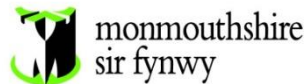


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Neuadd y Cyngor  
Y Rhadyr  
Brynbuga  
NP15 1GA

Dydd Llun, 23 Mehefin 2025

Hysbysiad o gyfarfod

## Pwyllgor Cynllunio

Dydd Mawrth, 1af Gorffennaf, 2025, 2.00 pm  
Neuadd Y Sir, Y Rhadyr, Brynbuga, NP15 1GA

### AGENDA

Eitem Ddim	Eitem	Tudallennau
1.	Ethol Cadeirydd.	
2.	Penodi Is-gadeirydd.	
3.	Ymddiheuriadau am absenoldeb.	
4.	Datganiadau o Fuddiant.	
5.	Cadarnhau cofnodion y cyfarfod blaenorol.	1 - 2
6.	I ystyried yr adroddiadau Cais Cynllunio canlynol gan y Prif Swyddog, Lle (copïau ynghlwm):	
6.1.	Cais DM/2022/01511 - Newid defnydd o dir preswyl gwag i dwristiaeth ar gyfer gwersylla/glampio. Adeiladu cyfleusterau golchi ychwanegol at y glampfa. Adeiladu lloches maes i anifeiliaid. Swallows Nest, Tŷ'r Pwll, Parc Llettis Road, Hardwick, Y Fenni, NP7 9AB.	3 - 18
6.2.	Cais DM/2024/01294 - Cadw wal gynnal a theras/patio (fel y'i hadeiladwyd) a newid defnydd tir amaethyddol i gwrtil preswyl. Tŷ'r Berllan, Llangwm To Fferm Nantygelli, Llangwm, Sir Fynwy, NP15 1HB.	19 - 28
6.3.	Cais DM/2025/00106 - Cynnig: Addasu amodau 6 (newid defnydd i ganiatáu cyfarfodydd a sesiynau hyffirddiant) a 7 (newid amser cychwyn rhwng 9am ac 8am) ar ganiatâd DC/2012/00317. Amodau wedi'u haddasu: Adran 6 - Hoffai Dŵr Cymru allu defnyddio'r ystafell gyfarfod i gynnal cyfarfodydd a sesiynau hyfforddiant mewnol ac allanol heb yr angen i fod yn gysylltiedig â chwaraeon	29 - 38

	dŵr. Adran 7 - Hoffai Dŵr Cymru allu ei ddefnyddio o 8am. Adran 6 - Ystafell gyfarfod i'w defnyddio ar gyfer cyfarfodydd, cyfweiliadau a sesiynau hyfforddiant. Dim cerddoriaeth nac alcohol. Adran 7 - Ystafell gyfarfod i'w defnyddio rhwng 8:00am a 9:00pm. Cronfa Ddŵr Llandegfedd, Heol y Parc, Coed y Paen Sir Fynwy NP4 0SY.	
<b>7.</b>	<b>ER GWYBODAETH - Yr Arolygiaeth Gynllunio - Penderfyniadau o ran Apeliadau a Dderbyniwyd:</b>	
<b>7.1.</b>	<b>Y tu ôl i 65 Main Road, Porth Sgiwed, Sir Fynwy, NP26 5UG.</b>	<b>39 - 40</b>
<b>7.2.</b>	<b>Gorsaf Betrol Larkfield, Heol Casnewydd, Cas-gwent NP16 5YS.</b>	<b>41 - 44</b>

**Paul Matthews**

**Prif Weithredwr**

## CYNGOR SIR FYNWY

### MAE CYFANSODDIAD Y PWYLLGOR FEL SY'N DILYN:

Cynghorwyr Sir:

Jill Bond  
Fay Bromfield  
Rachel Buckler  
Emma Bryn  
Jan Butler  
John Crook  
Tony Easson  
Steven Garratt  
Meirion Howells  
Su McConnel  
Jayne McKenna  
Phil Murphy  
Maureen Powell  
Sue Riley  
Dale Rooke  
Ann Webb

## Gwybodaeth Gyhoeddus

Bydd rhaid i unrhyw person sydd eisiau siarad yn Y Pwyllgor Cynllunio cofrestru gyda Gwasanaethau Democrataidd erbyn hanner dydd ar diwrnod cyn y cyfarfod. Mae manylion ynglŷn a siarad yn cyhoeddus ar gael tu fewn l'r agenda neu yma [Protocol ar gyfraniadau gan y cyhoedd mewn Pwyllgorau Cynllunio](#)

### Mynediad i gopiâu papur o agendâu ac adroddiadau

Gellir darparu copi o'r agenda hwn ac adroddiadau perthnasol i aelodau'r cyhoedd sy'n mynychu cyfarfod drwy ofyn am gopi gan Gwasanaethau Democrataidd ar 01633 644219. Dylid nodi fod yn rhaid i ni dderbyn 24 awr o hysbysiad cyn y cyfarfod er mwyn darparu copi caled o'r agenda hwn i chi.

### Edrych ar y cyfarfod ar-lein

Gellir gweld y cyfarfod ar-lein yn fyw neu'n dilyn y cyfarfod drwy fynd i [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk) neu drwy ymweld â'n tudalen Youtube drwy chwilio am MonmouthshireCC. Drwy fynd i mewn i'r ystafell gyfarfod, fel aelod o'r cyhoedd neu i gymryd rhan yn y cyfarfod, rydych yn caniatáu i gael eich ffilmio ac i ddefnydd posibl y delweddau a'r recordiadau sain hynny gan y Cyngor.

### Y Gymraeg

Mae'r Cyngor yn croesawu cyfraniadau gan aelodau'r cyhoedd drwy gyfrwng y Gymraeg neu'r Saesneg. Gofynnwn gyda dyledus barch i chi roi 5 diwrnod o hysbysiad cyn y cyfarfod os dymunwch siarad yn Gymraeg fel y gallwn ddarparu ar gyfer eich anghenion.

# Nodau a Gwerthoedd Cyngor Sir Fynwy

## Ein Pwrpas

- i ddod yn sir ddi-garbon, gan gefnogi lles, iechyd ac urddas i bawb ar bob cam o'u bywydau.

## Amcanion rydym yn gweithio tuag atynt

- Lle teg i fyw lle mae effeithiau anghydraddoldeb a thlodi wedi'u lleihau;
- Lle gwyrdd i fyw a gweithio gyda llai o allyriadau carbon a gwneud cyfraniad cadarnhaol at fynd i'r afael â'r argyfwng yn yr hinsawdd a natur;
- Lle ffyniannus ac uchelgeisiol, lle mae canol trefi bywiog a lle gall busnesau dyfu a datblygu;
- Lle diogel i fyw lle mae gan bobl gartref maen nhw'n teimlo'n ddiogel ynddo;
- Lle cysylltiedig lle mae pobl yn teimlo'n rhan o gymuned ac yn cael eu gwerthfawrogi;
- Lle dysgu lle mae pawb yn cael cyfle i gyrraedd eu potensial.

## Ein gwerthoedd

- **Bod yn agored:** anelwn fod yn agored ac onest i ddatblygu perthnasoedd ymddiriedus
- **Tegwch:** anelwn ddarparu dewis teg, cyfleoedd a phrofiadau a dod yn sefydliad a adeiladwyd ar barch un at y llall.
- **Hyblygrwydd:** anelwn fod yn hyblyg yn ein syniadau a'n gweithredoedd i ddod yn sefydliad effeithlon ac effeithiol.
- **Gwaith tîm:** anelwn gydweithio i rannu ein llwyddiannau a'n methiannau drwy adeiladu ar ein cryfderau a chefnogi ein gilydd i gyflawni ein nodau.
- **Caredigrwydd** – Byddwn yn dangos caredigrwydd i bawb yr ydym yn gweithio gyda nhw, gan roi pwysigrwydd perthnasoedd a'r cysylltiadau sydd gennym â'n gilydd wrth wraidd pob rhyngweithio.

## **Diben**

Diben yr adroddiadau a atodir a'r cyflwyniad cysylltiedig gan swyddogion i'r Pwyllgor yw galluogi'r Pwyllgor Cynllunio i wneud penderfyniad ar bob cais yn y rhestr a atodir, ar ôl pwysu a mesur y gwahanol ystyriaethau cynllunio perthnasol.

Dirprwywyd pwerau i'r Pwyllgor Cynllunio wneud penderfyniadau ar geisiadau cynllunio. Mae'r adroddiadau a gynhwysir yn yr atodlen yma'n asesu'r datblygiad arfaethedig yn erbyn polisi cynllunio perthnasol ac ystyriaethau cynllunio eraill perthnasol, a rhoi ystyriaeth i'r holl ymatebion ymgynghori a dderbyniwyd. Daw pob adroddiad i ben gydag argymhelliad swyddog i'r Pwyllgor Cynllunio ar p'un ai yw swyddogion yn ystyried y dylid rhoi caniatâd cynllunio (gydag awgrym am amodau cynllunio lle'n briodol) neu ei wrthod (gydag awgrymiadau am resymau dros wrthod).

Dan Adran 38(6) Deddf Cynllunio a Phrynu Gorfodol 2004, mae'n rhaid i bob cais cynllunio gael eu penderfynu yn unol â Chynllun Datblygu Lleol Sir Fynwy 2011-2021 (a fabwysiadwyd yn Chwefror 2014), os nad yw ystyriaethau cynllunio perthnasol yn awgrymu fel arall.

Disgwylir i'r holl benderfyniadau a wneir fod o fudd i'r Sir a'n cymunedau drwy ganiatáu datblygu ansawdd da yn y lleoliadau cywir, ac ymwrthod â datblygiad amhriodol, ansawdd gwael neu yn y lleoliad anghywir. Mae cysylltiad uniongyrchol i amcan y Cyngor o adeiladu cymunedau cryf a chynaliadwy.

## **Gwneud penderfyniadau**

Gellir cytuno ar geisiadau yn rhwym ar amodau cynllunio. Mae'n rhaid i amodau gyflawni'r holl feini prawf dilynol:

- Angenrheidiol i wneud y datblygiad arfaethedig yn dderbyniol;
- Perthnasol i ddeddfwriaeth cynllunio (h.y. ystyriaeth cynllunio);
- Perthnasol i'r datblygiad arfaethedig dan sylw;
- Manwl;
- Gorfodadwy; a
- Rhesymol ym mhob cyswllt arall.

Gellir cytuno i geisiadau yn amodol ar gytundeb cyfreithiol dan Adran 106 Deddf Cynllunio Tref a Gwlad 1990 (fel y'i diwygiwyd). Mae hyn yn sicrhau goblygiadau cynllunio i wrthbwysu effeithiau'r datblygiad arfaethedig. Fodd bynnag, mae'n rhaid i'r goblygiadau cynllunio hyn gyflawni'r holl feini prawf dilynol er mwyn iddynt fod yn gyfreithlon:

- Angenrheidiol i wneud y datblygiad yn dderbyniol mewn termau cynllunio;
- Uniongyrchol gysylltiedig â'r datblygiad; ac
- Wedi cysylltu'n deg ac yn rhesymol mewn maint a math i'r datblygiad.

Mae gan yr ymgeisydd hawl apelio statudol yn erbyn gwrthod caniatâd yn y rhan fwyaf o achosion, neu yn erbyn gosod amodau cynllunio, neu yn erbyn methiant y Cyngor i benderfynu ar gais o fewn y cyfnod statudol. Nid oes unrhyw hawl apelio trydydd parti yn erbyn penderfyniad.

Gall y Pwyllgor Cynllunio wneud argymhellion sy'n groes i argymhelliad y swyddog. Fodd bynnag, mae'n rhaid rhoi rhesymau am benderfyniadau o'r fath ac mae'n rhaid i'r penderfyniad fod yn seiliedig ar y Cynllun Datblygu Lleol (LDP) a/neu ystyriaethau cynllunio perthnasol. Pe byddai penderfyniad o'r fath yn cael ei herio mewn apêl, bydd yn ofynnol i Aelodau Pwyllgor amddiffyn eu penderfyniad drwy'r broses apêl.

## **Prif gyd-destun polisi**

Mae'r LDP yn cynnwys y prif bolisiâu datblygu a dylunio. Yn hytrach nag ail-adrodd y rhain ar gyfer pob cais, caiff y geiriad llawn ei osod islaw er cymorth Aelodau.

*Polisi EP1 - Gwarchod Amwynderau a'r Amgylchedd*

Dylai datblygiad, yn cynnwys cynigion ar gyfer adeiladau newydd, estyniadau i adeiladau presennol a hysbysebion roi ystyriaeth i breifatrwydd, amwynder ac iechyd defnyddwyr adeiladau cyfagos. Ni chaniateir cynigion datblygu a fyddai'n achosi neu'n arwain at risg/niwed annerbyniol i amwynder lleol, iechyd, cymeriad/ansawdd cefn gwlad neu fuddiannau cadwraeth natur, tirlun neu bwysigrwydd treftadaeth adeiledig oherwydd y dilynol, os na fedrir dangos y gellir cymryd mesurau i oresgyn unrhyw risg sylweddol:

- Llygredd aer;
- Llygredd golau neu sŵn;
- Llygredd dŵr;
- Halogiad;
- Ansefydlogrwydd tir; neu
- Unrhyw risg a ddynodwyd i iechyd neu ddiogelwch y cyhoedd.

#### Polisi DES1 – Ystyriaethau Dylunio Cyffredinol

Dylai pob datblygiad fod o ddyluniad cynaliadwy ansawdd uchel a pharchu cymeriad lleol a nodweddion neilltuoel amgylchedd adeiledig, hanesyddol a naturiol Sir Fynwy. Bydd yn ofynnol i gynigion datblygu:

- a) Sicrhau amgylchedd diogel, dymunol a chyfleus sy'n hygyrch i bob aelod o'r gymuned, yn cefnogi egwyddorion diogelwch y gymuned ac yn annog cerdded a seiclo;
- b) Cyfrannu tuag at naws o le wrth sicrhau fod maint y datblygiad a'i ddwystr yn gydnaws gyda defnyddiau presennol;
- c) Parchu ffurf, maint, lleoliad, casglu, deunyddiau a gweddwlun ei osodiad ac unrhyw adeiladau cyfagos o ansawdd;
- d) Cynnal lefelau rhesymol o breifatrwydd ac amwynder defnyddwyr adeiladau cyfagos, lle'n berthnasol;
- e) Parchu'r golygfeydd adeiledig a naturiol lle maent yn cynnwys nodweddion hanesyddol a/neu amgylchedd adeiledig neu dirlun deniadol neu neilltuoel;
- f) Defnyddio technegau adeiladu, addurniad, arddulliau a golau i wella ymddangosiad y cynnig gan roi ystyriaeth i wead, lliw, patrwm, cadernid a saerniaeth mewn defnyddio deunyddiau;
- g) Ymgorffori a, lle'n bosibl, wella nodweddion presennol sydd o werth hanesyddol, gweledol neu gadwraeth natur a defnyddio'r traddodiad brodorol lle'n briodol;
- h) Cynnwys cynigion tirlun ar gyfer adeiladau newydd a defnyddiau tir fel eu bod yn integreiddio i'w hamgylchiadau, gan roi ystyriaeth i ymddangosiad y tirlun presennol a'i gymeriad cynhenid, fel y'i diffinnir drwy broses LANDMAP. Dylai tirlunio roi ystyriaeth i, a lle'n briodol gadw, coed a gwrychoedd presennol;
- i) Gwneud y defnydd mwyaf effeithiol o dir sy'n gydnaws gyda'r meini prawf uchod, yn cynnwys y dylai isafswm dwysedd net datblygiad preswyl fod yn 30 annedd fesul hectar, yn amodol ar faen prawf l) islaw;
- j) Sicrhau dyluniad sy'n ymateb i'r hinsawdd ac effeithiol o ran adnoddau. Dylid rhoi ystyriaeth i leoliad, cyfeiriadu, dwysedd, gweddwlun, ffurf adeiledig a thirlunio ac i effeithiolrwydd ynni a defnyddio ynni adnewyddadwy, yn cynnwys deunyddiau a thechnoleg;
- k) Meithrin dylunio cynhwysol;
- l) Sicrhau y caiff ardaloedd preswyl presennol a nodweddir gan safonau uchel o breifatrwydd ac ehangder eu gwarchod rhag gor-ddatblygu a mewnlenni ansensitif neu amhriodol.

