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County Hall
Rhadyr
Usk
NP15 1GA

Monday, 26 February 2024

Notice of meeting:

Planning Committee

Tuesday, 5th March, 2024 at 2.00 pm
Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with
remote attendance

AGENDA

Item No	Item	Pages
1.	Apologies for Absence.	
2.	Declarations of Interest.	
3.	To confirm for accuracy the minutes of the previous meeting.	1 - 4
4.	To consider the following Planning Application reports from the Chief Officer, Communities and Place (copies attached):	
4.1.	Application DM/2020/00400 - Construction of a 1km closed road cycle track, vehicle access and car parking. Land Adjoining Racecourse Farm & Llanfoist Waste Transfer Station Transfer Station, Abergavenny NP7 9LQ.	5 - 36
4.2.	Application DM/2023/01329 - Change of Use of Glebe Bungalow to C3 dwellinghouse from Annex and Holiday Let granted permission under DC/2007/00778 and DC/2017/01200. Glebe Bungalow, Llantilio School Road, Llantilio Pertholey, Abergavenny, NP7 6NU.	37 - 44
5.	FOR INFORMATION - The Planning Inspectorate - Appeals Decisions Received:	
5.1.	The Cedars, Chapel Lane, Pwllmeyric.	45 - 48

Paul Matthews
Chief Executive

MONMOUTHSHIRE COUNTY COUNCIL

THE CONSTITUTION OF THE PLANNING COMMITTEE IS AS FOLLOWS:

County Councillor Jill Bond	West End;	Welsh Labour/Llafur Cymru
County Councillor Fay Bromfield	Llangybi Fawr;	Welsh Conservative Party
County Councillor Emma Bryn	Wyesham;	Independent Group
County Councillor Sara Burch	Cantref;	Labour and Co-Operative Party
County Councillor Jan Butler	Goetre Fawr;	Welsh Conservative Party
County Councillor John Crook	Magor East with Undy;	Welsh Labour/Llafur Cymru
County Councillor Tony Easson	Dewstow;	Welsh Labour/Llafur Cymru
County Councillor Steven Garratt	Overmonnow;	Welsh Labour/Llafur Cymru
County Councillor Meirion Howells	Llanbadoc & Usk;	Independent
County Councillor Su McConnel	Croesonen;	Welsh Labour/Llafur Cymru
County Councillor Jayne McKenna	Mitchel Troy and Trellech United;	Welsh Conservative Party
County Councillor Phil Murphy	Caerwent;	Welsh Conservative Party
County Councillor Maureen Powell	Pen Y Fal;	Welsh Conservative Party
County Councillor Sue Riley	Bulwark and Thornwell;	Welsh Labour/Llafur Cymru
County Councillor Dale Rooke	Chepstow Castle & Larkfield;	Welsh Labour/Llafur Cymru
County Councillor Ann Webb	St Arvans;	Welsh Conservative Party

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Public Information

Any person wishing to speak at Planning Committee must do so by registering with Democratic Services by no later than 12 noon two working days before the meeting. Details regarding public speaking can be found within this agenda

Access to paper copies of agendas and reports

A copy of this agenda and relevant reports can be made available to members of the public attending a meeting by requesting a copy from Democratic Services on 01633 644219. Please note that we must receive 24 hours notice prior to the meeting in order to provide you with a hard copy of this agenda.

Watch this meeting online

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<https://democracy.monmouthshire.gov.uk/ieListMeetings.aspx?Committeeld=141>

This will take you to the page relating to all Planning Committee meetings. Please click on the relevant Planning Committee meeting. You will then find the link to view the meeting on this page. Please click the link to view the meeting.

Welsh Language

The Council welcomes contributions from members of the public through the medium of Welsh or English. We respectfully ask that you provide us with 5 days notice prior to the meeting should you wish to speak in Welsh so we can accommodate your needs.

