The application Ref 07/00781, dated 17 January 2007, was refused by notice dated 11 April 2007.
- The development proposed is the erection of visitor toilet facilities.

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### Decision

1. I dismiss the appeal.

### Main issues

2. The main issues in this case are the effects of the proposed toilet block on the character and appearance of the area and its justification in support of tourism.

### Reasons

3. The site lies within the Brecon Beacons National Park and, contrary to claims by the Appellant, is not a brownfield site. It has planning permission for development as a car park, which was intended for use in conjunction with a variety of tourism initiatives associated with The Old Storehouse, of which the Appellant's premises, The Boathouse, used to be part. At present it is largely occupied by a number of trailers and storage units, none of which are permanent structures, and I do not consider it falls within the definition of previously developed land as defined in Planning Policy Wales.
  4. Although only quite small and reasonably well screened, the proposed toilet would introduce a new building into this area of open countryside well away from the existing buildings, which are on the opposite side of the road. As such, it would erode the rural character of the area.
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5. Although the National Park Authority has a duty to foster the economic and social well-being of its local communities, its primary purpose is to conserve and enhance the natural beauty, wildlife and cultural heritage of the Park and to promote opportunities for public enjoyment and understanding of its special qualities. Thus there is particular emphasis on avoiding development that would harm the natural beauty of the area, and I consider the proposed toilet building would cause such harm by its intrusion into the countryside and its erosion of the rural character of the area, albeit in a limited way. It would be poorly related to existing development and to the landscape as a whole and would conflict with the aims of relevant development plan and national policies.
6. The Appellant argues that the toilet is needed to support tourism, and there is no doubt that the area is popular with tourists and contains a variety of tourist attractions and interests. It is claimed that these include the Appellant's canal boat business and associated forge/workshop, both located at The Boathouse premises alongside the canal. There is some dispute as to the lawfulness of certain activities since the land was separated from The Old Storehouse premises, though these could be clarified by an appropriate application. However, these are not matters that are before me and, for the purposes of this appeal, I have assumed that all of the activities are lawful.
7. However, little evidence has been brought forward that the tourism related businesses are actually operational such that tourists would be attracted to the premises in any numbers. I note work is currently in hand to implement the recent planning permission to relocate the smithy/workshop, improve the vehicular access and make other extensions to The Boathouse. This indicates some intention to pursue the business in the future but, until there is clear evidence of an active tourism business, it warrants little weight towards justification for the provision of additional toilet facilities. There are already limited facilities at The Boathouse. Furthermore, even if the business were fully operational and notwithstanding that it is a listed building, it is difficult to appreciate circumstances when it would be more appropriate to locate toilet facilities on the opposite side of the road rather than on The Boathouse premises themselves.
8. Arguments have been put forward in connection with more general tourist use of the proposed toilet facilities, for example by passing motorists, cyclists and walkers. It is not disputed that the proposed facility could be useful for such people on occasions. However, I do not consider the benefits to tourism would be so great as to justify the erection of the toilets in the location currently proposed.
9. The Council's refusal also referred to highway safety and to the availability of alternative toilets at The Old Storehouse. I notice that, in connection with a previous appeal for a similar development (Ref. APP/P9205/A/07/2045544, dated 10 September 2007), the Inspector considered neither of these to be significant factors, and I have reached similar conclusions. If the car park were used in conjunction with tourist attractions at The Boathouse, a toilet building in the car park would be unlikely to generate significant additional crossing of the road. So far as the toilets at The Old Storehouse are concerned, their availability for public use cannot be relied upon, particularly since the recent change of use of those premises to a guesthouse.

10. The Appellant has mentioned support from other parties for the proposal, including British Waterways. He has also referred to local and national policies for support of tourism and the local economy. I have taken into account these and all other matters raised but nothing outweighs the considerations that have led me to my main conclusions that the proposed toilet building would be poorly related to existing development and unacceptably harmful to the rural character of the area and to the landscape of the National Park. The benefits claimed do not justify overriding that harm. On balance, the proposal would be contrary to development plan and national policy. For these reasons I conclude that the appeal should be dismissed.

*Clive Nield*

Inspector