Cyfeirir at bolisiau perthnasol allweddol eraill yr LDP yn adroddiad y swyddog.

#### Canllawiau Cynllunio Atodol (SPG):

Gall y Canllawiau Cynllunio Atodol dilynol hefyd fod yn berthnasol i wneud penderfyniadau fel ystyriaeth cynllunio perthnasol:

- Seilwaith Gwyrdd (mabwysiadwyd Ebrill 2015)
- Canllawiau Dylunio Trosi Adeiladau Amaethyddol (mabwysiadwyd Ebrill 2015)
- Polisi H4(g) LDP Trosi/Adfer Adeiladau yng Nghefn Gwlad i Ddefnydd Preswyl - Asesu Ail-dddefnydd ar gyfer Dibenion Busnes (mabwysiadwyd Ebrill 2015)
- Polisiau H5 a H6 LDP Anheddau yn Lle ac Ymestyn Anheddau Gwledig yng Nghefn Gwlad (mabwysiadwyd Ebrill 2015)

- Arfarniad Ardal Cadwraeth Trellech (Ebrill 2012)
- Garejys Domestig (mabwysiadwyd Ionawr 2013)
- Safonau Parcio Sir Fynwy (mabwysiadwyd Ionawr 2013)
- Ymagwedd at Oblygiadau Cynllunio (Mawrth 2013)
- Drafft Tai Fforddiadwy (Gorffennaf 2015)
- Drafft Ynni Adnewyddadwy ac Effeithiolrwydd Ynni (Rhagfyr 2014)
- Drafft Nodyn Cyngor Cynllunio ar Asesu Tirlun Datblygu ac Effaith Gweledol Tyrbinau Gwynt
- Drafft Prif Wynebaw Siopau (Mehefin 2015)

### Polisi Cynllunio Cyhoeddus

Gall y polisi cynllunio cenedlaethol dilynol hefyd fod yn berthnasol i wneud penderfyniadau fel ystyriaeth cynllunio berthnasol:

- Polisi Cynllunio Cymru (PPW) 12
- Nodiadau Cyngor Technegol (TAN) PPW:
- TAN 1: Cydastudiaethau Argaeledd Tir Tai (2014)
- TAN 2: Cynllunio a Thai Fforddiadwy (2006)
- TAN 3: Symleiddio Parthau Cynllunio (1996)
- TAN 4: Datblygiadau manwerthu a masnachol (Tachwedd 2016)
- TAN 5: Cadwraeth Natur a Chynllunio (2009)
- TAN 6: Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)
- TAN 7: Rheoli Hysbysebion Awyr Agored (1996)
- TAN 8: Ynni Adnewyddadwy (2005)
- TAN 9: Gorfodaeth Rheoli Adeiladu (1997)
- TAN 10: Gorchmynion Cadwraeth Coed (1997)
- TAN 11: Sŵn (1997)
- TAN 12: Dylunio (2014)
- TAN 13: Twristiaeth (1997)
- TAN14: Cynllunio arfordirol (2021)
- TAN 15: Datblygu, llifogydd ac erdu arfordirol (Mawrth 2025)
- TAN 16: Chwaraeon, Hamdden a Gofodau Agored (2009)
- TAN 18: Trafnidiaeth (2007)
- TAN 20: Yr iaith Gymraeg (2017)
- TAN 21: Gwastraff (2014)
- TAN 23: Datblygu Economaidd (2014)
- TAN 24: Yr Amgylchedd Hanesyddol (2017)
- Nodyn Cyngor Technegol Mwynol (MTAN) Cymru 1: Agregau (30 Mawrth 2004)
- Nodyn Cyngor Technegol Mwynol (MTAN) Cymru 2: Glo (20 Ionawr 2009)
- Cylchlythyr Llywodraeth Cymru 016/2014 ar amodau cynllunio

### **Materion eraill**

Gall y ddeddfwriaeth ddilynol arall fod yn berthnasol wrth wneud penderfyniadau

### Deddf Cynllunio (Cymru) 2016

Daeth Adranau 11 a 31 y Ddeddf Cynllunio i rym yn Ionawr 2016 yn golygu fod y Gymraeg yn ystyriaeth cynllunio berthnasol. Mae Adran 11 yn ei gwneud yn ofynnol i'r gwerthusiad cynaliadwyedd, a gymerir wrth baratoi LDP, gynnwys asesiad o effeithiau tebygol y cynllun ar ddefnydd y Gymraeg yn y gymuned. Lle mae cynllun integredig sengl yr awdurdod wedi dynodi bod y Gymraeg yn flaenoriaeth, dylai'r asesiad fedru dangos y cysylltiad rhwng yr ystyriaeth ar gyfer y Gymraeg a'r prif arfarniad cynaliadwyedd ar gyfer yr LDP, fel y'i nodir yn TAN 20.

Mae Adran 31 y Ddeddf Cynllunio yn egluro y gall awdurdodau cynllunio gynnwys ystyriaethau yn ymwneud â'r defnydd o'r Gymraeg wrth wneud penderfyniadau ar geisiadau am ganiatâd cynllunio, cyn belled ag mae'n berthnasol i'r Gymraeg. Nid yw'r darpariaethau yn rhoi unrhyw bwysiad ychwanegol i'r Gymraeg o gymharu ag ystyriaethau perthnasol eraill. Mater i'r awdurdod cynllunio lleol yn llwyr yw p'un ai yw'r Gymraeg yn ystyriaeth berthnasol mewn unrhyw gais cynllunio, a

dylai'r penderfyniad p'un ai i roi ystyriaeth i faterion y Gymraeg gael ei seilio ar yr ystyriaeth a roddwyd i'r Gymraeg fel rhan o broses paratoi'r LDP.

Cynhaliwyd gwerthusiad cynaliadwyedd ar Gynllun Datblygu Lleol (LDP) Sir Fynwy a fabwysiadwyd yn 2014, gan roi ystyriaeth i'r ystod lawn o ystyriaethau cymdeithasol, amgylcheddol ac economaidd, yn cynnwys y Gymraeg. Cyfran cymharol fach o boblogaeth Sir Fynwy sy'n siarad, darllen neu ysgrifennu Cymraeg o gymharu gydag awdurdodau lleol eraill yng Nghymru ac ni ystyriwyd fod angen i'r LDP gynnwys polisi penodol ar y Gymraeg. Roedd casgliad yr asesiad am effeithiau tebygol y cynllun ar y defnydd o'r Gymraeg yn y gymuned yn fach iawn.

#### Rheoliadau Asesiad Effaith ar yr Amgylchedd 1999

Mae Rheoliadau Cynllunio Tref a Gwlad (Asesiad Effaith ar yr Amgylchedd) (Lloegr a Chymru) 1999 fel y'i diwygiwyd gan Reoliadau Cynllunio Tref a Gwlad (Asesiad Effaith ar yr Amgylchedd) (Diwygiad) 2008 yn berthnasol i'r argymhellion a wnaed. Bydd y swyddog yn tynnu sylw at hynny pan gyflwynwyd Datganiad Amgylcheddol gyda chais.

#### Rheoliadau Cadwraeth Rhywogaethau a Chynefinoedd 2017

Lle aseswyd bod safe cais yn safle bridio neu glwydo ar gyfer rhywogaethau Ewropeaidd a warchodir, bydd angen fel arfer i'r datblygydd wneud cais am "randdirymiad" (trwydded datblygu) gan Cyfoeth Naturiol Cymrau. Mae pob rhywogaeth o ystlumod, pathewod a madfallod cribog mawr yn enghreifftiau o'r rhywogaethau gwarchodedig hyn. Wrth ystyried ceisiadau cynllunio mae'n ofynnol i Gyngor Sir Fynwy fel awdurdod cynllunio lleol roi ystyriaeth i Reoliadau Cadwraeth Rhywogaethau a Chynefinoedd 20120 (y Rheoliadau Cynefinoedd) ac i'r ffaith mai dim ond lle cyflawnir tri phrawf a nodir yn Erthygl 16 y Gyfarwydddeb Cynefinoedd y caniateir rhanddirymiadau. Caiff y tri phrawf eu nodi islaw.

(i) Mae'r rhanddirymiad er budd iechyd a diogelwch y cyhoedd, neu am resymau hanfodol eraill o ddiddordeb pennaf i'r cyhoedd, yn cynnwys rhai o natur economaidd a chanlyniadau buddiol o bwysigrwydd sylfaenol i'r amgylchedd.

(ii) Nad oes dewis arall boddhaol.

(iii) Nad yw'r rhanddirymiad yn niweidiol i gynnal y boblogaeth o'r rhywogaeth dan sylw drwy statws cadwraeth ffafriol yn eu hardal naturiol.

#### Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015

Nod y Ddeddf yw gwella llesiant cymdeithasol, economaidd, amgylcheddol a diwylliannol Cymru. Mae'r Ddeddf yn gosod nifer o amcanion llesiant

- **Cymru lewyrchus**; defnydd effeithiol o adnoddau, pobl fedrus ac addysgedig, cynhyrchu cyfoeth, darparu swyddi;
- **Cymru gref**; cynnal a chyfoethogi bioamrywiaeth ac ecosystemau sy'n cefnogi hynny ac a all addasu i newid (e.e. newid yn yr hinsawdd);
- **Cymru iachach**; cynyddu llesiant corfforol a meddyliol pobl i'r eithaf a deall effeithiau iechyd;
- **Cymru o gymunedau cydlynol**: cymunedau yn ddeniadol, hyfyw, diogel a gyda chysylltiadau da.
- **Cymru sy'n gyfrifol yn fyd-eang**: rhoi ystyriaeth i effaith ar lesiant byd-eang wrth ystyried llesiant cymdeithasol, economaidd ac amgylcheddol lleol;
- **Cymru gyda diwylliant egniol a'r iaith Gymraeg yn ffynnu**: caiff diwylliant, treftadaeth a'r Gymraeg eu hyrwyddo a'u diogelu. Caiff pobl eu hannog i gymryd rhan mewn chwaraeon, celf a hamdden;
- **Cymru fwy cyfartal**: gall pobl gyflawni eu potensial beth bynnag yw eu cefndir neu amgylchiadau.

Caiff nifer o egwyddorion datblygu cynaliadwy hefyd eu hamlinellu:

- **Hirdymor**: cydbwysu angen tymor byr gyda'r hirdymor a chynllunio ar gyfer y dyfodol;
- **Cydweithio**: cydweithio gyda phartneriaid eraill i gyflawni amcanion;
- **Ymggyfraniad**: cynnwys y rhai sydd â diddordeb a gofyn am eu barn;
- **Atal**: rhoi adnoddau i ateb problemau rhag digwydd neu waethgu;
- **Integreiddio**: cael effaith gadarnhaol ar bobl, yr economi a'r amgylchedd a cheisio bod o fudd i bob un o'r tri.



Mae'r gwaith a wneir gan awdurdod cynllunio lleol yn cysylltu'n uniongyrchol â hyrwyddo a sicrhau datblygu cynaliadwy ac yn anelu i sicrhau cydbwysedd rhwng y tri maes: amgylchedd, economi a chymdeithas.

#### Trefn Troseddu ac Anrhefn 1998

Mae Adran 17(1) Deddf Troseddu ac Anrhefn 1998 yn gosod dyletswydd ar awdurdod lleol i weithredu ei wahanol swyddogaethau gan roi ystyriaeth ddyledus i effaith debygol gweithredu'r swyddogaethau hynny ar, a'r angen i wneud popeth y gall ei wneud yn rhesymol i atal troseddu ac anrhefn yn ei ardal. Gall troseddu ac ofn troseddu fod yn ystyriaeth cynllunio berthnasol. Tynnir sylw at y pwnc hwn yn adroddiad y swyddog lle mae'n ffurfio ystyriaeth sylweddol ar gyfer cynnig.

#### Deddf Cydraddoldeb 2010

Mae Deddf Cydraddoldeb 2010 yn cynnwys dyletswydd cydraddoldeb sector cyhoeddus i integreiddio ystyriaeth cydraddoldeb a chysylltiadau da ym musnes rheolaidd awdurdodau cyhoeddus. Mae'r Ddeddf yn dynodi nifer o 'nodweddion gwarchodedig': oedran, anabledd, aillbennu rhywedd; priodas a phartneriaeth sifil; hil; crefydd neu gredo; rhyw; a chyfeiriadedd rhywiol. Bwriedir i gydymffurfiaeth arwain at benderfyniadau a wnaed ar sail gwybodaeth well a datblygu polisi a gwasanaethau sy'n fwy effeithlon ar gyfer defnyddwyr. Wrth weithredu ei swyddogaethau, mae'n rhaid i'r Cyngor roi ystyriaeth ddyledus i'r angen i: ddileu gwahaniaethu anghyfreithlon, aflonyddu, erledigaeth ac ymddygiad arall a gaiff ei wahardd gan y Ddeddf; hybu cyfle cyfartal rhwng pobl sy'n rhannu nodwedd warchodedig a'r rhai nad ydynt; a meithrin cysylltiadau da rhwng pobl sy'n rhannu nodwedd warchodedig a'r rhai nad ydynt. Mae rhoi ystyriaeth ddyledus i hyrwyddo cydraddoldeb yn cynnwys: dileu neu leihau anfanteision a ddioddefir gan bobl oherwydd eu nodweddion gwarchodedig; cymryd camau i ddiwallu anghenion o grwpiau gwarchodedig lle mae'r rhain yn wahanol i anghenion pobl eraill; ac annog pobl o grwpiau gwarchodedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle mae eu cyfranogiad yn anghymesur o isel.

#### Mesur Plant a Theuluoedd (Cymru)

Mae ymgynghoriad ar geisiadau cynllunio yn agored i'n holl ddinasyddion faint bynnag eu hoed; ni chynhelir unrhyw ymgynghoriad wedi'i dargedu a anelwyd yn benodol at blant a phobl ifanc. Yn dibynnu ar faint y datblygiad arfaethedig, rhoddir cyhoeddusrwydd i geisiadau drwy lythyrau i feddianwyr cyfagos, hysbysiadau safle, hysbysiadau yn y wasg a/neu gyfryngau cymdeithasol. Nid yw'n rhaid i bobl sy'n ymateb i ymgynghoriadau roi eu hoedran nac unrhyw ddata personol arall, ac felly ni chaiff y data yma ei gadw na'i gofnodi mewn unrhyw ffordd, ac ni chaiff ymatebion eu gwahanu yn ôl oedran.

## **Protocol ar gyfraniadau gan y cyhoedd mewn Pwyllgorau Cynllunio**

Dim ond yn llwyr yn unol â'r protocol hwn y caniateir cyfraniadau gan y cyhoedd mewn Pwyllgorau Cynllunio. Ni allwch fynnu siarad mewn Pwyllgor fel hawl. Mae'r gwahoddiad i siarad a'r ffordd y cynhelir y cyfarfod ar ddisgresiwn Cadeirydd y Pwyllgor Cynllunio ac yn amodol ar y pwyntiau a nodir islaw.

### **Pwy all siarad**

#### Cynghorau Cymuned a Thref

Gall cynghorau cymuned a thref annerch y Pwyllgor Cynllunio. Dim ond aelodau etholedig cynghorau cymuned a thref gaiff siarad. Disgwylir i gynrychiolwyr gydymffurfio â'r egwyddorion dilynol: -

(i) Cydymffurfio â Chod Cenedlaethol Ymddygiad Llywodraeth Leol. (ii) Peidio cyflwyno gwybodaeth nad yw'n:

- gyson gyda sylwadau ysgrifenedig eu cyngor, neu
  - yn rhan o gais, neu
  - wedi ei gynnwys yn yr adroddiad neu ffeil cynllunio.

