

**Application Number:** DM/2022/00514

**Proposal:** Demolition of existing buildings and erection of 2no. new buildings incorporating retail space, storage and ancillary offices associated with existing retail business. Improvements to existing carpark

**Address:** Usk Garden Centre, Llanbadoc, Usk

**Applicant:** Morris's Of Usk Limited

**Plans:** Site Plan 1659(PL)01 - Rev A, Location Plan 1659(PL)06 - , Elevations - Proposed 1659(PL)07 - ,

**RECOMMENDATION: Approve**

Case Officer: Ms Kate Bingham  
Date Valid: 01.04.2022

**This application is presented to Planning Committee due to the number of objections received**

## **1.0 APPLICATION DETAILS**

### 1.1 Site Description

This application relates to an existing garden centre on the A472 between Usk and Llangybi in the area of Llanbadoc.

The site is within the Phosphorous Sensitive Catchment Area of the River Usk SAC.

### 1.2 Value Added

Site layout drawing '1659[PL] 02A' has been submitted which now shows a fully detailed car parking layout, comprising of 122 car parking spaces with an additional 12 spaces reserved for disabled users. As part of the revised scheme the existing access onto adjacent public highway has been re-engineered to provide an improvement to access and egress.

Additional planting and a sustainable drainage strategy have now also been added to the proposal.

### 1.3 Proposal Description

It is proposed to demolish an area of glass houses and also an existing food preparation area and All-Terrain Vehicle (ATV) building and replace them with two new buildings. It is also proposed to extend and improve the existing overflow car parking area.

The proposed new buildings are to accommodate existing facilities already on site. The proposals are intended to improve the existing accommodation and make the existing business more efficient. The proposed new building for the 'ATV' is a replacement of the existing building already on site that is already used for this purpose. The new food preparation area is an improvement of the existing food preparation space. The new building for vegetable store and staff rest room replaces the existing building on site. The new office space will replace the existing office accommodation on site. As such, the proposals do not provide any additional facilities to those already on site.

## 2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2018/00865	Proposed steel framed building to be used as storage of crops, barley, wheat, rape seed oil, hay and straw.	Acceptable	06.07.2018
DM/2018/00978	Proposed extension to retail space including demolition of adjacent brick retail building.	Approved	01.08.2018
DM/2018/01086	Change of use from existing Garden Centre ancillary storage building to display, sale and servicing of All Terrain Vehicles (ATVs).	Approved	01.11.2018
DM/2021/01023	Proposed Extension to Retail Space (Gross External Floor Area 98m2) along with internal and external alterations.	Approved	20.08.2021
DM/2022/00067	Proposed extension to retail space (gross external floor area 53.5m2).	Approved	01.04.2022
DC/2012/00953	Relocation of horticultural glass houses and erection of new compost store/packing building	Approved	21.02.2013
DC/2016/01377	Proposed extension to retail space.	Approved	20.01.2017
DC/2011/01057	Demolition of existing store building and construction of new building.	Approved	08.12.2011

## 3.0 LOCAL DEVELOPMENT PLAN POLICIES

### Strategic Policies

S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S16 LDP Transport  
S17 LDP Place Making and Design  
S10 LDP Rural Enterprise

### Development Management Policies

DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
NE1 LDP Nature Conservation and Development  
LC1 LDP New Built Development in the Open Countryside  
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 11**

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

**Llanbadoc Community Council** - Recommends approval.

**MCC Highways** - The Highway Authority have been reconsulted on the application following the submission of revised details in response to the comments below.

Site layout drawing '1659[PL] 02A' has been submitted which now shows a fully detailed car parking layout, comprising of 122 car parking spaces with an additional 12 spaces reserved for disabled users. As part of the revised scheme the existing access onto the adjacent public highway has been reengineered to provide an improvement to access and egress.

The Highway Authority requested that a detailed comparison be made between the existing car parking provision and proposed however having considered the detailed revised layout it can clearly be seen that the overall car parking layout is a considerable improvement over the existing in terms of numbers, orientation and management. Furthermore, when taking into consideration the existing overall retail floor space of the site it is clear that there is an actual loss of overall floor through the demolition of existing buildings and replacement with new, therefore there is a considerable net gain in car parking spaces.

Regarding the request for a Transport Statement taking account of existing and projected traffic flows the applicant has issued the following statement: -

'With regard to request for a Transport Statement please note that the proposals will not create any additional traffic flow. The proposed new buildings are to accommodate existing facilities already on site. The proposals are intended to improve the existing accommodation and make the existing business more efficient. The proposed new building for the 'ATV' is a replacement of the existing building already on site that is already used for this purpose. The new food prep area is an

improvement of the existing food prep space. The new building for vegetable store and staff rest room replaces the existing building on site. The new office space will replace the existing office accommodation on site. The proposals do not provide any additional facilities to those already on site. The proposals will not create any additional traffic flow volume'.