Aims and Values of Monmouthshire County Council

Our purpose

To become a zero-carbon county, supporting well-being, health and dignity for everyone at every stage of life.

Objectives we are working towards

- Fair place to live where the effects of inequality and poverty have been reduced.
- Green place to live and work with reduced carbon emissions and making a positive contribution to addressing the climate and nature emergency.
- Thriving and ambitious place, where there are vibrant town centres and where businesses can grow and develop.
- Safe place to live where people have a home where they feel secure in.
- Connected place where people feel part of a community and are valued.
- Learning place where everybody has the opportunity to reach their potential.

Our Values

Openness. We are open and honest. People have the chance to get involved in decisions that affect them, tell us what matters and do things for themselves/their communities. If we cannot do something to help, we'll say so; if it will take a while to get the answer we'll explain why; if we can't answer immediately we'll try to connect you to the people who can help – building trust and engagement is a key foundation.

Fairness. We provide fair chances, to help people and communities thrive. If something does not seem fair, we will listen and help explain why. We will always try to treat everyone fairly and consistently. We cannot always make everyone happy, but will commit to listening and explaining why we did what we did.

Flexibility. We will continue to change and be flexible to enable delivery of the most effective and efficient services. This means a genuine commitment to working with everyone to embrace new ways of working.

Teamwork. We will work with you and our partners to support and inspire everyone to get involved so we can achieve great things together. We don't see ourselves as the 'fixers' or problem-solvers, but we will make the best of the ideas, assets and resources available to make sure we do the things that most positively impact our people and places.

Kindness: We will show kindness to all those we work with putting the importance of relationships and the connections we have with one another at the heart of all interactions.

Purpose

The purpose of the attached reports and associated officer presentation to the Committee is to allow the Planning Committee to make a decision on each application in the attached schedule, having weighed up the various material planning considerations.

The Planning Committee has delegated powers to make decisions on planning applications. The reports contained in this schedule assess the proposed development against relevant planning policy and other material planning considerations, and take into consideration all consultation responses received. Each report concludes with an officer recommendation to the Planning Committee on whether or not officers consider planning permission should be granted (with suggested planning conditions where appropriate), or refused (with suggested reasons for refusal).

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the Monmouthshire Local Development Plan 2011-2021 (adopted February 2014), unless material planning considerations indicate otherwise.

Section 2(2) of the Planning (Wales) Act 2015 states that the planning function must be exercised, as part of carrying out sustainable development in accordance with the Well-being of Future Generations (Wales) Act 2015, for the purpose of ensuring that the development and use of land contribute to improving the economic, social, environmental and cultural well-being of Wales.

The decisions made are expected to benefit the County and our communities by allowing good quality development in the right locations, and resisting development that is inappropriate, poor quality or in the wrong location. There is a direct link to the Council's objective of building sustainable, resilient communities.

Decision-making

Applications can be granted subject to planning conditions. Conditions must meet all of the following criteria:

- Necessary to make the proposed development acceptable;
- Relevant to planning legislation (i.e. a planning consideration);
- Relevant to the proposed development in question;
- Precise;
- Enforceable; and
- Reasonable in all other respects.

Applications can be granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended). This secures planning obligations to offset the impacts of the proposed development. However, in order for these planning obligations to be lawful, they must meet all of the following criteria:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

The applicant has a statutory right of appeal against the refusal of permission in most cases, or against the imposition of planning conditions, or against the failure of the Council to determine an application within the statutory time period. There is no third party right of appeal against a decision.

The Planning Committee may make decisions that are contrary to the officer recommendation. However, reasons must be provided for such decisions, and the decision must be based on the Local Development Plan (LDP) and/or material planning considerations. Should such a decision be challenged at appeal, Committee Members will be required to defend their decision throughout the appeal process.

Planning policy context

Future Wales – the national plan 2040 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.