#### Aelodau'r Cyhoedd

Cyfyngir siarad i un aelod o'r cyhoedd yn gwrthwynebu datblygiad ac un aelod o'r cyhoedd yn cefnogi datblygiad. Lle mae mwy nag un person yn gwrthwynebu neu'n cefnogi, dylai'r unigolion neu grwpiau gydweithio i sefydlu llefarydd. Gall Cadeirydd y Pwyllgor weithredu disgresiwn i ganiatáu ail siaradwr ond dim ond mewn amgylchiadau eithriadol lle mae cais sylweddol yn ysgogi gwahanol safbwyntiau o fewn un 'ochr' y ddadl (e.e. cais archfarchnad lle mae un llefarydd yn cynrychioli preswylwyr ac un arall yn cynrychioli manwerthwyr lleol). Gall aelodau'r cyhoedd benodi cynrychiolwyr i siarad ar eu rhan.

Lle na ddeuir i gytundeb, bydd yr hawl i siarad yn mynd i'r person/sefydliad cyntaf i gofrestru eu cais. Lle mae'r gwrthwynebydd wedi cofrestru i siarad caiff yr ymgeisydd neu asiant yr hawl i ymateb.

Cyfyngir siarad i geisiadau lle cyflwynwyd llythyrau gwrthwynebu/cefnogaeth neu lofnodion ar ddeiseb i'r Cyngor gan 5 neu fwy o aelwydydd/sefydliadau gwahanol. Gall y Cadeirydd weithredu disgresiwn i ganiatáu siarad gan aelodau o'r cyhoedd lle gallai cais effeithio'n sylweddol ar ardal wledig prin ei phoblogaeth ond y derbyniwyd llai na 5 o lythyr yn gwrthwynebu/cefnogi.

#### Ymgeiswyr

Bydd gan ymgeiswyr neu eu hasiantau a benodwyd hawl ymateb lle mae aelodau'r cyhoedd neu gyngor cymuned/tref yn annerch pwyllgor. Fel arfer dim ond ar un achlysur y caniateir i'r cyhoedd siarad pan gaiff ceisiadau eu hystyried gan Bwyllgor Cynllunio. Pan ohirir ceisiadau ac yn arbennig pan gânt eu hailgyflwyno yn dilyn penderfyniad pwyllgor i benderfynu ar gais yn groes i gyngor swyddog, ni chaniateir i'r cyhoedd siarad fel arfer. Fodd bynnag bydd yn rhaid ystyried amgylchiadau arbennig ar geisiadau a all gyfiawnhau eithriad.

### **Cofrestru Cais i Siarad**

I gofrestru cais i siarad, mae'n rhaid i wrthwynebwyr/cefnogwyr yn gyntaf fod wedi gwneud sylwadau ysgrifenedig ar y cais. Mae'n rhaid iddynt gynnwys eu cais i siarad gyda'u sylwadau neu ei gofrestru wedyn gyda'r Cyngor.

**Caiff ymgeiswyr, asiantau a gwrthwynebwyr eu cynghori i aros mewn cysylltiad gyda'r swyddog achos am ddatblygiadau ar y cais. Cyfrifoldeb y rhai sy'n dymuno siarad yw gwirio os yw'r cais i gael ei ystyried gan y Pwyllgor Cynllunio drwy gysylltu â'r Swyddog Cynllunio, a all roi manylion o'r dyddiad tebygol ar gyfer clywed y cais. Caiff y drefn ar gyfer cofrestru'r cais i siarad ei nodi islaw.**

Mae'n rhaid i unrhyw un sy'n dymuno siarad hysbysu Swyddogion Gwasanaethau Democrataidd y Cyngor drwy ffonio 01633 644219 neu drwy e-bost i [registertospeak@monmouthshire.gov.uk](mailto:registertospeak@monmouthshire.gov.uk). Caiff unrhyw geisiadau i siarad a gaiff eu e-bostio eu cydnabod cyn y dyddiad cau ar gyfer cofrestru i

siarad. Os nad ydych yn derbyn cydnabyddiaeth cyn y dyddiad cau, cysylltwch â Gwasanaethau Democrataidd ar 01633 644219 i wirio y cafodd eich cais ei dderbyn.

Mae'n rhaid i siaradwyr wneud hyn cyn gynted ag sydd modd, rhwng 12 canol dydd ar y dydd Mercher a 12 canol dydd ar y dydd Llun cyn y Pwyllgor. Gofynnir i chi adael rhif ffôn y gellir cysylltu â chi yn ystod y dydd.

Bydd y Cyngor yn cadw rhestr o bobl sy'n dymuno siarad yn y Pwyllgor Cynllunio.

### **Gweithdrefn yng Nghyfarfod y Pwyllgor Cynllunio**

Dylai pobl sydd wedi cofrestru i siarad gyrraedd ddim hwyrach na 15 munud cyn dechrau'r cyfarfod. Bydd swyddog yn cynghori ar drefniadau seddi ac yn ateb ymholiadau. Caiff y weithdrefn ar gyfer delio gyda siarad gan y cyhoedd ei osod islaw:

- Bydd y Cadeirydd yn nodi'r cais i'w ystyried.
- Bydd swyddog yn cyflwyno crynodeb o'r cais a materion yn ymwneud â'r argymhelliad
- Os nad yw'r aelod lleol ar y Pwyllgor Cynllunio, bydd y Cadeirydd yn ei (g)wahodd i siarad am ddim mwy na 6 munud
- Yna bydd y Cadeirydd yn gwahodd cynrychiolydd y cyngor cymuned neu dref i siarad am ddim mwy na 4 munud.
- Bydd y Cadeirydd wedyn yn gwahodd yr ymgeisydd neu asiant a benodwyd (os yn berthnasol) i siarad am ddim mwy na 4 munud. Lle mae mwy na un person neu sefydliad yn siarad yn erbyn cais, ar ddisgresiwn y Cadeirydd bydd gan yr ymgeisydd neu'r asiant a benodwyd hawl i siarad am ddim mwy na 5 munud.
- Fel arfer cydymffurfir yn gaeth â chyfyngiadau amser, fodd bynnag bydd gan y Cadeirydd ddisgresiwn i addasu'r amser gan roi ystyriaeth i amgylchiadau'r cais neu'r rhai sy'n siarad.
- Dim ond unwaith y gall siaradwyr siarad.
- Bydd aelodau'r Pwyllgor Cynllunio wedyn yn trafod y cais, gan ddechrau gydag aelod lleol o'r Pwyllgor Cynllunio.
- Bydd y swyddogion yn ymateb i'r pwyntiau a godir os oes angen.
- Yn union cyn i'r mater gael ei roi i'r bleidlais, gwahoddir yr aelod lleol i grynhoi, gan siarad am ddim mwy na 2 funud.
- Ni all cynrychiolydd y cyngor cymuned neu dref neu wrthwynebydd/cefnogwyr neu'r ymgeisydd/asiant gymryd rhan yn ystyriaeth aelodau o'r cais ac ni allant ofyn cwestiynau os nad yw'r cadeirydd yn eu gwahodd i wneud hynny.
- Lle mae gwrthwynebydd/cefnogwr, ymgeisydd/asiant neu gyngor cymuned/tref wedi siarad ar gais, ni chaniateir unrhyw siarad pellach gan neu ar ran y grŵp hwnnw pe byddai'r cais yn cael ei ystyried eto mewn cyfarfod o'r pwyllgor yn y dyfodol heblaw y bu newid sylweddol yn y cais.
- Ar ddisgresiwn y Cadeirydd, gall y Cadeirydd neu aelod o'r Pwyllgor yn achlysurol geisio eglurhad ar bwynt a wnaed.
- Mae penderfyniad y Cadeirydd yn derfynol.
- Wrth gynnig p'un ai i dderbyn argymhelliad y swyddog neu i wneud diwygiad, bydd yr aelod sy'n gwneud y cynnig yn nodi'r cynnig yn glir.
- Pan gafodd y cynnig ei eilio, bydd y Cadeirydd yn dweud pa aelodau a gynigiodd ac a eiliodd y cynnig ac yn ailadrodd y cynnig a gynigwyd. Caiff enwau'r cynigydd a'r eilydd eu cofnodi.
- Bydd aelod yn peidio pleidleisio yng nghyswllt unrhyw gais cynllunio os na fu'n bresennol drwy gydol cyfarfod y Pwyllgor Cynllunio, y cyflwyniad llawn ac ystyriaeth y cais neilltuol hwnnw.
- Bydd unrhyw aelod sy'n ymatal rhag pleidleisio yn ystyried p'un ai i roi rheswm dros ei (h)ymatal.
- Bydd swyddog yn cyfrif y pleidleisiau ac yn cyhoeddi'r penderfyniad.

### **Cynnwys yr Arweithiau**

Dylai sylwadau gan gynrychiolydd y cyngor tref/cymuned neu wrthwynebydd, cefnogwr neu ymgeisydd/asiant gael eu cyfyngu i faterion a godwyd yn eu sylwadau gwreiddiol a bod yn faterion cynllunio perthnasol. Mae hyn yn cynnwys:

- Polisiâu cynllunio cenedlaethol a lleol perthnasol
- Ymddangosiad a chymeriad y datblygiad, gweddllun a dwysedd

- Cynhyrchu traffig, diogelwch priffordd a pharcio/gwasanaethu;
- Cysgodi, edrych dros, ymyriad sŵn, aroglau neu golled arall amwynder.

Dylai siaradwyr osgoi cyfeirio at faterion y tu allan i gylch gorchwyl y Pwyllgor Cynllunio, megis:

- Anghydfod ffiniau, cyfamodau a hawliau eraill eiddo
- Sylwadau personol (e.e. cymhellion neu gamau gweithredu'r ymgeisydd hyd yma neu am aelodau neu swyddogion)
- Hawliau i olygfeydd neu ddibrisiant eiddo.

# Public Document Pack Agenda Item 5

## MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Planning Committee held  
at the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote  
attendance on Tuesday, 6th May, 2025 at 2.00 pm**

**PRESENT:** County Councillor Phil Murphy (Chair)  
County Councillor Dale Rooke (Vice Chair)

County Councillors: Jill Bond, Fay Bromfield, Emma Bryn, Jan Butler,  
Tony Easson, Steven Garratt, Meirion Howells, Su McConnel,  
Jayne McKenna, Phil Murphy, Maureen Powell, Sue Riley,  
Dale Rooke and Ann Webb

### **OFFICERS IN ATTENDANCE:**

Amy Longford	Head of Planning
Philip Thomas	Development Services Manager
Andrew Jones	Development Services Manager
Joanne Chase	Solicitor and Head of Commercial Law
Richard Ray	Paralegal
Richard Williams	Democratic Services Officer

### **APOLOGIES:**

County Councillors: John Crook and Laura Wright

#### **1. Declarations of Interest**

None received.

#### **2. Confirmation of Minutes**

The minutes of the Planning Committee meeting dated 1<sup>st</sup> April 2025 were confirmed as an accurate record.

#### **3. Application DM/2024/01281 - Proposed 2no. detached dwellings with on-site parking. Land to rear of Rosemary, Beaufort Road, Osbaston, Monmouth**

We considered the report of the application and late correspondence which was recommended for approval subject to the conditions outlined in the report and subject to a Section 106 Agreement.

<https://www.youtube.com/live/etVBk0h8wzA?si=RH8Ljc5vyLYeQzpY&t=158>

In noting the detail of the application and the views expressed, it was proposed by County Councillor Su McConnel and seconded by County Councillor Maureen Powell that application DM/2024/01281 be approved subject to the conditions outlined in the report and subject to a Section 106 Agreement with an additional condition to secure a scheme of hard landscaping (driveways) prior to development being carried out.

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of Planning Committee held at the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance on Tuesday, 6th May, 2025 at 2.00 pm

Upon being put to the vote, the following votes were recorded:

For approval	-	14
Against approval	-	0
Abstentions	-	0

The proposition was carried.

We resolved that application DM/2024/01281 be approved subject to the conditions outlined in the report and subject to a Section 106 Agreement with an additional condition to secure a scheme of hard landscaping (driveways) prior to development being carried out.

#### **4. FOR INFORMATION - The Planning Inspectorate - Appeals / Costs Decisions Received:**

<https://www.youtube.com/live/etVBk0h8wzA?si=2FfMLBmSqWDenHbk&t=1060>

##### **4.1. Appeal Decision - 1 Monnow Keep, Monmouth, Monmouthshire, NP25 3EX**

We received the Planning Inspectorate report which related to an appeal decision following a site visit that had been held at 1 Monnow Keep, Monmouth, Monmouthshire on 11<sup>th</sup> March 2025.

##### **Appeal A**

We noted that the appeal was dismissed and the Enforcement Notice upheld. Planning permission was refused on the application deemed to have been made under section 177(5) of the 1990 Act, as amended.

##### **Appeal B**

We noted that the appeal was dismissed.

##### **4.2. Costs Decision - 1 Monnow Keep, Monmouth, Monmouthshire, NP25 3EX**

We received the Planning Inspectorate report which related to the costs decision in respect of 1 Monnow Keep, Monmouth, Monmouthshire.

We noted that the application for an award of costs had been refused with regard to Appeal A and Appeal B.

**The meeting ended at 2.21 pm.**

**Application Number:** DM/2022/01511

**Proposal:** Change of use from empty residential land to tourism for camping/glamping. Construction of wash facilities supplemental to the glampsite. Construction of a field shelter for animals

**Address:** Swallows Nest, Ty'r Pwll, Parc Llettis Road, Hardwick, Abergavenny, NP7 9AB

**Applicant:** Elizabeth Pengelly

**Plans:** Location Plan - , Block Plan DOC 2.0 - J, Floor Plans - Proposed DOC 3.0 - J, Elevations - Proposed DOC 3.1 - J, Elevations - Proposed DOC 4.0 - J, Floor Plans - Proposed DOC 4.1 - J, Elevations - Proposed DOC 5.0 - J, Elevations - Proposed DOC 6.0 - J, Elevations - Proposed DOC 6.0 CONTINUED - J, Elevations - Proposed DOC 6.1 - J, Site Sections DOC 7.0 - J, Drainage DOC 8.0 - J, All Proposed Plans LP - Planning 27-12-23 - Revision G - , Green Infrastructure Appraisal/Statement REV B 09-04-25 GI STATEMENT - , Planting Plan SCREENING DOC 2 08-04-25 PLANTING DETAILS - , Landscaping Plan LP - PLANNING 08-04-25 - REVISION K - ,

**RECOMMENDATION: Approve**

Case Officer: Ms Kate Bingham  
Date Valid: 18.10.2022

**This application is presented to Planning Committee due to the application having five or more objections**

## 1.0 APPLICATION DETAILS

### 1.1 Site Description

This application relates to an area of paddock adjacent to a dwelling in Hardwick, near Abergavenny. The site slopes down from north-east to south-west by an elevation of 8 metres over approximately 140 metres towards the main road between Abergavenny and Raglan. The paddock houses a group of alpacas which are to remain.

The site is within the Nutrient Sensitive Catchment Area of the River Usk Special Area of Conservation (SAC).

### 1.2 Value Added

As well as lengthy negotiations in relation to the method of proposed foul drainage, the following amendments have been made to the proposal since submission:

- Removal of proposed observation deck above animal shelter.
- Removed adjoining hot tubs for Bell tents.
- Updated car park area size and position.
- Additional landscape planting.
- Enhancements for biodiversity added.
- Reduction in occupation of shepherd huts.

### 1.3 Proposal Description

It is proposed to site 4no. shepherd huts and 4no. bell tents to provide glamping accommodation together with a washroom. All the huts have a floor area of approximately 7.4m x 2.58m and have a curved metal roof with a maximum height of 3.5m. The bell tents have a diameter of 5m and a maximum height of 3m.