In light of the above statement and the fact that the overall retail floor space on site is to be reduced it is accepted that the proposed on-site improvements will not have a detrimental impact on the overall safety and capacity of the existing highway network. Therefore, there are no highway grounds to object to the application.

**MCC Biodiversity** - No objections subject to conditions (CEMP and lighting).

SEWBRc Search Results - No significant ecological record identified.

## 5.2 Neighbour Notification

Five representations received. Object on the following grounds:

- There has been a significant traffic increase and danger created locally in Llanbadoc since the substantial increase visitor / shopper numbers to the garden centre.
- We would like to see a reduction in the speed limit and the inclusion of radar speed signs along the road between the garden centre and the church.
- If new buildings are erected this will seriously impact an already bad flooding situation in the village by reducing the area in which rainwater can soakaway.
- Request that any approval of this application is subject to a reduction in the speed limit on this road. In addition an improvement to the access of the site so that ingress and egress may occur simultaneously.
- Increase the traffic passing through Usk main Street in order to access the Garden Centre.

One general comment:

Although we have no objections to the Morris' planning application, we wish to bring to the Council's notice the increase in traffic we have observed over the number of years. We are also mindful of the seasonal business and fluctuating traffic volumes during busy/quiet trading periods at the Garden Centre. However certain motorists regard the straight stretch of road between Llanbadoc Church and the sharp bend in front of our house (past the Garden Centre) as an opportunity to experience a speed thrill ride. We have observed these motorists overtaking vehicles with near misses when they suddenly have to break to avoid oncoming vehicles and the sharp bend in the road. The opposite side of the road has a similar problem where motorists 'rev up' at dangerous speeds from the sharp bend and past the Garden Centre and Prospect Cottages as they head towards Usk. By way of note these rogue motorists do not appear to be visitors to the Garden Centre who tend to slow down in order to turn in. We are therefore taking this opportunity to request Monmouthshire County Council ("the Council") to enforce a 30mph speed limit between the Usk Rugby Club and Hanley Court to avoid potential accidents. We are urging the Council to enforce the above-requested speed restriction before a serious accident occurs.

## 5.3 Other Representations

None.

## 5.4 Local Member Representations

County Councillor Tony Kear - I have no objection per se in what has been proposed at the Morris's Garden Centre planning application. However, it's clear that there has been a gradual shift in the increase by stealth in traffic movements / volumes along the approaches as the Garden Centre has been repositioning itself into greater floor space use for retail goods as opposed to a more traditional Garden Centre. Local Residents have made representations on such matters to me. Such investment and modernisation is to be applauded and essential whilst noting the

considerable local employment this provides. The growing success of the outlet has however, undoubtedly seen higher traffic movements.

With Active Travel now becoming higher on the agenda in Monmouthshire and an increasing number of residents walking to the Garden Centre to shop - no doubt as part of the "Shop Local" efforts - MCC should look:-

a) closely at the potential of traffic volume increases.

b) to bring in tighter / better speed restrictions (30 mph) and monitoring for safety reasons on either approach to the Garden Centre.

c) to ensure wider / better pavement space. It is not currently possible to pass anyone on the pavement without stepping into the road itself and the current surface is unacceptably poor / hazardous.

## **6.0 EVALUATION**

### **6.1 Good Design/ Place making**

6.1.1 The proposed new ATV sales and Farm Shop/Meet cutting building will be single-storey and located to the northwest of the entrance to the main part of the garden centre. It would be a simple shed type building, similar in appearance to the other existing buildings on the site. The proposed new vegetable store, staff room and office building would also be to the north west of the main entrance. It would be two-storey and be attached to the existing compost store. The external materials for both buildings would be colour-coated profiled metal composite cladding for the walls and roofs with powder coated aluminium windows and doors and metal gutter and downpipes - all to match the existing. Proposed additional planting will screen and subdivide the parking area to provide a softer appearance for the overall site.

6.1.2 It is considered that the new buildings will be in keeping with the existing site. The additional planting will improve the appearance of the site and reduce the wider landscape impact. As such it is considered that there is no conflict with LDP Policies DES1, LC1 or LC5 of the LDP.

### **6.2 Foul Drainage (Phosphates)**

6.2.1 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.

6.2.2 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 (issued on 2nd May 2021). It is considered that this development is unlikely to increase phosphate inputs as it falls within the following criterion in the interim advice:

Any development that does not increase the volume of foul wastewater. The WC proposed in the new building is relocated from the existing building and there is an overall reduction in floor area. As such there will be no increase in foul water flows.

### **6.3 Impact on Residential Amenity**

6.3.1 The proposed development site is self-contained and not within close proximity of any neighbouring dwellings that could be adversely affected by the proposed buildings. As such there is no conflict with the provisions of LDP Policy EP1.