Monmouthshire's Local Development Plan (LDP) sets out the Council's vision and objectives for the development and use of land in Monmouthshire, together with the policies and proposals to implement them over a 10 year period to 2021. The plan area excludes that part of the County contained within the Brecon Beacons National Park. It has a fundamental role in delivering sustainable development. In seeking to achieve this it sets out a framework for the development and use of land and for the protection of the environment. It also guides and facilitates investment decisions as well as the delivery of services and infrastructure. It determines the level of provision and location of new housing, employment and other uses and sets the framework for considering all land use proposals during the plan period. The LDP contains over-arching policies on development and design. Rather than repeat these for each application, the full text is set out below for Members' assistance.

Policy EP1 - Amenity and Environmental Protection

Development, including proposals for new buildings, extensions to existing buildings and advertisements, should have regard to the privacy, amenity and health of occupiers of neighbouring properties. Development proposals that would cause or result in an unacceptable risk /harm to local amenity, health, the character /quality of the countryside or interests of nature conservation, landscape or built heritage importance due to the following will not be permitted, unless it can be demonstrated that measures can be taken to overcome any significant risk:

- Air pollution;
- Light or noise pollution;
- Water pollution;
- Contamination;
- Land instability;
- Or any identified risk to public health or safety.

Policy DES1 – General Design Considerations

All development should be of a high quality sustainable design and respect the local character and distinctiveness of Monmouthshire's built, historic and natural environment. Development proposals will be required to:

- a) Ensure a safe, secure, pleasant and convenient environment that is accessible to all members of the community, supports the principles of community safety and encourages walking and cycling;
- b) Contribute towards sense of place whilst ensuring that the amount of development and its intensity is compatible with existing uses;
- c) Respect the existing form, scale, siting, massing, materials and layout of its setting and any neighbouring quality buildings;
- d) Maintain reasonable levels of privacy and amenity of occupiers of neighbouring properties, where applicable;
- e) Respect built and natural views and panoramas where they include historical features and/or attractive or distinctive built environment or landscape;

- f) Use building techniques, decoration, styles and lighting to enhance the appearance of the proposal having regard to texture, colour, pattern, durability and craftsmanship in the use of materials;
- g) Incorporate and, where possible enhance existing features that are of historical, visual or nature conservation value and use the vernacular tradition where appropriate;
- h) Include landscape proposals for new buildings and land uses in order that they integrate into their surroundings, taking into account the appearance of the existing landscape and its intrinsic character, as defined through the LANDMAP process. Landscaping should take into account, and where appropriate retain, existing trees and hedgerows;
- i) Make the most efficient use of land compatible with the above criteria, including that the minimum net density of residential development should be 30 dwellings per hectare, subject to criterion l) below;
- j) Achieve a climate responsive and resource efficient design. Consideration should be given to location, orientation, density, layout, built form and landscaping and to energy efficiency and the use of renewable energy, including materials and technology;
- k) Foster inclusive design;
- l) Ensure that existing residential areas characterised by high standards of privacy and spaciousness are protected from overdevelopment and insensitive or inappropriate infilling.

Other key relevant LDP policies will be referred to in the officer report.

Supplementary Planning Guidance (SPG):

The following Supplementary Planning Guidance may also be of relevance to decision-making as a material planning consideration:

- Green Infrastructure (adopted April 2015)
- Conversion of Agricultural Buildings Design Guide (adopted April 2015)
- LDP Policy H4(g) Conversion/Rehabilitation of Buildings in the Open Countryside to Residential Use- Assessment of Re-use for Business Purposes (adopted April 2015)
- LDP Policies H5 & H6 Replacement Dwellings and Extension of Rural Dwellings in the Open Countryside (adopted April 2015)
- Abergavenny Conservation Area Appraisal (adopted March 2016)
- Caerwent Conservation Area Appraisal (adopted March 2016)
- Chepstow Conservation Area Appraisal (adopted March 2016)
- Grosmont Conservation Area Appraisal (adopted March 2016)
- Llanarth Conservation Area Appraisal (adopted March 2016)
- Llandenny Conservation Area Appraisal (adopted March 2016)
- Llandogo Conservation Area Appraisal (adopted March 2016)
- Llanover Conservation Area Appraisal (adopted March 2016)
- Llantilio Crossenny Conservation Area Appraisal (adopted March 2016)
- Magor Conservation Area Appraisal (adopted March 2016)
- Mathern Conservation Area Appraisal (adopted March 2016)
- Monmouth Conservation Area Appraisal (adopted March 2016)
- Raglan Conservation Area Appraisal (adopted March 2016)
- Shirenewton Conservation Area Appraisal (adopted March 2016)
- St Arvans Conservation Area Appraisal (adopted March 2016)
- Tintern Conservation Area Appraisal (adopted March 2016)
- Trellech Conservation Area Appraisal (adopted April 2012)
- Usk Conservation Area Appraisal (adopted March 2016)
- Whitebrook Conservation Area Appraisal (adopted March 2016)
- Domestic Garages (adopted January 2013)
- Monmouthshire Parking Standards (adopted January 2013)
- Approach to Planning Obligations (March 2013)
- Affordable Housing (revised version) (adopted July 2019)

- Renewable Energy and Energy Efficiency (adopted March 2016)
- Planning Advice Note on Wind Turbine Development Landscape and Visual Impact Assessment Requirements (adopted March 2016)
- Primary Shopping Frontages (adopted April 2016)
- Rural Conversions to a Residential or Tourism Use (Policies H4 and T2) Supplementary Planning Guidance November 2017
- Sustainable Tourism Accommodation Supplementary Guidance November 2017
- Affordable Housing Supplementary Guidance July 2019
- Infill Development Supplementary Guidance November 2019

National Planning Policy

The following national planning policy may also be of relevance to decision-making as a material planning consideration:

- Future Wales: the national plan 2040
- Planning Policy Wales (PPW) edition12
- PPW Technical Advice Notes (TAN):
 - TAN 1: Joint Housing Land Availability Studies (2015)
 - TAN 2: Planning and Affordable Housing (2006)
 - TAN 3: Simplified Planning Zones (1996)
 - TAN 4: Retailing and Town Centres (1996)
 - TAN 5: Nature Conservation and Planning (2009)
 - TAN 6: Planning for Sustainable Rural Communities (2010)
 - TAN 7: Outdoor Advertisement Control (1996)
 - TAN 8: Renewable Energy (2005)
 - TAN 9: Enforcement of Planning Control (1997)
 - TAN 10: Tree Preservation Orders (1997)
 - TAN 11: Noise (1997)
 - TAN 12: Design (2016)
 - TAN 13: Tourism (1997)
 - TAN 15: Development, flooding and coastal erosion (2021)
 - TAN 16: Sport, Recreation and Open Space (2009)
 - TAN 18: Transport (2007)
 - TAN 19: Telecommunications (2002)
 - TAN 20: The Welsh Language (2013)
 - TAN 21: Waste (2014)
 - TAN 23: Economic Development (2014)
 - TAN 24: The Historic Environment (2017)
- Minerals Technical Advice Note (MTAN) Wales 1: Aggregates (30 March 2004)
- Minerals Technical Advice Note (MTAN) Wales 2: Coal (20 January 2009)
- Welsh Government Circular 016/2014 on planning conditions

Other matters

The following other legislation may be of relevance to decision-making.

Planning (Wales) Act 2015

As of January 2016, Sections 11 and 31 of the Planning Act come into effect meaning the Welsh language is a material planning consideration.