Two of the shepherd huts have already been brought to the site under the 28 day Permitted Development rules. A timber animal shelter has also been constructed with a floor area of 27m<sup>2</sup> with a flat roof that ranges from 2.5m high to a maximum of 2.8m owing to the slope of the land. This is currently used for alpacas, but has been built with the intention of upgrading it to a multi-purpose area for combined animal shelter. A moveable timber shower block is also on site. This comprises a compost toilet, shower, store room and sink as well as a communal fridge/freezer. This building measures 6m x 2.4m in area and has a slightly sloping, largely flat roof measuring between 2.5m and 2.8m in height.

Two of the shepherd huts will be 'luxury' with their own toilets while two others will have no bathroom and use a separate compost toilet. The occupants of the proposed bell tents will also rely on the compost toilet within the washroom. All of the shepherd huts benefit from a hot tub sited on the south-western end of the hut and consist of a decking (less than 30cm tall), wood clad walls, and corrugated roof to match the materials used in the Shepherd huts.

A new gated access and parking area for guests is proposed at the north-eastern end of the site. Visibility splays of 2.4m x 22m will be provided by translocating the existing boundary hedge. The site parking will be of a permeable hardstanding with a minimum of 1 parking space per bedroom. An additional area of new screen hedge planting is proposed on each side of the car park.

## **2.0 RELEVANT PLANNING HISTORY (if any)**

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2023/01477	Retrospective planning permission for an outbuilding on the land adjoining Swallows Nest.	Approved	20.12.2023

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### **Strategic Policies**

S11 LDP Visitor Economy  
 S12 LDP Efficient Resource Use and Flood Risk  
 S13 LDP Landscape, Green Infrastructure and the Natural Environment  
 S16 LDP Transport  
 S17 LDP Place Making and Design

### **Development Management Policies**

T2 LDP – Visitor Accommodation outside Settlements  
 LC1 LDP New Built Development in the Open Countryside  
 LC5 LDP Protection and Enhancement of Landscape Character  
 DES1 LDP General Design Considerations  
 GI1 LDP Green Infrastructure  
 NE1 LDP Nature Conservation and Development  
 EP1 LDP Amenity and Environmental Protection



## **Supplementary Planning Guidance**

Sustainable Tourism SPG (November 2019).

### **4.0 NATIONAL PLANNING POLICY**

#### **Future Wales - the national plan 2040**

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

#### **Planning Policy Wales (PPW) Edition 12**

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

#### **Welsh Government Circulars**

Welsh Government Circular 008/2018 - Planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewage treatment plants.  
<https://gov.wales/sites/default/files/publications/2019-05/planning-requirements-for-private-sewerage-in-new-development-wgc-0082018.pdf>

### **5.0 REPRESENTATIONS**

#### **5.1 Consultation Replies**

**Gobion Fawr Community Council** - This Council objects to the above application and supports the Objectors. In particular the Council supports the arguments put forward by AJ Planning and Development Ltd., most recently set out in their letter of 11 November 2024.

**Natural Resources Wales (NRW)** - We have no objection to the application as submitted and provide the following advice.

We understand a public foul sewer is not available to serve the development. Therefore, non-mains foul sewage disposal solutions (private sewerage) can be considered. Foul drainage for two of the shepherd huts is proposed to the existing septic tank which discharges to ground. This system already serves the existing residential properties at the site. Foul drainage for the remaining two shepherd huts and four tents is proposed to a composting toilet.

The Supporting Compost Toilet Details Document, Rev B, dated 02-07-2024 (unauthored), confirms the type of compost toilet proposed would separate solids from liquids. Solids would be

composted, and liquid would be stored in a holding tank which will be periodically removed by a waste effluent removal company.

Recognising the specific nature of the application submitted, we are satisfied it is unlikely to increase the amount of phosphorus entering the catchment. Therefore, we are satisfied the proposal is not likely to have a significant effect on the River Usk SAC.

The above advice is based on the following: Doc 3.0 Proposed Floor Plans for shepherd hut (date published 10 Jul 2023) confirms the maximum occupancy of each shepherd hut is 2 people. Doc 5.0 Proposed elevation and footprint for glamping tents (date published 10 Jul 2023) confirms the maximum occupancy of each tent is 4 people. The Drainage calculations, Revision G, dated 28/01/24, are based on the configuration of the worst-case scenario: 4 shepherds huts and 4 tents.

European Protected Species: The Preliminary Ecological Appraisal by Ecological Services Limited, dated February 2022, has identified protected species are unlikely to be affected by the proposal. We therefore have no adverse comments to make in relation to protected species on the application as submitted.

**MCC Highways** - The applicant has provided further plans to overcome our concerns, namely an appropriate access for the site. While we no longer raise any objections, we would request a condition to ensure that the access is appropriately constructed to suitable standards. The applicant is advised of the requirement to obtain a Section 184 Highways agreement prior to the creation of a new vehicular access.

**MCC Biodiversity** - No objections subject to conditions.

**MCC Landscape/GI** - No objection in principle subject to landscape planting to be secured by condition.

**Network Rail** - Have no comments to make on the application.

**SEWBRc Search Results** - No significant ecological record identified.

## 5.2 Neighbour Notification

Fifteen representations received objecting to the application on the following grounds:

### Principle of development

- The development is a move away from pasture land, is there the risk that more of these sites could be done on other neighbouring sites setting a precedent that would change the character of the area.
- The development work has already started without any approval. How can this happen?
- The applicant describes the washroom as a temporary building but there is a degree of permanence to this unit with the photos showing a drainage connection.
- In review of the planning history for 2 Ty'r Pwll an approved application (DM/2020/01678) granted change of use of 2 no. holiday lets to a single dwelling house. The officer report detailed that there was a significant rise in alternative holiday accommodation in the locality and as such there was no established need for facilities in this location. The maximum reported occupancy rate at Swallows Nest was 16% in 2019, 20% during 2020 which shows a lack of demand for tourism.
- The intensive level of development and poor layout combine to adversely affect the local setting representing an unneighbourly form of development.
- The site location does not represent an accessible location, and visitors would be reliant on private transport for visiting tourist destinations / services within the area.
- In assessment to both national and local development plan policy the application proposal fails policy aims and objectives with the local planning authority urged to refuse this application accordingly.

## Visual Impact

- The visual appearance of the land would deteriorate especially with the addition of a car park being introduced to the area.
- A big shed and a very large tent already erected are unsightly and spoil the visual aspect of the area as approached from Llettis Way.
- The proposed leisure development to be to the detriment of the existing view and landscape, and not in keeping with the rural character and openness of the area.
- There is a fridge and kitchenette visible within the washroom when viewed from the east creating an urbanising effect.
- The applicant has identified that the site does not benefit from screening emphasising our point that this is open and unspoilt countryside and should not be urbanised.
- LDP Policy S13 'Landscape, Green Infrastructure and the Natural Environment' seeks to protect, maintain and enhance the character and quality of Monmouthshire's natural heritage, including its high-quality open spaces, distinctive landscapes, protected sites, habitats and species and other biodiversity interests and the ecological connectivity between them.
- The proposal offers no landscape benefit through design.
- LDP Policy S17 'Place Making and Design' seeks to ensure that development proposals include high quality, sustainable and inclusive design which respects local distinctiveness. It is the objectors' strongly held view that the development proposal fails each of these tests and does nothing to respect the open countryside or neighbouring homes.

## Residential Amenity

- There will be an increase in pollution, be it noise or litter.
- As a high council tax payment area, I believe that this sort of development would be harmful to the environment and as a result would reduce the value of properties within this location.
- We strongly oppose any 'glamping' within this area of quiet and expensive properties.
- The existing access would be far more suitable and the car park should be next to the applicant's own house rather than immediately next to a neighbour's house. It would be easier to pull in off the lane, a shorter distance from the main road with less inconvenience to the neighbours and less litter on the lane.
- The noise and light pollution brought by eight leisure units will have an adverse impact on the tranquillity of the area. Eight units, est. eight or more vehicles, and between 16-32 holiday makers at a time, will bring additional noise to the area, including at unsociable times, with the potential for anti-social behaviour.
- The seven properties that are to the site have not been considered at all, and the proposal does not fit in with the rest of the community on this scale.
- The noise, odours, and light pollution from the car park will be detrimental to the occupants of the dwelling as well as bats and other wildlife that live in the area.
- All residents affected by this application have lost a significant amount of their privacy.
- I am concerned and feel I will have to start putting cameras in to protect my horses.

## Biodiversity

- Further along the lane is a stream that runs along the side of the properties. With eight shepherd huts, the sewage water plus any overflow of surface water for such a development must be considered.
- Then the access off the top lane is totally illogical as the road is narrow and it will need an entrance of 6-8 metres for visibility meaning an ancient and viable hedgerow would be decimated and the wildlife habitat and corridors destroyed.
- Site already overstocked with alpacas.
- How can the applicant be sure that there are no protected and priority species on either the development site or adjacent land. The surrounding hedgerows and fields are teeming with wildlife, with hedgerows being an important habitat.

- For hot tubs, water must be changed at least once a week, resulting in significant water usage and drainage, and it may lead to runoff onto the already over-grazed pasture if drained improperly.
- The use of bromine, chlorine, and other harmful standard purification materials poses a risk of polluting the land and the water table.

### Access

- The lane leading to the proposed new access is currently utilised by three properties only so potentially this lane is going to get further congested with at least eight extra vehicles passing through. This excludes any other service vehicles and employee vehicles that would be needed to support such a development. The road is very narrow and as such there is no pedestrian access, so this causes even further health and safety issues with an increase in traffic.
- The applicant has provided no details regarding anticipated levels of traffic movement, site management and lighting provisions (with associated impact on wildlife e.g. bats and their established flight paths) potential within their application submission.

### Health & Safety

- The two adjacent paddocks have ponies in them, which will be affected by people/dogs spooking them, or feeding them, could lead to them biting/kicking the campers.
- As we farm most of the surrounding land we are hugely concerned for the welfare of our livestock from dogs off leads, unwormed dogs, people leaving gates open etc.
- Muck spreading, hay carting, silage trailers, straw trailers and livestock movements by road and trailers, also regular feed lorry deliveries, so any extra traffic would be intolerable.
- Due to the lack of activities and room on the proposed camp site, people will get bored and begin to trespass onto land with animals in.

### Other

- Whilst recognising that the drainage regime is separate to planning, we observe that SAB approval is required for development proposals of over 100m<sup>2</sup>. Given the local topography, which slopes from north to south, and presence of a watercourse a short distance away to the east (approx. 35-40m) the consideration of drainage provisions, potential surface water run-off and local phosphate levels are an important material consideration.

### 5.3 Other Representations

None.

### 5.4 Local Member Representations

No comments received.

Please note all representations can be read in full on the Council's website:

<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

## **6.0 EVALUATION**

### **6.1 Principle of Development**

6.1.1 Policy S11 Visitor Economy highlights that development proposals that provide and/or enhance sustainable forms of tourism will be permitted subject to detailed planning considerations. Development proposals that would have an unacceptable adverse impact on features and areas of tourism interest and their settings, or that would result in the unjustified loss of tourism facilities will not be permitted.

6.1.2 Policy T2 of Local Development Plan relates to permanent new build tourism accommodation. Where glamping proposals constitute permanent new build development, as could be the case if the shepherd huts are to remain on site all year round then this policy would be applicable. The policy does not support new build permanent self-catering visitor accommodation outside settlement boundaries unless ancillary to established medium or large hotels and proposals for new build permanent glamping accommodation would therefore generally be contrary to this policy.

6.1.3 However, it is recognised that there may be instances where such accommodation could constitute sustainable visitor accommodation in accordance with LDP Policy S11 and sustainable tourism principles set out in 3.3 of the Sustainable Tourism SPG which provides that sustainable tourism accommodation (glamping) proposals should reflect the following key principles of sustainable tourism which are considered below:

*1. Generate benefits for the local economy (residents and visitors)*

People staying within the glamping units will inevitably use local services, attractions and hospitality venues as the units have limited cooking equipment. This will bring money into the local economy and help support local services that are shared by permanent residents.

*2. Protect and enhance landscape character and natural/historic environment*

Proposed additional planting will significantly improve local biodiversity as the site and the surrounding area is generally made up of grazed fields with limited ecological value. It will also enhance the character of the landscape.

*3 Scale and design appropriate to site context*

The site area can comfortably accommodate the eight units of holiday accommodation proposed with associated structures and parking while still leaving much of the south-western portion of the site clear of buildings.

*4. Locally adapted (recognising that sustainable accommodation solutions can be diverse/unique)*

The shepherd huts are rustic / agricultural in appearance being built from timber with corrugated metal roofs; the proposed tents are clearly viewed as being temporary but with level access are suitable for less able-bodied guests.

*5. Generate minimal car trips*

Sustainable tourism developments by their nature are generally located in the open countryside where use of a private motor vehicle is necessary at the very least for guests to travel from their main residence to and from the site. In this case the site itself is located approximately 3km away from the centre of Abergavenny via the B4598 on which there is a bus stop. Public Rights of Way 368/181/1 and 368/198/3 run from Llettis Way close to the proposed access to the site so that walks directly from the site are also possible.

*6. Make use of renewable energy resources (energy efficient)*

All of the existing and proposed structures are constructed using recyclable materials.

*7. Capable of being removed without leaving a permanent trace (including any associated supporting infrastructure)*

The shepherd huts are on wheels and therefore can be towed off the site once no longer required. Similarly, the bell tents can be completely removed after use. The washroom is also fully removable from the site being a timber construction on a steel frame. There are no concrete or other bases proposed as part of the application. Drainage can be disconnected.

## **6.2 Good Design / Landscape Impact**

6.2.1 Strategic Policy S13 highlights that development proposals must maintain the character and quality of the landscape by preserving local distinctiveness, sense of place and setting as well as maintain, protect and enhance the integrity and connectivity of Monmouthshire's green infrastructure network. Policy LC5 Protection and Enhancement of landscape character highlights that development will be permitted provided it would not have an unacceptable adverse effect on the special character or quality of Monmouthshire's landscape in terms of its visual, historic, geological, ecological or cultural aspects.

6.2.2 The site is located within the open countryside and within the rural settlement associated and in the vicinity of Coldbrook. The site is situated on gently elevating land at circa 80m to 90m AOD with access from the B4598 via Parc Llettis Road. The site is a small field amongst several small paddocks bounded by a lane and a few residential properties. There is a public right of way to the north of the site. The paddock is part of a larger field bounded to the far north-east and west by a hedgerow. To the far south-east is a tree-lined watercourse providing further screening of the site from wider views from this direction. Views from the south-west are limited by intervening buildings.

6.2.3 The animal shelter has a floor area of 6m x 4.5m. The proposed shower room has a floor area of 6m x 2.4m. It is a movable structure consisting of a corrugated sheet roof, timber clad walls and floor, on a steel frame with a lean-to roof with a maximum height of 2.8m.

6.2.4 The shepherd huts are typical in appearance being timber clad with a shallow curved corrugated metal roof. They have a maximum floor area of 7.4m x 2.58m and a height from the base of the wheels to the roof of 3.24m. Four bell tents are also proposed on the eastern side of the site.

6.2.5 Following initial concerns raised by the Council's Landscape and GI Officer, the applicant has provided further planting and landscape details including proposed new tree and hedge planting together with wildflower meadow and shrubs. The supporting information relating to the screening of the car park indicates 17m of new hedge planting to the boundary of Amberleigh House as a mix of hawthorn, blackthorn and hazel and new tree planting to the east of the four proposed units.

6.2.6 The landscaping and planting now proposed is considered to be broadly acceptable, but more detail is sought in terms of species and spacing. Therefore, it is suggested that any consent that Members are minded to grant should be subject to a condition requiring a detailed landscaping plan together with details of longer-term maintenance of this landscaping, including the heights of hedges. Subject to the implementation and maintenance of the proposed new planting, it is considered that the development will not adversely affect the character and appearance of the site or the wider area.