6.3.2 The impact of traffic is considered below.

## **6.4 Access / Highway Safety**

6.4.1 Parking spaces are 2.6m x 4.8m and designated disabled parking spaces are also provided. Disabled spaces are 3.6m wide. The proposed car park improvements will include permeable block paving and sustainable drainage 'SuDS' features.

6.4.2 The proposed new buildings are to accommodate existing facilities already on site. As such, the proposals do not provide any additional facilities to those already on site and will not therefore directly create any additional traffic flow volume.

6.4.3 In light of the above and the fact that the overall retail floor space on site is to be reduced, the Council's Highway Engineer accepts that the proposed on-site improvements will not have a detrimental impact on the overall safety and capacity of the existing highway network. Therefore, there are no highway grounds to object to the application.

6.4.4 The requests by local residents and the Local Member for the speed limit to be reduced refer to an existing issue with speeding vehicles and although it is acknowledged that this is of concern, is not an issue that is directly related to this application and in any case is a matter dealt with under Highways legislation.

## **6.5 Biodiversity**

6.5.1 Following a review of the submitted information, the Council's Biodiversity & Ecology Officer is content that sufficient evidence has been provided and a further Preliminary Roost Assessment is not required at this property.

6.5.2 The site is surrounded by optimal habitat for light-sensitive commuting and foraging bat species, including boundary hedgerows and the River Usk 300m to the east. The proposals for the car park could result in an increase in lighting unless carefully designed. Floodlighting will need to be avoided and light fittings will need to be fitted with PIR sensors on a short-duration timer. A detailed lighting specification will need to be secured by condition should Members be minded to approve the application.

6.5.3 Due to the presence of hedgerows surrounding the site, and a pond within 90m, it is recommended that a Construction Environmental Management Plan (CEMP) is produced to minimise potential impacts from construction works on adjacent habitats.

6.5.4 Planning Policy Wales (PPW) 11 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 11 respond to the Section 6 Duty of the Environment (Wales) Act 2016. The proposals for new soft landscaping within the north-west of the site is welcomed. However, further biodiversity net benefit measures are required as detailed in PPW 11 above. Nest boxes could be installed onto new buildings to provide nesting opportunities for bats and birds. 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 Response to the Representations of Third Parties and/or Community/Town Council**

6.6.1 Concerns have been raised locally in relation to increased traffic flows around the site. The proposed new buildings are to accommodate existing facilities already on site and are intended to improve the existing accommodation, making the existing business more efficient. As such, the proposals do not provide any additional facilities to those already on site and therefore would not create any additional traffic flow volume.

6.6.2 Some concerns have also been raised in relation to surface water and increased flooding. As such, the applicant has provided a Sustainable Drainage Strategy. As set out and described in the

strategy, the proposed car park improvements which form part of the application will include permeable paving and sustainable drainage 'SuDS' features. The SuDS strategy consists of permeable surfaces with attenuation and soft landscaping with swales draining to the existing ditch that runs along the northern and eastern edge of the site. The existing boundary hedges will be retained. The strategy reduces peak flows, reduces the volume of run-off and slows down flows and therefore represents an enhancement from current drainage conditions at the site. The SuDS features proposed will reduce the risk of flooding to the site and immediately surrounding off-site areas and provide water quality, amenity and biodiversity benefits. The SuDS will be designed to comply with the Welsh Government document 'Statutory standards for sustainable drainage systems' and a Full application will be submitted to the Council SuDS Approving Body (SAB) for approval.

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

6.7.1 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.

## **6.8 Conclusion**

6.8.1 The proposed improvements to the existing garden centre business are acceptable in principle in line with LDP Policy S10.

6.8.2 The proposed new buildings are to accommodate existing facilities already on site intended to improve the existing accommodation and make the existing business more efficient. As such, the proposals do not provide any additional facilities to those already on site and therefore should not create any additional traffic flow volume.

6.8.3 A SuDS strategy has been provided for the proposed car park improvements. This will ensure that any additional surface water is properly managed so as not to increase the risk of flooding. This will also include additional soft landscaping which will in turn provide biodiversity enhancement.

## **7.0 RECOMMENDATION: APPROVE**

### **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.

2 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.

3 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".

- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to throughout the construction period.

Reason: Safeguarding of protected and priority species during construction works LDP policy NE1 and the Section 7 of the Environment Act (Wales) 2016.

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 site 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 LPA.

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 No development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

Reason: To safeguard the landscape amenities of the area and to ensure compliance with LDP Policy G11.

6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings 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 safeguard the landscape amenities of the area and to ensure compliance with LDP Policy G11.

7 No development hereby approved other than that associated with the proposed access improvements shall commence until the access improvements have been constructed in accordance with the approved plans (1659[PL] 02 A).

REASON: To ensure the access is constructed in the interests of highway safety and to ensure compliance with LDP Policy MV1.

INFORMATIVE:

1. In respect of condition 3 above, see BS 42020:2013, Clause 10, for a comprehensive list of issues and activities that may be considered and included within a CEMP.