Section 31 of the Planning Act clarifies that considerations relating to the use of the Welsh language can be taken into account by planning authorities when making decisions on applications for planning permission, so far as material to the application. The provisions do not apportion any additional weight to the Welsh language in comparison to other material

considerations. Whether or not the Welsh language is a material consideration in any planning application remains entirely at the discretion of the local planning authority, and the decision whether or not to take Welsh language issues into account should be informed by the consideration given to the Welsh language as part of the LDP preparation process. Section 11 requires the sustainability appraisal, undertaken as part of LDP preparation, to include an assessment of the likely effects of the plan on the use of Welsh language in the community. Where the authority's current single integrated plan has identified the Welsh language as a priority, the assessment should be able to demonstrate the linkage between consideration for the Welsh language and the overarching Sustainability Appraisal for the LDP, as set out in TAN 20.

The adopted Monmouthshire Local Development Plan (LDP) 2014 was subject to a sustainability appraisal, taking account of the full range of social, environmental and economic considerations, including the Welsh language. Monmouthshire has a relatively low proportion of population that speak, read or write Welsh compared with other local authorities in Wales and it was not considered necessary for the LDP to contain a specific policy to address the Welsh language. The conclusion of the assessment of the likely effects of the plan on the use of the Welsh language in the community was minimal.

Environmental Impact Assessment Regulations 2016

The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 are relevant to the recommendations made. The officer report will highlight when an Environmental Statement has been submitted with an application.

Conservation of Habitat & Species Regulations 2017

Where an application site has been assessed as being a breeding site or resting place for European Protected Species, it will usually be necessary for the developer to apply for 'derogation' (a development licence) from Natural Resources Wales. Examples of EPS are all bat species, dormice and great crested newts. When considering planning applications Monmouthshire County Council as Local Planning Authority is required to have regard to the Conservation of Species & Habitat Regulations 2010 (the Habitat Regulations) and to the fact that derogations are only allowed where the three tests set out in Article 16 of the Habitats Directive are met. The three tests are set out below.

- (i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- (ii) There is no satisfactory alternative
- (iii) The derogation is not detrimental to the maintenance of the population of the species concerned by a favourable conservation status in their natural range.

Well-being of Future Generations (Wales) Act 2015

This Act is about improving the social, economic, environmental and cultural well-being of Wales. The Act sets out a number of well-being goals:

- **A prosperous Wales:** efficient use of resources, skilled, educated people, generates wealth, provides jobs;
- **A resilient Wales:** maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change);
- **A healthier Wales:** people's physical and mental wellbeing is maximised and health impacts are understood;
- **A Wales of cohesive communities:** communities are attractive, viable, safe and well connected;
- **A globally responsible Wales:** taking account of impact on global well-being when considering local social, economic and environmental wellbeing;

- **A Wales of vibrant culture and thriving Welsh language:** culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation;
- **A more equal Wales:** people can fulfil their potential no matter what their background or circumstances.

A number of sustainable development principles are also set out:

- **Long term:** balancing short term need with long term and planning for the future;
- **Collaboration:** working together with other partners to deliver objectives;
- **Involvement:** involving those with an interest and seeking their views;
- **Prevention:** putting resources into preventing problems occurring or getting worse;
- **Integration:** positively impacting on people, economy and environment and trying to benefit all three.

The work undertaken by Local Planning Authority directly relates to promoting and ensuring sustainable development and seeks to strike a balance between the three areas: environment, economy and society.

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. Crime and fear of crime can be a material planning consideration. This topic will be highlighted in the officer report where it forms a significant consideration for a proposal.

Equality Act 2010

The Equality Act 2010 contains a public sector equality duty to integrate consideration of equality and good relations into the regular business of public authorities. The Act identifies a number of 'protected characteristics': age; disability; gender reassignment; marriage and civil partnership; race; religion or belief; sex; and sexual orientation. Compliance is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. Due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the needs of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Children and Families (Wales) Measure

Consultation on planning applications is open to all of our citizens regardless of their age: no targeted consultation takes place specifically aimed at children and young people. Depending on the scale of the proposed development, applications are publicised via letters to neighbouring occupiers, site notices, press notices and/or social media. People replying to consultations are not required to provide their age or any other personal data, and therefore this data is not held or recorded in any way, and responses are not separated out by age.