6.2.7 With regards to lighting, the description in the cover letter section 4 outlines the lighting proposals for the site. This states that it is intended to have minimal external lighting, limited to motion sensor lights at the entry of the paddock to allow visibility for entering the shepherd huts, and lighting over the hot tub to allow for safe access and maintenance. Lighting will also be provided within the washroom and above the sink. Lighting management will include motion lights to turn off approx. 1min after sensing motion, directing light downwards wherever possible, using shields and baffles to reduce light spill. The maximum bulb lighting will be restricted to 1000 lumen or less and warmer colours lower than 2700k will be used. A plan indicating the location, lighting specification and extent of lighting will be required to ensure light spill is kept to a minimum. The applicants have advised that they are content that this can be provided as a condition of approval should the application progress.

## **6.3 Impact on Amenity**

6.3.1 The nearest glamping unit to any neighbouring property is a 'luxury' shepherd hut which is sited approximately 35m to the southeast of Amberleigh House, a large detached two storey

dwelling. Views between this property and the closest glamping unit are already screened to some degree by existing planting and given the distance (well above the 21m normally considered acceptable between habitable windows of dwellings) loss of privacy is considered to be minimal. It should also be noted that the front of the huts face south and there are no windows in any other elevations. Similarly, the hot tubs are enclosed on the northern and eastern sides.

6.3.2 A new native hedgerow is also proposed to be added along the eastern boundary of the car park. Provided that the height of this hedge is kept to a maximum of 2m, this will screen views from the dwelling over the parking area while retaining the outlook from the upper floor windows. However, it should be noted that loss of a view is not a material planning consideration.

6.3.2 Due to foul drainage restrictions, each of the shepherd huts can accommodate no more than two people (or two people and two children in the eco version) and the bell tents can take up to four each. As such, the maximum number of people staying on site at any one time would be no more than 28. The shepherd huts only have one bedroom and a floor area of approximately 18.4m<sup>2</sup> meaning that they are not physically capable of accommodating any more guests. A condition requiring a register of occupiers is a standard condition used on all visitor accommodation and therefore occupancy levels can be monitored and controlled by the Local Planning Authority should Members be minded to approve the application.

6.3.3 Given the relatively small scale of the development and the seasonal nature of the accommodation, it is unlikely that the glamping use will significantly adversely affect neighbouring occupiers in terms of noise and disturbance. Although, concerns from local residents are noted, many of these relate to the behaviour of individual guests which is a management issue rather than a material planning consideration. Significant noise nuisance would be controlled by Environmental Health should it be a regular issue in the future.

6.3.4 The impact of traffic is considered below.

## **6.4 Transport**

6.4.1 The proposed glamping area and car park is located off the C24.15, a narrow country lane that predominately serves the nearby agricultural buildings and scattered residential dwellings. The C24.15 directly connects to the classified B4598. The site is located approximately 3km away from the centre of Abergavenny via the B4598 which runs within easy walking distance to the south of the site on which there is a bus stop. Public Rights of Way 368/181/1 and 368/198/3 run from Llettis Way close to the proposed access to the site so that walking routes directly from the site are also possible.

6.4.2 Notwithstanding that visitors can access local services and walks/cycling routes once at the site, as glamping sites are by their nature usually located in the open countryside, it is expected that the vast majority of visitors will arrive by private car. As such a car park with provision of 12 parking spaces together with a new access for guests is proposed at the north-eastern corner of the site. The proposed new access would be 3m wide and hard surfaced from the edge of the carriageway to the gate with 45-degree ease of access splays. The gates would be set back a minimum of 5 metres from the carriageway and open inwards. It is proposed to translocate the existing hedgerow to provide visibility splays of 2.4m x 22m. Details of how this will be done have been included in the Green Infrastructure Statement submitted as part of the application. The site parking will be surfaced with an Ecogrid grass fill installation (or similar) meaning that the area will on the whole, will retain its existing green appearance.

6.4.3 As the requirements of Section 184 of the Highways Act 1980 in relation to forming a new access must be satisfied, it is not deemed necessary to request any further technical details of the proposed access over and above what has already been submitted as a condition on any planning consent.

6.4.4 In terms of an increase in traffic using the lane as a result of the development, the Highway Authority have confirmed that they offer no objection in principle to the development. Whilst there will be a slight increase in vehicle movements to and from the application site it is accepted that

holiday lets tend to be seasonal and are not overly used on an all year-round basis, therefore vehicle trips to and from the site will be infrequent. In addition, due to the nature of the development the traffic generated is very likely to fall outside peak time AM and PM traffic flows and thus is considered not to have any detrimental impact on highway safety.

## **6.5 Biodiversity**

6.5.1 An Extended Phase 1 Habitat survey undertaken in January 2023 by Ecological Services Ltd identified habitats within the site to include species poor semi-improved grassland, hedgerow, fence and small buildings including existing shepherd huts and a washroom. It is understood that some works have already started at the site. Habitats within the site are considered to provide suitable commuting, foraging and nesting opportunities for bats, breeding birds, hedgehog, polecat, and reptiles. The habitats are also considered suitable to support common and widespread invertebrates.

6.5.2 Where surveys are over 18 months old careful consideration needs to be given to whether update surveys are required. However, due to the type of habitats present and the current management of the land, the Council's Biodiversity Officer is satisfied that an update survey is not required.

6.5.3 The walkover surveys followed standard survey guidelines as set out in Joint Nature Conservation Committee (JNCC) (2010) Handbook for Phase I Habitat Survey. A technique for environmental audit. A precautionary approach must be taken during the works with regard to reptiles, hedgehog and polecat as detailed in the ecology report. Any vegetation clearance must be undertaken outside of nesting bird season (March to August).

6.5.4 The proposal would involve the loss of a section of hedgerow to facilitate access. However, replacement hedgerow planting is proposed along other boundaries.

6.5.5 A lighting plan for the site will also be required to prevent any impacts on nocturnal species. It is therefore recommended that a condition for a lighting plan, is included on any consent should Members be minded to approve the application (see Section 6.2.7 also).

6.5.6 Planning Policy Wales (PPW) 12 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 12 respond to the Section 6 Duty of the Environment (Wales) Act 2016.

6.5.7 Enhancement measures have been suggested within the ecology report to include the provision of additional hedgerow planting or scattered tree planting which would help create diversity within the site boundary. Suitable long-term management of soft landscaping also helps ensure spaces are useful to wildlife. These measures are considered to be broadly acceptable. A site plan will need to be annotated to provide the location, positioning, and specification of the net benefit measures. This can be secured via condition should Members be minded to approve the application.

## **6.6 Green infrastructure**

6.6.1 Chapter 6 of Planning Policy Wales (PPW) 12 highlights that a Green Infrastructure (GI) statement should be submitted with all planning applications and will be proportionate to the scale and nature of the development. The statement which will need to be informed by a GI assessment of the site will describe how green infrastructure will be incorporated into the proposal and how the step wise approach to protecting biodiversity, habitats and GI onsite will be managed. A step wise approach considers what impacts may occur as a result of development activity to any identified biodiversity, habitats and green infrastructure assets and networks that may be present on or bounding a site. The approach then seeks to manage any harm that may occur by (a) avoiding (b) minimising (c) mitigation / restoration.



6.6.2 The site as existing comprises a grazed field and 40m of hedgerow but lacks any other existing green infrastructure features. A small amount of new hedge planting was originally proposed at the site entrance but there is the opportunity to provide screening as well as substantial net gain for biodiversity through new tree planting and the creation of wildflower meadows where grazing animals are not on the land. As such, these features have been added to the proposals (see 6.5 above) and can be secured by a condition and maintained in the longer term by a Landscape Management Plan.

## **6.7 Foul Drainage**

6.7.1 A public foul sewer is not available to serve the development. Therefore, non-mains foul sewage disposal solutions (private sewerage) can be considered. Foul drainage for two of the shepherd huts is proposed to the existing septic tank which discharges to ground. This system already serves the existing residential properties at the site. Foul drainage for the remaining two shepherd huts and four tents is proposed to a composting toilet.

6.7.2 Under the Habitats Regulations, where a plan or project is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, and where it is not directly connected with or necessary to the management of the site previously (designated pursuant to EU retained law) the competent authority must carry out an appropriate assessment of the implication of the plan or project in view of the site's conservation objectives. Natural Resources Wales has set new phosphate standards for the river SACs in Wales. Any proposed development within the SAC catchments that might increase the amount of phosphate within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition.

6.7.3 This application has been screened in accordance with Natural Resources Wales' interim advice for planning applications within the river Special Areas of Conservation (SACs) catchments (Version 4). There is an existing septic tank which already serves the existing residential properties at the site and is permitted by NRW. Foul drainage for the remaining two shepherd huts and all the tents is proposed to a composting toilet. The type of compost toilet proposed would separate solids from liquids with solids being composted, and liquid being stored in a holding tank which will be periodically removed by a waste effluent removal company. Consequently, NRW and the Council's Biodiversity Officer are satisfied that the development is unlikely to increase the amount of phosphorus entering the catchment.

## **6.8 Response to the Representations of Third Parties and/or Community Council**

6.8.1 Proposals for glamping are considered on their individual planning merits. As such, consenting this application will not set a precedent for other similar development in the local area.

6.8.2 Reference has been made to a previous application (DM/2020/01678) that granted change of use of 2 no. holiday lets to a single dwelling house. The applicant in that case provided that the maximum reported occupancy rate at Swallows Nest was 16% in 2019 and 20% during 2020 which showed a lack of demand for tourism. In this regard it is worth noting that Swallows Nest offered traditional holiday cottage accommodation while this application provides a different experience. The UK glamping market has seen substantial growth over the past few years and is projected to continue to grow, reflecting a strong demand for this type of alternative accommodation. Should the business fail, then the structures would be removed and the land returned to its former state. This has been included as a condition should Members be minded to approve the application.

6.8.3 The hot tub water is to be recycled onto appropriate foliage after allowing at least 3 days for chlorine to dissipate.

6.8.4 The potential reduction in the value of private property is not material to the determination of planning applications and therefore cannot be considered.

6.8.5 Other matters raised by third parties have been addressed elsewhere above in this report.

## **6.9 Well-Being of Future Generations (Wales) Act 2015**

6.9.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **6.10 Conclusion**

6.10.1 The proposed glamping development is considered to be an acceptable form of sustainable tourism as supported by LDP Policy S11 and the Council's adopted SPG.

6.10.2 The amount of traffic generated by the development is considered not to have any detrimental impact on highway safety.

6.10.3 New hedge planting will screen the car park from the neighbouring dwelling Amberleigh House with other views restricted due to the distance between neighbouring properties and the glamping units.

6.10.4 Numbers of visitors at any one time are limited by the scale of the accommodation and the foul drainage arrangements. Anti-social behaviour is a matter of management of the site and is outside the remit of this planning application.

6.10.5 The proposed development will not harm any protected species or the River Usk SAC.

## **7.0 RECOMMENDATION: APPROVE**

### **Conditions:**

1 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

2 Within 3 months of the date of this decision a detailed plan of proposed biodiversity enhancement illustrating "net benefit features" to include habitat enhancements as detailed in "Preliminary Ecological Assessment - Swallows Nest by Ecological Services Ltd, dated February 2023" identifying location, positioning and specification shall be provided. The scheme shall provide for the future management and an implementation timetable and shall be submitted to and approved in writing by the Local Planning Authority. Further development shall only proceed in accordance with the approved plans and shall be retained as such thereafter.

REASON: To provide biodiversity net benefit and ensure compliance with PPW 11, the Environment (Wales) Act 2016 and LDP policy NE1.

3 The development shall be carried out in strict accordance with the methods detailed in Section 4 (Recommendations and Mitigation) of the approved 'Preliminary Ecological Assessment - Swallows Nest by Ecological Services Ltd, dated February 2023'. Evidence of compliance with the plans in the form of georeferenced photographs must be provided to the LPA no more than three months later than the first beneficial use of the extension.

REASON: To ensure adequate safeguards for species of principle importance for conservation and to ensure compliance with LDP policy NE1.

4 Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be installed on the building or in the curtilage until an appropriate lighting plan which includes low level PIR lighting, provides detail of lighting type, positioning and specification, and ensures that roosting and foraging/commuting habitat for bats is protected from light spill, has been agreed in writing with the Local Planning Authority.

REASON: To safeguard foraging/commuting habitat of Species of Conservation Concern in accordance with Section 6 of the Environment Act (Wales) 2016 and LDP policies EP3 and NE1.

5 Within 3 months of the date of this decision full and comprehensive details of soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- Detailed scaled plans, showing proposed car park existing, proposed levels and cross sections
- Proposed and existing utilities/services above and below ground.
- Soft landscape details for landscaping to include planting plans, specifications including species, size, density, number and location, cultivation, translocation and other operations associated with planting and seeding establishment.
- Hard landscape materials to include surfacing, SUDs, fencing, gates, minor artefacts and structures (e.g. signs, bins, stores).
- A timetable for its implementation.

REASON: In the interests of visual and landscape amenity; in accordance with Policies DES1 & LC1/5 of the Local Development Plan.

6 All hard and soft landscape works shall be carried out in accordance with the approved details (including the approved timetable) and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. Planting of Trees shall be in accordance with BS8545:2014 Trees: from nursery to independence in the landscape. The works shall be carried out prior in the first planting season following the date of this consent.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and ensure the provision afforded by appropriate Landscape Design and Green Infrastructure LC5, DES 1, S13, and GI 1 and NE1.

7 Within 3 months of this consent, a schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority and shall include details of the arrangements for its implementation inclusive of roles and responsibilities. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and ensure the provision afforded by appropriate Landscape Design and Green Infrastructure LC5, DES 1, S13, and GI 1 and NE1.

8 There shall be no more than 4 shepherd huts and 4 bell tents and no other means of accommodation on the site at any one time. The development hereby permitted shall not be replaced by any other structure(s) or accommodation differing from the approved details, unless and until details of the size, design and colour of such replacements have first been approved in writing by the Local Planning Authority.

REASON: To safeguard the landscape amenities of the area and to ensure compliance with the approved plans and to comply with Policy S11 of the LDP and to ensure no adverse impact on the River Usk SAC in accordance with LDP Policy NE1.

9 The access and car parking area shall be completed in accordance with the details shown in drawing no. Doc 10.0 *Access to site plan*, within 6 months of the date of this decision and retained for as long as the development remains in existence.

REASON: In the interests of highway safety, in accordance with LDP Policy MV1.

10 In the event that the development hereby approved ceases to trade, the glamping units and all associated structures shall be removed from the site and the land restored to its former condition within 3 months of closure of the business.

REASON: To safeguard the visual amenity of the area in accordance with LDP policies LC1, LC5 and DES1.

11 The development shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence or by any persons exceeding a period of 28 days in any calendar year

REASON: The provision of permanent residential accommodation would not be acceptable in the open countryside.

12 An up to date register containing details of the names, main home address, dates of arrival and departure of occupants using the holiday accommodation shall be made available for inspection by the Local Planning Authority upon request.

REASON: To ensure the accommodation is used as holiday let accommodation only.

## **INFORMATIVES**

1 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

2 Please note that Bats are protected under The Conservation of Habitats and Species (Amendment) Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately. Natural Resources Wales (NRW) (0300 065 3000).

3 All birds are protected by the Wildlife and Countryside Act 1981. The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most birds is between March and September.

4 Please note that all reptiles are protected by the Wildlife and Countryside Act 1981 (as amended). It is illegal to intentionally kill or injure Adder, Common lizard, Grass snake or Slow worm. If reptiles are found at any time during clearance or construction, all works should cease and an appropriately experienced ecologist must be contacted immediately

5 It should be brought to the attention of the applicant that in the event of a new or altered vehicular access being formed, the requirements of Section 184 of the Highways Act 1980 must be acknowledged and satisfied. In this respect the applicant shall apply for permission pursuant to Section 184 of the Highways Act 1980 prior to commencement of access works via MCC Highways.



