

**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.