Climate Emergency

In May 2019 Monmouthshire County Council declared a Climate Emergency with unanimous support from Councillors. The Cabinet Member for Infrastructure and Neighbourhood Services has been appointed as the member responsible for climate change and decarbonisation.

Tackling climate change is very important, because if the planet's temperature rises by 2°C there are risks of drought, flood and poverty, impacting on hundreds of millions of people. In Monmouthshire impacts that could happen include more extreme weather events (such as storms), water shortages, droughts, species loss and risk of flooding. Planning has a key role in addressing climate change through the promotion of sustainable development.

The Council has formulated a draft action plan which will be subject to Member approval and will form the Council's response to tackling this issue. Council decisions will need to take into account the agreed action plan.

Protocol on Public Speaking at Planning Committee

Public speaking at Planning Committee will be allowed strictly in accordance with this protocol. You cannot demand to speak at the Committee as of right. The invitation to speak and the conduct of the meeting is at the discretion of the Chair of the Planning Committee and subject to the points set out below. **The conventional protocol has been modified to allow public speaking via pre-recorded videos or to attend the meeting in person and address the Planning Committee.**

Who Can Speak

Community and Town Councils

Community and town councils can address Planning Committee via a pre-recorded video or in person at the meeting.. Only elected members of community and town councils may speak. Representatives will be expected to uphold the following principles: -

(i) To observe the National Code of Local Government Conduct. (ii)

Not to introduce information that is not:

- consistent with the written representations of their council, or
- part of an application, or
- contained in the planning report or file.

When a town or community councillor has registered to speak in opposition to an application, the applicant or agent will be allowed the right of reply.

Members of the Public

Speaking will be limited to one member of the public opposing a development and one member of the public supporting a development. Where there is more than one person in opposition or support, the individuals or groups should work together to establish a spokesperson. The Chair of the Committee may exercise discretion to allow a second speaker, but only in exceptional cases where a major application generates divergent views within one 'side' of the argument (e.g. a superstore application where one spokesperson represents residents and another local retailers). Members of the public may appoint representatives to speak on their behalf.

Where no agreement is reached, the right to speak shall fall to the first person/organisation to register their request. When an objector has registered to speak the applicant or agent will be allowed the right of reply.

Speaking will be limited to applications where, by the deadline, letters of objection/support or signatures on a petition have been submitted to the Council from 5 or more separate households/organisations (in this context organisations would not include community or town councils or statutory consultees which have their own method of ensuring an appropriate application is considered at Committee) The deadline referred to above is 5pm on the day six clear working days prior to the Committee meeting. This will normally be 5pm on the Friday six clear working days before the Tuesday Planning Committee meeting. However, the deadline may be earlier, for example if there is a Bank Holiday Monday.

The number of objectors and/or supporters will be clearly stated in the officer's report for the application contained in the published agenda.

The Chair may exercise discretion to allow speaking by members of the public where an application may significantly affect a sparse rural area but less than 5 letters of objection/support have been received.

Applicants

Applicants or their appointed agents will have a right of response where members of the public or a community/town council, have registered to address committee in opposition to an application. This will also be via a pre-recorded video or in person at the Planning Committee meeting.

When is speaking permitted?

Public speaking will normally only be permitted on one occasion where applications are considered by Planning Committee. When applications are deferred and particularly when re-presented following a committee resolution to determine an application contrary to officer advice, public speaking will not normally be permitted. Regard will however be had to special circumstances on applications that may justify an exception. The final decision lies with the Chair.

Registering Requests to Speak

Speakers must register their request to speak as soon as possible, between 12 noon on the Tuesday and 12 noon on the Friday before the Committee. To register a request to speak, objectors/supporters must first have made written representations on the application.