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**Application Number:** DM/2024/01294

**Proposal:** The retention of retaining wall and terrace/patio (as built) and change of use of agricultural land to residential curtilage

**Address:** Ty'r Berllan, Llangwm To Nantygelli Farm, Llangwm, Monmouthshire, NP15 1HB

**Applicant:** Mr Gavin Gerrish

**Plans:** All Drawings/Plans PP01 A - , All Existing Plans 1727 - , Drainage DRAINAGE STATEMENT - , 'Existing and Proposed Site Block Plan' by Griffiths Design. Green Infrastructure Statement & Landscaping Plan

**RECOMMENDATION: APPROVE**

Case Officer: Ms Kate Bingham  
Date Valid: 17.10.2024

**This application is presented to Planning Committee due to five or more objections being received**

**1.0 APPLICATION DETAILS**

1.1 Site Description

This application relates to a dwelling known as Ty'r Berllan which lies in a rural location to the east of the village of Llangwm 5 miles south of Usk.

The site is not within a flood plain nor is it within a Conservation Area or an AONB. It is however located within the Nutrient Sensitive Catchment Area of the River Usk Special Area of Conservation (SAC).

1.2 Value Added

Description of development changed to include works to a patio and retaining wall and additional surface water drainage details provided.

1.3 Proposal Description

This retrospective planning application is for a change of use of 360sqm of agricultural land to residential curtilage associated with Ty'r Berllan together with the retention of a patio and retaining wall which have not been built in accordance with previous approval reference DM/2023/00795.

The new extended garden curtilage is to be enclosed with a post and rail fence to denote the boundary between residential curtilage and agricultural land. The land will remain as grass with the remaining land retained for agricultural purposes.

**2.0 RELEVANT PLANNING HISTORY (if any)**

Reference Number	Description	Decision	Decision Date
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DM/2020/01504	Demolition of existing single storey side extension replaced with proposed two storey side extension.	Approved	09.03.2021
DM/2022/01237	Non Material Amendment to planning decision DM/2020/01504: 1). To include a small Dormer where the original Velux window was situated. 2). To square off the ground floor plan at the rear of the property.	Approved	04.10.2022
DM/2023/00795	The proposal involves the building of a retaining wall at the rear of the property to allow a level surface for safe access into and out of the house. The level surface will contain a small patio area and the rest will be grassed as per the submitted drawings. There will be steps built at the back to allow a safe point of access. Railings will be installed around the perimeter, on top of the wall to ensure area is safe and secure.	Approved	20.09.2023
DC/2012/00518	Breach of condition 5 of planning permission A31210 (Certificate of Lawfulness to demonstrate failure to comply with an agricultural occupancy condition)	Approved	24.08.2012
DC/2014/01163	Removal of condition 5 from previous application ref A26974	Approved	23.06.2015
M07244	New Double Garage.	Approved	18.07.2002
31210	New Agricultural Dwelling.	Approved	14.08.1989

### **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

#### **Strategic Policies**

S12 LDP Efficient Resource Use and Flood Risk

S13 LDP Landscape, Green Infrastructure and the Natural Environment

S17 LDP Place Making and Design

#### **Development Management Policies**



DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
SD4 LDP Sustainable Drainage  
NE1 LDP Nature Conservation and Development  
GI1 LDP Green Infrastructure  
LC5 LDP Protection and Enhancement of Landscape Character

## **4.0 NATIONAL PLANNING POLICY**

### **Future Wales - the national plan 2040**

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

### **Planning Policy Wales (PPW) Edition 12**

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

## **5.0 REPRESENTATIONS**

### 5.1 Consultation Replies

**Llangwm Community Council** – No comments received to date.

**MCC Biodiversity** - No objections subject to condition securing net gain for biodiversity.

**MCC SAB** - No objection. Development will require SAB Consent.

The application has demonstrated that discharge of surface water to infiltration trenches is viable. In order to ensure surface water does not leave the site down the steep slope to neighbouring properties, it should be ensured that all weep holes from the retaining wall are picked up by the proposed pipe and trench drainage strategy. Furthermore, hedge planting to the boundary should provide a buffer to any overland flows and could be supplemented by rough sedges/grasses. (include as an Informative on any consent)

**MCC Lead Local Flood Authority** - No objection.

Flood risk maps provided by Natural Resources Wales do not indicate the site to be at particular risk of flooding. Our database of historic flood events does contain records of surface water flooding in close proximity to the site which could be exacerbated by development in this location. The proposed drainage strategy will mitigate against any potential issues. Our database of drainage and flood assets does not contain records of drainage or flood assets in close proximity to the site which may be impacted by the development.

**MCC Building Control** - Confirm that Building Control would have no objections to this work and as external works, it would not require an application for building regulation approval.

I would make the suggestion that the newly formed raised area should be subject to some protection from a fall to the lower ground. It is clearly over the height of 600mm, at which protection from a fall would be advised. The retaining wall would need to be deemed a suitable construction to retain the ground and also would need to incorporate a suitable method of surface water disposal. Also I would comment that the steps should be well designed with equal and suitable rise and tread and the incorporation of a handrail would be sensible.

**MCC Heritage** – No comments received to date.

**SEWBRc Search Results** - No significant ecological record identified.

## 5.2 Neighbour Notification

Nine representations received objecting to the application on the following grounds:

### *Surface Water*

- We are highly concerned to understand what SUDS actions are required for this development and whether it has been properly and correctly assessed against SUDS requirements.
- The consequences of drainage and potential pollution from this development, both now and in the future as the development continues to expand, is not apparent from the documentation and may not be apparent to the Planning Committee without their diligent scrutiny of the scheme in its entirety.
- The application should be accompanied by the relevant SuDS and Building Regulations evidence necessary to demonstrate that it will not cause either nuisance or environmental harm either to the neighbouring property or to the stream that passes close to my property at Geryllan.
- There are three septic tanks affected by the run-off i.e. Ty'r Berllan, Owls Barn and Pwll. Concerned that the surface water run-off will result in pollution of the adjacent ground and also the water courses which run through Pwll Farm.
- The consequences of drainage and potential pollution from this development, both now and in the future as the development continues to expand, is not apparent from the documentation and may not be apparent to the Planning Committee without their diligent scrutiny of the scheme in its entirety.
- Concern that the Hydrogeo Assessment is silent on impacts on existing infrastructure in Ty'r Berllan. In particular, the detailed Building Regulation drawings (by CMB Design & Build Ltd.) for the Ty'r Berllan house extension approved under DM/2022/01237 gave no details as to where the roof rainwater was to be disposed of, and no details as to the sewer pipe to the septic tank.
- The layout of the existing pipe network should be included in Hydrogeo's Assessment, together with details of where the existing soakaways/drainage fields are, and details of how the retaining wall has been constructed so as not to damage the pipes. A water supply pipe traverses the Ty'r Berllan field, and there is a former well/spring in the field; the Hydrogeo Assessment needs to state how the new rainwater drain will interact with the existing infrastructure.

### *Visual Impact*

- Spoils the view of the lovely old Pwll Farm - now overlooked and spoilt.
- The new house at Ty'r Berllan is already far too large. Adding a huge terrace will further damage our beautiful countryside.
- Loss of agricultural land is always a concern.
- The scale of the new patio and the combined run-off of surface water from it and the drive directed towards Pwll Farm is significant.
- I am not in agreement for the retaining wall and its change of use of 360sqm of agricultural land to residential curtilage.
- We are very concerned that the continuous development of this property, without the openness to planning intentions, has been shrouded in obfuscation.

Four representations received in support of the application:

- The planning application needs to be put into perspective, it's a small patio and raised grass area at the back of the property. When the planned hedgerows have been planted there will be a large biodiversity enhancement and full natural screening provided to the neighbouring properties.
- Significant surface water run-off from the small patio/raised grass area hasn't been backed up with any significant evidence.
- It's great to see a family trying to improve, modernise and reduce the environmental footprint of their property.
- There is no clear evidence of any large surface water run-off. The soil in and around the area of Llangwm is designated free draining.
- The retaining wall is very small in scale when comparing it to others in the area. Due to the topology of the land, retaining walls are very common in and around Llangwm to create a level and safe access into the properties.
- I anticipate there are far bigger polluters than a small family home with a new small, raised patio/grass area.
- Changing a small area of agricultural land into residential, including the planting of hedgerows, will be a positive change and enhance the ecological footprint of Ty'r Berllan.
- It would be dangerous not to have a patio at the back of this property due to the fall of the land.
- Building regulations state you require a landing after an entrance before a ramp or stairs. This patio is in proportion to the house and its extension, it is the obvious solution to complete this build.
- Comments suggesting privacy will be lost are relevant, but this works both ways, and a solution has already been mentioned, so I feel this has no bearing on the decision.
- It is a short term issue for a long term structure, if we always used factors like this to make decisions nothing would ever progress.
- Suggestions of the water ways being polluted from this patio are very inaccurate, this will not be the case.
- One look on digital maps will show you the main potential source of water pollution at this location would be farm effluent, which I'm sure is already closely monitored and would still not be a concern with the large run off area the water has.
- There is no evidence that Ty'r Berllan's patio will cause any environmental issues to the brook below as run off rain water will soak away in the field as it already does now.
- The retaining wall and patio is in proportion to the much improved house and once a hedge has been planted there will be privacy from neighbouring properties.
- The request to approve a patio and retaining wall to complete the renovation project is not unreasonable.

### 5.3 Other Representations

None.

### 5.4 Local Member Representations

County Councillor – No comments received to date.

## **6.0 EVALUATION**

### **6.1 Principle of Development**

6.1.1 The site is not within any settlement and is therefore considered to be open countryside. The proposed extension to a residential curtilage and works undertaken to create a patio and retaining wall are acceptable in principle subject to detailed planning considerations seeking to protect the landscape, residential amenity and biodiversity and the provision of suitable surface water drainage.

## **6.2 Good Design/ Place making**

6.2.1 The proposal seeks to regularise a level patio and grassed area. The approved patio projected 5m from the rear elevation of the dwelling. This has been extended to 6.2m (as scaled from the submitted drawing) curving and returning to the property side elevations. The patio will extend into curtilage land that falls away from the house requiring a retaining wall to create a level surface. The wall is 1.4m in height extending the length of the rear of the property and wrapping along the south-eastern (side) elevation. The retaining wall is to be of rendered block to match the dwelling. The retaining wall would include steps to access land aligned with the rear door to the property and a low parapet railing fence, scaled on plan, at 0.4m. The proposed garden area then extends a further 4.2m.

6.1.3 Ty'r Berllan is a domestic two storey modern dwelling, therefore in this context a patio (which is a domestic feature) and garden area is considered to be in keeping with the site. The size of the patio and garden are considered proportionate to the dwelling. A post and rail fence will be erected to separate the garden area from the adjacent agricultural land. This type of enclosure is typically used to retain stock and is appropriate in this rural setting.

6.1.2 On the basis of the above, it is considered that the development will not have an adverse impact on the valued Monmouthshire landscape at a localised and wider scale. The scale of development in the context of the property and land holding is not disproportionate and is considered to adhere with the relevant criteria of policies DES1, H6 and EP1.

## **6.2 Historic Environment**

6.2.1 There is a nearby listed building, Pwll Farm (CADW ref - 24121) which is located approximately 40m to the east of Ty'r Berllan. There is a dwelling that sits between Pwll Farm and Ty'r Berllan, and given this context it is not considered that the works proposed would lead to adverse impacts on this listed building or its setting.

## **6.3 Impact on Residential Amenity**

6.3.1 Existing neighbouring dwellings known as Owl Barn and Pwll Farm lie to the west of the application site. It is noted that patio area may provide elevated views across adjacent properties however these views are not considered to cause an impact that is unacceptable due to the existing topography of the land. Ty'r Berllan is set at a higher level than the dwellings to the south-east and as such there is already a degree of overlooking. The patio will not significantly increase this.

6.3.2 It should also be noted that the applicant has indicated additional planting to the south-eastern boundary which will lessen any overlooking impact. As suggested on behalf of a neighbouring occupier, it would be reasonable to include a condition on any planning approval that Members are minded to grant, such that the area covered by paving cannot be increased, and that the boundary hedge will be maintained at a 3 metre height; less than this would not prevent overlooking of Pwll Farm from the terrace, and more than this might be overbearing for the occupants of Owl Barn.

6.3.3 On the basis of the above, the proposal is considered to comply with policies DES1 and EP1.

## **6.4 Access / Highway Safety**

6.4.1 There are no highway implications as a result of this change of use. There will be no loss of parking as a result of the change of use.

## **6.5 Green Infrastructure**

6.5.1 Chapter 6 of Planning Policy Wales (PPW) 12 highlights that a Green Infrastructure (GI) statement should be submitted with all planning applications and will be proportionate to the scale and nature of the development. The statement which will need to be informed by a GI assessment of the site will describe how green infrastructure will be incorporated into the proposal and how the step wise approach to protecting biodiversity, habitats and GI onsite will be managed. A step wise approach considers what impacts may occur as a result of development activity to any identified biodiversity, habitats and green infrastructure assets and networks that may be present on or bounding a site. The approach then seeks to manage any harm that may occur by (a) avoiding (b) minimising (c) mitigation / restoration.

6.5.2 The GI Statement submitted as part of the application provides that the land to be used as garden will remain under grass, and will undergo regular mowing to keep the sward height low. The agricultural land to the north is also within the applicant's ownership and will be retained for agricultural purposes. New hedging will be planted on the south-eastern boundary, the eastern corner and the northern corner of the site.

6.5.3 It is considered that impacts of the development on the GI assets will be minimal and new hedge planting will result in an overall enhancement of GI at the site. The development therefore accords with PPW12 and LDP Policy GI1.

## **6.6 Biodiversity**

6.6.1 The existing agricultural land comprises short semi-improved grassland considered unlikely to offer more than low biodiversity value. After the change of use, the garden will be retained as grassland managed as part of the residential curtilage of the site.

6.6.2 Planning Policy Wales (PPW) 12 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 12 respond to the Section 6 Duty of the Environment (Wales) Act 2016.

6.6.3 It is proposed that native hedgerow planting is undertaken on the south-eastern boundary and the northern/ eastern corners of the site. The submitted Green Infrastructure Statement details acceptable management of the hedgerow. The 'Existing and Proposed Site Block Plan' by Griffiths Design also details the provision of bat and bird boxes on site. These can be secured via condition should Members be minded to approve the application. Therefore it is agreed that the proposals will provide an overall net benefit for biodiversity in line with PPW 12.

6.6.4 Under the Habitats Regulations, where a plan or project is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, and where it is not directly connected with or necessary to the management of the site, the competent authority must carry out an appropriate assessment of the implication of the plan or project in view of the site's conservation objectives. Natural Resources Wales has set new nutrient standards for the river SACs in Wales. Any proposed development within the SAC catchments that might increase the amount of nutrient within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition.

6.6.5 This application has been screened in accordance with Natural Resources Wales' advice for planning applications within the river Special Areas of Conservation (SACs) catchments (v4 issued 28th June 2024). It is considered that this development is unlikely to increase nutrient inputs because the development does not increase the volume and concentration of nutrients in wastewater.

## **6.7 Surface Water Drainage**

6.7.1 The total development area is over 100m<sup>2</sup> so SAB consent will be required. However, the surface water drainage of the patio area still needs to be demonstrated to not increase flood risk to

neighbouring properties at the planning application stage. As such a Drainage Strategy has been prepared by consultants, Hydgeo, in support of the application.

6.7.2 Hydgeo attended the site on the 24th February 2025 to undertake soakaway testing in accordance with BRE Digest 365 guidance. Taking the slowest of the design infiltration rates, attenuation calculations have been undertaken for the only impermeable contributing area proposed as part of the development at the retaining wall to the rear of the dwelling: 68m<sup>2</sup>.

6.7.3 Two linked shallow parallel infiltration trenches are proposed to be installed perpendicular to the slope of the land, to the north of the dwelling. Runoff from the proposed patio and steps will be collected in slot drains / threshold drains and conveyed to the two infiltration trenches in a pipe network. The two infiltration trenches will then be linked by a pipe and water will be dispersed through each trench by a perforated pipe.

6.7.4 Attenuation calculations indicate that sufficient storage has been provided for a 1 in 100 year rainfall event, including 40% climate change and 10% urban creep. The half drain down time for each trench is 671 minutes. The Council's Drainage Engineers have confirmed that the application has demonstrated that discharge of surface water to infiltration trenches is viable.

6.7.5 In order to ensure surface water does not leave the site down the steep slope to neighbouring properties, it should be ensured that all weep holes from the retaining wall are picked up by the proposed pipe and trench drainage strategy. Hedge planting to the boundary will provide a buffer to any overland flows and could be supplemented by rough sedges/grasses. These details can be secured as part of the SAB consent.

## **6.8 Response to the Representations of Third Parties and/or Community/Town Council**

6.8.1 It has been noted that the detailed Building Regulation drawings (by CMB Design & Build Ltd.) for the Ty'r Berllan house extension approved under DM/2022/01237 gave no details as to where the roof rainwater was to be disposed of, and no details as to the sewer pipe to the septic tank. The existing extension is not part of this planning application and therefore it would be unreasonable to require these details to be provided at this stage.

6.8.2 Other concerns regarding surface water drainage and visual impact have been addressed above in this report.

## **6.8 Well-Being of Future Generations (Wales) Act 2015**

6.8.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **6.9 Conclusion**

6.9.1 The change of use will not adversely affect the character of the rural area, nearby heritage assets, or the local landscape.

6.9.2 The proposal includes new hedge planting, which will enhance biodiversity and provide natural screening.

6.9.3 The Council's Drainage Engineers have confirmed that the application has demonstrated that discharge of surface water to infiltration trenches is viable. As such, the development will not adversely affect the amenity of any neighbouring occupiers as a result of increased risk of run-off flooding.

## **7.0 RECOMMENDATION: APPROVE**

### **Conditions:**

1 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

2 The hedge along the southeastern boundary shall be maintained at a height of 3m in perpetuity.

REASON: In the interests of residential amenity, in accordance with LDP Policy EP1.

3 The mitigation and enhancements for biodiversity shown on approved drwg 'Existing and Proposed Site Block Plan' by Griffiths Design shall be provided in full within 3 months of the date of this decision and shall be maintained as such thereafter.

Evidence of compliance with the plan in the form of georeferenced photographs must be provided to the Local Planning Authority no more than three months later than the first beneficial use of the development.

REASON: In the interests of the ecological and biodiversity value of the site and to ensure compliance with PPW 12, the Environment (Wales) Act 2016 and LDP policies S13, and NE1.

4 Notwithstanding the provisions of Article 3, Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development)(Amendment)(Wales) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no fence, wall or other means of enclosure other than any approved under this permission shall be erected or placed without the prior written approval of the Local Planning Authority.

REASON: In the interests of visual amenity and to safeguard the appearance of the area and to ensure compliance with LDP Policy DES1.

5 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes E & F of the Town and Country Planning (General Permitted Development)(Amendment)(Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) no outbuildings shall be erected and no hard surfaces shall be provided.

REASON: In the interests of visual amenity and to safeguard the appearance of the area and to ensure compliance with LDP Policy DES1..

### **INFORMATIVES**

1 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

2 As of 7th January 2019, all construction work in Wales with drainage implications, of 100m<sup>2</sup> or more, is now required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water (whether they require planning permission or not). These SuDS must be designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage.

The SuDS Approving Body (SAB) is a service delivered by the Local Authority to ensure that drainage proposals for all new developments of at least 2 properties OR over 100m<sup>2</sup> of construction area are fit for purpose, designed and built in accordance with the National Standards for Sustainable Drainage published by Welsh Ministers.

If you are in any doubt as to whether you require SAB approval, please contact:

For advice regarding the application process and general enquiries - 01495 768306

For technical advice regarding your SuDS design and meeting the National Standards - 01633 644730

3 The application has demonstrated that discharge of surface water to infiltration trenches is viable. In order to ensure surface water does not leave the site down the steep slope to neighbouring properties, it should be ensured that all weep holes from the retaining wall are picked up by the proposed pipe and trench drainage strategy. Furthermore, hedge planting to the boundary should provide a buffer to any overland flows and could be supplemented by rough sedges/grasses.



**Application** DM/2025/00106  
**Number:**

**Proposal:** Modification of conditions 6 (change of use to allow meetings and training sessions) and 7 (change start time from 9am to 8 am) on consent DC/2012/00317.  
**Conditions(s) Modified:**

**Section 6.** DCWW would like to be able to use the meeting room to hold internal and external meetings and training sessions without the need to be water sports related.

**Section 7.** DCWW would like to be able to use from 8am.

**Section 6.** Meeting room to be used for meetings, interviewing and training sessions. No music or alcohol.

**Section 7.** Meeting room to be used between the hours of 08:00 and 21:00

**Address:** Llandegfedd Reservoir Parc Road Coed Y Paen Monmouthshire NP4 0SY

**Applicant:** Mr Jonathan Davies (DC-WW)

**Plans:** Location Plan

**RECOMMENDATION:** Approve

**Case Officer:** Kate Bingham  
**Date Valid:** 28.01.2025

**This application is presented to Planning Committee due to the number of objections and at the request of the Local Member**

## **1.0 APPLICATION DETAILS**

### **1.1 Site Description**

This application relates to the existing watersport Centre at Llandegveth Reservoir.

### **1.2 Proposal Description**

The application seeks to modify two conditions from extant application ref: DC/2012/00317, that being the original planning consent for the watersport building.

As the wording of the proposed modified conditions was not included on the Application Form, the wording has been subsequently agreed with the Applicant. It is proposed to modify conditions 6 and 7 as follows:

Condition 6 (as approved) - The premises shall be used solely in association with the operation of the watersport facilities at the site. For the avoidance of doubt the building shall not be available as a licensed premises for use by the general public.

*Reason ~ To ensure that no alternative use is made of the premises which is likely to be a nuisance to local residents.*

Condition 6 (as suggested) - The premises shall be used solely in connection with the operation of the watersport facilities at the site and by Dŵr Cymru Welsh Water (DCWW) for internal meetings, staff training, and external business meetings. For the avoidance of doubt, the building shall not be available as a licensed premises for use by the general public.

*Reason - To ensure that no alternative use is made of the premises which is likely to be a nuisance to local residents, in accordance with LDP Policies DES1 and EP1.*

Condition 7 (as approved) - The premises shall not be used for the approved purposes outside the times of 9.00am to 9.00pm.

*Reason ~ In the interests of nature conservation and residential amenity.*

Condition 7 (as suggested) - The premises shall not be used for the approved purposes outside the times of 8.00am to 9.00pm.

*Reason - In the interests of nature conservation and residential amenity, in accordance with LDP Policies DES1, EP1 and NE1.*

The applicant has confirmed that any meetings or training would be for DCWW staff and invited attendees only. The meeting room itself is of a scale that has a capacity of no more than around 40 persons.

The only change to the hours of operations proposed is an additional hour in the morning (from 9am to 8am). No other changes to the hours of operation are proposed including beyond the existing 9pm cut-off. The reason the use was originally allowed until 9pm was to accommodate the sailing club in the summer months. DCWW have advised that meetings and training are unlikely to be undertaken outside normal business hours (8am - 6pm).

The reasons for the conditions have been updated to include reference to local development plan policies in accordance with best practice.

## **2.0 RELEVANT PLANNING HISTORY (if any)**

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2018/00718	DCWW wish to provide a shed for use by the Angling Club to store equipment and to act as a weighing station during competitions.	Approved	25.06.2018
DM/2020/00035	Removal of condition 6 and to vary condition 7 (to extend opening hours to 6:00am to 00:00am) relating to planning application DC/2012/00317.	Withdrawn	18.06.2020
DM/2020/00036	Modification of condition no. 7 of planning permission DC/2012/00442 (hours of operation).	Withdrawn	18.06.2020

DM/2020/00762	Full planning application for the change of use of the visitor centre at Llandegfedd, to allow the building to be used for meetings, functions and events and to extend the opening hours approved under planning permission DC/2012/00442.	Withdrawn	14.03.2023
DM/2020/00763	Full planning application for the change of use of the water sports facility at Llandegfedd to allow the building to be used for meetings, functions and events and to extend the opening hours approved under planning permission DC/2012/00317	Withdrawn	14.03.2023
DM/2022/00063	<p>The proposed development involves:</p> <p>Draw-Off Tower:</p> <ul style="list-style-type: none"> <li>- Install 3no. 700mm diameter cores through the outer wall of the existing draw-off tower.</li> <li>- Install 2no. reservoir specification valves on the outside of each core (6no. total). Install a trash screen at the end of each arrangement (3no. total). Install metalwork to support each arrangement.</li> <li>- Install 3no. steel security cages to surround the valve controls on the valve tower walkway. 2.4m (high) x 2.0m (wide) x 1.6m (long).</li> <li>- Install CCTV cameras to monitor area.</li> </ul> <p>Scour and Overflow Tunnel:</p> <ul style="list-style-type: none"> <li>- Remove the bulkhead gate, butterfly valve and 900mm diameter pipework which extends from underneath the dam crest to the end of the tail bay.</li> <li>- Reinstall re-configured security gate at tunnel entrance.</li> <li>- Tree / Vegetation clearance to facilitate temporary access track.</li> <li>- Install temporary stone access track to tail bay for pipe work removal.</li> <li>- Install post and rail fencing around tail bay.</li> <li>- Install bat compensatory habitat.</li> </ul>	Approved	11.04.2022

DM/2024/00588	Wooden Celtic roundhouse (7m in diameter and 4.5m in height) on an area of mounded earth with disabled access pathway leading from the adjacent water sports over flow car park.	Approved	23.01.2025
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### **3.0 LOCAL DEVELOPMENT PLAN POLICY**

#### **Strategic Policies**

S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S17 LDP Place Making and Design

#### **Development Management Policies**

EP1 LDP Amenity and Environmental Protection  
NE1 LDP Nature Conservation and Development

### **4.0 NATIONAL PLANNING POLICY**

#### **Future Wales - the national plan 2040**

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

#### **Planning Policy Wales (PPW) Edition 12**

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

### **5.0 REPRESENTATIONS**

#### **5.1 Consultation Replies**

**Llangybi Fawr Community Council** - We are of the view that this application, to vary the conditions imposed on DC/2012/00317 (Water Sports Centre), is both confusing and lacking

in detail. Councillors are concerned that the wording in the title on the planning portal differs significantly from that in the application form and both are vague in the extreme. It is important that, as a council, we know exactly what the proposed changed conditions are for us to be able to sensibly comment on them.

In the title, it says "We" would like to use the meeting room for "internal and external meetings and training". It is not clear what they mean by "external meetings"? Does "we" actually extend to outside bodies, i.e., the public at large. If this is the case this should be made clear.

When granting the original application, the planning authority considered it necessary to impose the restrictions set on in conditions 6 and 7 to control the amount of disturbance. The original conditions were well considered so we do not understand what has changed to justify relaxing them. There is no acknowledgement that this is an SSSI and that this requested relaxation of the conditions may cause significant disturbance to over-wintering birds with night-time use of the centre. We consider that this needs to be taken into consideration.

**Torfaen County Borough Council** - No objections.

Torfaen County Borough Council Ecologist - Raised the following concerns:  
The proposed changes for the meeting room to be used between the hours of 8am-9pm. The previous permission granted under DC/2012/00317 stressed under condition 9 that internal and external lighting should be minimised to avoid any light spill onto adjacent habitats - specifically, to be implemented and maintained in perpetuity.

Has there been any justification or reasoning for requesting a later opening time? I appreciate that it has been stated that this will not include any music or alcohol, however, I have concerns that should the hours extend late into the evening, during the winter months particularly, there will be a requirement to provide lighting to enable users to safely enter and exit the building. This additional lighting and activity/disturbance would go against what was previously agreed and likely to have a direct impact to biodiversity and ecological interests on site (SSSI), particularly during the protected overwintering periods (October 1st - March 1st) when extra care should be taken to avoid additional disturbance.

Internal and external meetings and training sessions - again, if there is an extension of opening hours late into the evening, as a result there will be opportunities for meetings and training sessions to take place at this time of night. What sort of activities/meetings/training will be undertaken at this hour and what will the implications of this be?  
Noise/disturbance/light spill etc.

At this point I do not think that sufficient information has been provided and further clarity is needed in order to appropriately assess if the proposals are acceptable or not in terms of potential impacts to ecology in this sensitive SSSI habitat. Any changes should reflect a consideration for what was previously agreed under DC/2012/00317. It is essential to demonstrate through the planning process that the step-wise approach outlined in PPW12 Chapter 6 has been implemented (please refer to section 6.4.21 for detailed information). Of which avoidance is always the point at which to start in order to avoid any ecological impacts. If this cannot be demonstrated sufficiently, then as outlined it should lead to refusal.

**Natural Resources Wales (NRW)** - We have no objection to the proposed variation of condition as submitted and provide the following advice.

Variation of Condition 6 - We note from the application forms that the applicant wishes to alter condition 6 to include use of meeting rooms for internal and external meetings and

training sessions. We understand that this use would not include music or alcohol. We therefore have no objection to this variation but would advise that the following wording is retained as part of condition 6: 'For the avoidance of doubt the building shall not be available as a licensed premises for use by the general public'.

Variation of Condition 7 - We note from the application forms that the applicant wishes to alter the timings of condition 7 from '09:00 - 21:00' to '08:00 - 21:00'. We have no objection to this variation.

**MCC Biodiversity** - The condition wording is deemed to be appropriate as it confirms that the only change will be altering the opening time of the meeting room from 9am to 8am. It is also confirmed within the new condition wording that the building shall be only used for meeting purposes and not events. Whilst there may be a small amount of additional lighting caused by arriving vehicles around the very darkest period of winter when sunrise occurs around 8am, it is considered extremely unlikely that this would impact features of the SSSI. Any roosting swans or geese will typically depart the roost at first light as they return to foraging grounds.

**SEWBRc Search Results** - Llandegveth SSSI.

## 5.2 Neighbour Notification

Forty-five local residents consulted. Six representations received objecting on the following grounds:

- Those conditions were made for good reason - to protect the SSSI site, the Special Character of the area and to ensure that the Water Sports Centre was used solely for that purpose and not as commercial premises.
- Despite the Applicant being fully aware of those conditions they proceeded to build the Centre but since that time have repeatedly sort to have them removed.
- What sort of meetings do they propose? The word is too ambiguous and does not demonstrate the true intended use.
- It is advised in respect of the removal of condition 7 that there will be no music or alcohol but this is not mentioned in respect of the amendment requested to condition 6.
- If this application is granted does DCWW intend to make a similar application in respect of the Visitors Centre on the back of it?
- This new application gives no strong arguments to lift these conditions.
- This matter was duly considered in 2012 and is correctly restricted.
- This is a betrayal of the facility's design, permissions and grant funding to promote Water sports in Wales.
- This application to remove the carefully applied restrictions jeopardise the special character of the lake and its surroundings.
- There is insufficient detail to the application. For example, regarding 'No alcohol, no music', there is no guarantee that this would/could be enforced in the future.
- The limit of use to Water Sports related only is a vital control to protect the natural habitat at the reservoir. The removal of this control presents a threat of future impact of the facility on the SSSI status without definition or assessment.
- The application does not specify what the new intended use would be. The definition of "meetings" is broad and the purpose of such use is undefined. Any gathering of any group of people, of any size, for any purpose, and at any frequency falls under the definition of "meetings" and it is therefore not possible to assess impact of this change.

- Meetings not related to water sports means vehicles travelling specifically for that purpose, adding to the strains on the SSSI. Why does Dwr Cymru not use technology for virtual meetings, as do other organisations?
- If the permitted hours are extended it would mean for a large part of the year artificial lighting would have to be used. It has been proven that artificial light is one the major threats to birds and other wildlife, as well as damaging the Dark Skies initiative to which Monmouthshire is committed.

### 5.3 Other Representations

**Usk Civic Society** - Objects to the proposed change of operating hours which jeopardizes the special character of the lake and its surroundings.

The reservoir and its surroundings are classified as a Site of Special Scientific Interest (SSSI). Increased noise nuisance, pollution and artificial light would be detrimental to wildlife and their behavioural patterns.

No justification is offered by Welsh Water why business meetings should be programmed after 18.00 nor if these are for Welsh Water activities (e.g. research and training for activities associated with the upkeep of the reservoir and land) or instead for commercial purposes. There ought to be a more appropriate location within Welsh Water's portfolio of buildings for commercial activities if this is their intention.

**Torfaen Friends of the Earth** - Would like to offer the following contribution to your Planning Committee meeting:

- 1 To remind the meeting that this is a Site of Special Scientific Interest (SSSI), and that the first consideration of any application as to the use of facilities, must be to protect the wildlife and respect the previous decision regarding the "closed season" for any intended use.
- 2 That the decision taken in respect of earlier similar applications which took into account the effects of light and noise and pollution which would cause disturbance of wildlife patterns of behaviour, be upheld.
- 3 In the light of previous decisions of the council, it would be inappropriate to increase hours of operation beyond 6 pm and be intrusive of the above. That normal practice for business meetings would be regarded as being held during usual office hours, e.g. up to 6 pm.

### 5.4 Local Member Representations

County Councillor Fay Bromfield - Requests that the application is presented to Planning Committee.

## 6.0 EVALUATION

### 6.1 Principle of Development

6.1.1 The only consideration in the determination of this application is the impact of the modification to the conditions, namely the acceptability of using the building for an additional hour in the morning, and the acceptability of DCWW using the building for their own meetings and training.

6.1.2 No physical changes are proposed to the building, either internally or externally. Therefore, the variation of the conditions will have no impact on the visual appearance of the building or the wider landscape.

6.1.3 Interested parties have raised concerns that extending the number of people who can use the building will lead to an intensification of the use over and above what was originally approved. In this regard, it is necessary to consider what the original conditions actually allow and how the proposed modifications could change this.

6.1.4 Condition 6 already permits use of the building between 9am and 9pm. The proposed modification of the condition would extend this by 1 hour in the morning. There will be no change to hours of operation in the evenings when artificial lighting is required in winter.

6.1.5 Condition 7 already allows the building to be used for any purposes in association with watersports. This means that the building could already be used lawfully at capacity every day between 9am and 9pm. Sharing the space with DCWW will not increase the overall capacity of the building.

6.1.6 The wording suggested is considered to be clear and concise and meets the 'Six Tests' set out in Welsh Government Circular 016/2014. In summary, conditions should be:

- (i) necessary;
- (ii) relevant to planning;
- (iii) relevant to the development to be permitted;
- (iv) enforceable;
- (v) precise; and
- (vi) reasonable in all other respects.

The revised wording of the conditions has been agreed by the applicant.

## 6.2 Biodiversity

6.2.1 The site is part of a wider Site of Special Scientific Interest (SSSI), a national designation, the reservoir and environs being important for its birdlife. This proposal has been subject to consultation with both NRW and the Council's ecologist. Given the minor change proposed to the way the building would be operated, both NRW and the Council's ecologist are satisfied that the proposed modification of conditions 6 and 7 would not be harmful to the national designation or nature conservation interests in a more general sense. These consultees are reassured that the lack of any licensed events (including the availability of alcohol or the playing of music) at the premises would help manage the extended use of the building in a responsible manner.

6.2.2 PPW 12 sets out that the planning system has a key role to play in helping to reverse the decline in biodiversity and increase the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. It is clear that the planning system should ensure that overall there is a net benefit for biodiversity and ecosystem resilience, resulting in enhanced wellbeing.

6.2.3 Under the Habitats Regulations, where a plan or project is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, and where it is not directly connected with or necessary to the management of the site, the competent authority must carry out an appropriate assessment of the implication of the plan or project in view of the site's conservation objectives. Natural Resources Wales has set new nutrient standards for the river SACs in Wales. Any proposed development within the SAC catchments that might increase the amount of nutrient within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition.



6.2.4 This application has been screened in accordance with Natural Resources Wales' advice for planning applications within the river Special Areas of Conservation (SACs) catchments (v4 issued 28th June 2024). It is considered that this development is unlikely to increase nutrient inputs as there will be no significant increase in use of the building over and above what is already permitted.

### **6.3 Response to the Representations of Third Parties and/or Community Council**

6.3.1 The applicant has confirmed that the word 'we' referred to in the supporting text on the Application Form refers to DCWW and any meetings or training *would be for DCWW staff and invited attendees only*.

6.3.2 It is not within the remit of the planning system to require justification as to why DCWW would like to use the space for meetings rather than use other sites or online meetings. Any future application in respect of the expansion of use of the Visitors Centre would be considered and determined on its own merits.

6.3.3 Other concerns of interested parties have been addressed in Sections 6.1 and 6.2 of this report.

### **6.4 Well-Being of Future Generations (Wales) Act 2015**

6.4.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

### **6.5 Conclusion**

6.5.1 There will be no change to hours of operation in the evenings when artificial lighting is required in winter.

6.5.2 Sharing the use with DCWW staff will not increase the overall capacity of the building.

6.5.3 The modification of the conditions should not therefore have any adverse impact on the SSSI.

### **{7.0 RECOMMENDATION: APPROVE}**

{\b Conditions:}

1. This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

6. The premises shall be used solely in connection with the operation of the watersports facilities at the site and by Dŵr Cymru Welsh Water (DCWW) for internal meetings, staff training, and external business meetings. For the avoidance of doubt, the building shall not be available as a licensed premises for use by the general public.

REASON: To ensure that no alternative use is made of the premises which is likely to be a nuisance to local residents, in accordance with LDP Policies DES1 and EP1.

7. The premises shall not be used for the approved purposes outside the times of 8.00am to 9.00pm.

REASON: In the interests of nature conservation and residential amenity, in accordance with LDP Policies DES1, EP1 and NE1.



## Appeal Decision

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by Mr A Thickett BA(Hons) BTP MRTPI Dip RSA

an Inspector appointed by the Welsh Ministers

Decision date: 28/04/2025

Appeal reference: CAS-03956-B8F0C2

Site address: Rear of 65 Main Road, Portskewett, Monmouthshire, NP26 5UG

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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 R Senior & Son Ltd against the decision of Monmouthshire County Council.
  - The application Ref DM/2023/00757, dated 28 April 2023, was refused by notice dated 13 June 2024.
  - The development proposed is a single storey bungalow.
  - A site visit was made on 16 April 2025.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the impact of the proposed development on highway safety.

### Reasons

3. The proposed bungalow would be sited to the rear of No. 65 Main Road, accessed by a narrow track which serves No. 65, 8 other properties and a field to the rear. Four of those properties have drives on to Main Road including No. 67 which appears to have recently created off street parking space but with no dropped kerb. Nonetheless, from my observations, the occupiers of at least 5 properties (not counting No. 65) actively use the track to access garages and parking spaces to the rear of the houses.
4. Main Road is subject to a 20mph speed limit. I visited the site mid-morning and there was a steady flow of vehicles along the road, Main Road is also a bus route.
5. At the access to Main Road, visibility is poor in both directions impeded by a wall and telegraph pole to the east and a wall to the west. A line of parked cars either side of the track limited visibility even further. Drivers approaching the track would have little warning of vehicles exiting the track and vice versa. The track is narrow and, should a vehicle be exiting on to Main Road, a driver looking to turn in would have to wait on the highway. Turning right into the track, the carriageway is not wide enough to enable another vehicle to pass, leading to an impediment to the free flow of traffic on Main Road.

Turning left, due to the parked cars, to pass a vehicle waiting to enter the track, drivers would have to cross on to the wrong side of the road.

6. I note the site is within walking distance of a number of facilities but the proposed development would inevitably lead to an increase in the use of an access which is substandard with regards to its width and visibility to Main Road. For these reasons, I conclude that the proposed development would have an adverse impact on highway safety and conflict with Policy MV1 of the Monmouthshire County Council Local Development Plan, adopted 2014, which resists proposals which fail to provide a safe access for road users.

### **Other Matters**

7. Planning Policy Wales promotes Home Zones as a way in which streets can be designed to slow vehicular traffic speeds down and give priority to people over motorised uses. The area is not designated as a Home Zone and I do not consider taking measures to widen the track to provide a footway would overcome the poor visibility to Main Road.
8. Whilst the track serving the new dwelling to the rear of No. 37 is also narrow with poor visibility, it does not serve the same number of properties. Most houses on this part of the road have off street parking and, at the time of my visit, there was no on street parking near the track to the side of No. 37.
9. Pre application advice is given without prejudice and the length of time taken to process the planning application has no bearing on my assessment of this appeal.

### **Conclusion**

10. For the reasons given above and having regard to all matters raised, I conclude the appeal should be dismissed.
11. 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 making our cities, towns and villages even better places in which to live and work.

*A Thickett*

Inspector



## Appeal Decision

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by G Hall BSc (Hons) DipTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 20/06/2025

Appeal reference: CAS-04155-T9W3L5

Site address: Larkfield Petrol Filling Station, Newport Road, Chepstow NP16 5YS

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- The appeal is made under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992 against a refusal to grant express consent.
  - The appeal is made by Wildstone Estates Limited against the decision of Monmouthshire County Council.
  - The application Ref DM/2024/01464, dated 26 November 2024, was refused by notice dated 23 January 2025.
  - The development proposed is Erection of a D6 Small Format Advertisement Display.
  - A site visit was made on 5 June 2025.
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### Decision

1. The appeal is allowed, and express consent is granted for Erection of a D6 Small Format Advertisement Display at Larkfield Petrol Filling Station, Newport Road, Chepstow NP16 5YS as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the additional conditions set out in the attached Schedule.

### Procedural Matter

2. The Council has referred to Policy DES3 of the Monmouthshire County Council Adopted Local Development Plan in its decision. I have taken this into account as a material consideration. The Regulations to control advertisements require that decisions be made only in the interests of amenity and public safety. In determining the appeal, the Council's policy has not, by itself, been decisive.

### Main Issues

3. The main issues are the effect of the proposed advertisement on the visual amenity of the area, and public safety, with particular regard to highway safety.

### Reasons

4. The appeal site is a petrol filling station on the A48, located within a small commercial cluster that includes retail units, a car wash, and a parking area. The proposed sign would be freestanding, sited near the forecourt-facing elevation of the station building, facing the A48 and primarily visible to southbound traffic and users of the forecourt. A pedestrian-controlled crossing lies adjacent to the forecourt on the A48, while residential properties line the opposite side of the road, each with individual vehicular access.

*Visual amenity*

5. The extent of the established commercial character of the petrol filling station is well defined. The immediate area contains a substantial number of advertisements, including freestanding, wall-mounted, and building-mounted signs associated with the petrol station and neighbouring commercial units. Alongside these are other elements of forecourt paraphernalia, including a freestanding ATM and a self-service locker, all contributing to an overtly commercial active environment. Within this setting, positioned against the backdrop of the petrol station and viewed in context with other signage, the addition of the proposed digital advertisement would not encroach into or alter the character of the wider, predominantly residential area.
6. The proposed sign's scale and siting mean it would not dominate the adjacent building or appear unduly prominent in the wider street scene. Its size would be consistent with existing signage, and while digital in format with advertising on rotation, it would not appear out of place in this commercial context.
7. I have also considered the potential for light pollution arising from the proposed digital display. However, no substantive evidence has been submitted to demonstrate that the sign would result in an unacceptable level of illumination, particularly in the context of the site's existing commercial use and illumination. Notably, the Council has not raised any objection on this ground. Nonetheless, to ensure that the intensity of the illumination remains appropriate, I have imposed a condition to control brightness levels, as set out under the second main issue.
8. My attention has been drawn to a previous appeal decision at the site from 2007 (Ref: E6840/H/08/2064795), in which the Inspector found that two proposed signs were unacceptable on visual amenity grounds. Like the current appeal, the Inspector took account of existing signage and advertisement clutter. However, I do not have full details of that earlier scheme, and the Council indicates that the signs in question were proposed in a different location. Given these differences, and the lack of substantive evidence to suggest the proposals are directly comparable, I attach limited weight to the previous decision and have assessed the current appeal on its own merits.
9. Given the prevailing visual context, I conclude that the appeal proposal would be absorbed into the existing commercial environment and would not result in harm to the visual amenity of the area.

*Highway safety*

10. At the time of my late-morning visit, traffic along the A48 was heavy and included a mix of private cars and larger vehicles such as lorries. Despite the presence of a 20-mph speed limit, vehicles appeared to be travelling at speed. The petrol station and nearby commercial units were busy, with frequent vehicle movements into and out of the forecourt and car park.
11. The road near the site is straight and broadly level, affording good visibility in both directions. The pedestrian crossing, along with its traffic lights and associated markings, is clearly visible to approaching drivers. Street lighting is present on both sides of the road.
12. Technical Advice Note 7 advises that in assessing an advertisement's impact on public safety, regard should be had to its effect upon the safe use and operation of any form of traffic or transport on land, including the likely behaviour of vehicle drivers who will see the advertisement. The Welsh Government, as highway authority for the A48, directed refusal of the application on the basis that the proposed sign would be a distraction risk at a location that attracts high levels of turning traffic to and from the trunk road, where driver

concentration is required for the pedestrian crossing and where there have been two traffic collisions in the last two years.

13. It is evident that the petrol station and adjoining commercial area generate a high volume of vehicle movements, including turning manoeuvres from both directions of the A48. However, visibility is good, and local road conditions are not unusually complex or hazardous. In my view, they do not demand more than reasonable care and attention from drivers or pedestrians.
14. The proposed digital sign would be seen within an already visually busy environment. In this context, it would not appear intrusive or out of place but would read as a continuation of the established commercial character. As such, it would not present as a sudden or unexpected distraction to passing drivers.
15. When viewed by southbound drivers, the sign would initially be screened by the totem sign of the commercial businesses and by vehicles using the roadside pump. During my visit, its proposed location was frequently partially or fully obscured by parked vehicles, suggesting that for much of the time, its visibility would be limited, thereby reducing its potential to distract passing motorists.
16. The sign and the pedestrian crossing would be sufficiently offset from one another, such that they would not visually compete. The sign would not be superimposed against the backdrop of the traffic lights nor appear within the same immediate visual field. Therefore, it would not interfere with the legibility or visibility of the crossing or its signals.
17. I have had regard to the historic accident data provided but do not consider that this in itself provides compelling evidence on which to judge the proposal's impact upon public safety or is an indication that the road is operating unsafely. Whilst I accept that the proposed sign is intended to attract attention, there is nothing before me that demonstrates the proposal would lead to an increased risk of accidents, or that drivers would not be able to safely observe the sign and maintain their attention on the road ahead.
18. I have considered the suggested conditions in light of advice in Welsh Government Circular 16/2014 'The Use of Planning Conditions for Development Management'. The Council has identified the standard conditions attached to all applications for advertisement consent. The appellant has suggested four operational conditions relating to static image display only, instant changes between adverts, a minimum 10 second display time, and luminance levels. I agree that these conditions are necessary in the interests of highway safety, and I have attached them amending the suggested wording in the interests of clarity and precision.
19. Taking the above factors together, and the observations from my site visit, I conclude that the appeal proposal would not present an unacceptable risk to public safety.

### **Conclusion**

20. I have considered all other matters raised and for the above reasons conclude that the appeal should be allowed.
21. 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

## **SCHEDULE OF CONDITIONS**

1. The minimum display time for each advertisement shall be 10 seconds.

Reason: In the interests of highway safety.

2. All displayed images shall be entirely static with no moving images, animation, video or full motion images, and no messaging spread across more than one screen image in sequence.

Reason: In the interests of highway safety.

3. The interval between successive displays shall be 0.1 seconds or less and the complete display screen shall change without visual effects (including fading, swiping or other animated transition methods) between each advertisement.

Reason: In the interests of highway safety.

4. The intensity of the illumination of the advertisement permitted by this consent shall at all times accord with the thresholds set out in the Institute of Lighting Professionals publication "The Brightness of Illuminated Advertisements" (PLG05:2015) (or any subsequent amendment/replacement to this guidance).

Reason: In the interests of highway safety.