Anyone wishing to speak must notify the Council's Democratic Services Officers of their request by calling 01633 644219 or by email to registertospeak@monmouthshire.gov.uk. Please leave a daytime telephone number. Any requests to speak that are emailed through will be acknowledged prior to the deadline for registering to speak. If you do not receive an acknowledgement before the deadline please contact Democratic Services on 01633 644219 to check that your registration has been received.

Parties are welcome to address the Planning Committee in English or Welsh, however if speakers wish to use the Welsh language they are requested to make this clear when registering to speak, and are asked to give at least 5 working days' notice to allow the Council the time to procure a simultaneous translator.

Applicants/agents and objectors/supporters are advised to stay in contact with the case officer regarding progress on the application. It is the responsibility of those wishing to speak to check when the application is to be considered by Planning Committee by contacting the Planning Office, which will be able to provide details of the likely date on which the application will be heard. The procedure for registering the request to speak is set out above.

The Council will maintain a list of persons wishing to speak at Planning Committee.

Once the request to speak has been registered by the Council the speaker must submit their pre-recorded video by midday on Monday before the Committee meeting. The video content must comply with the terms below and be no more than 4 minutes in duration. If the third party does not wish to record a video they will need to submit a script to the Council by the deadline above, that will be read out by an officer to the Committee Members at the meeting. The script shall contain no more than 500 words and shall also comply with the terms below. Speakers will also have the option to attend the meeting in person and address Planning Committee.

Content of the Speeches

Comments by the representative of the town/community council or objector, supporter or applicant/agent should be limited to matters raised in their original representations and be relevant planning issues. These include:

- Relevant national and local planning policies
- Appearance and character of the development, layout and density
- Traffic generation, highway safety and parking/servicing;
- Overshadowing, overlooking, noise disturbance, odours or other loss of amenity.

Speakers should avoid referring to matters outside the remit of the Planning Committee, such as;

- Boundary disputes, covenants and other property rights
- Personal remarks (e.g. Applicant's motives or actions to date or about members or officers)
- Rights to views or devaluation of property.

Procedure at the Planning Committee Meeting

The procedure for dealing with public speaking is set out below:

- The Chair will identify the application to be considered.
- An officer will present a summary of the application and issues with the recommendation.
- The local member if not on Planning Committee will be invited to speak for a maximum of 6 minutes by the Chair.
- If applicable, the video recording of the representative of the community or town council will then be played to Members (this shall be no more than 4 minutes in duration). Alternatively, if the community or town council has opted to submit a script of their representations that will be read out by an officer to the Committee Members at the meeting. Alternatively, the community or town council representatives may address the Planning Committee in person at the meeting for a maximum of 4 minutes.
- If applicable, the objector's video recording will then be played to the Members (this shall be no more than 4 minutes in duration) Alternatively, if a third party has opted to submit a script of their representations that will be read out by an officer to the Committee Members at the meeting. Alternatively, the objector may address the Planning Committee in person at the meeting for a maximum of 4 minutes.
- If applicable, the supporter's video recording will then be played to Members (this shall be no more than 4 minutes in duration) Alternatively, if the third party has opted to submit a script of their representations that will be read out by an officer to the Committee Members at the meeting. Alternatively, the supporter may address the Planning Committee in person at the meeting for a maximum of 4 minutes.
- If applicable, the applicant's (or appointed agent's) video recording will then be played to Members (this shall be no more than 4 minutes in duration). Alternatively, if the third party has opted to submit a script of their representations that will be read out by an officer to the Committee Members at the meeting. Alternatively, the applicant (or appointed agent) may address the Planning Committee in person at the meeting for a maximum of 4 minutes.
- Where more than one person or organisation speaks against an application, the applicant or appointed agent, shall, at the discretion of the Chair, be entitled to submit a video of their response of up to 5 minutes in duration. Alternatively, the applicant (or appointed agent) may address the Planning Committee in person at the meeting up to 5 minutes in duration.
 - Time limits will normally be strictly adhered to, however the Chair will have discretion to amend the time having regard to the circumstances of the application or those speaking.
 - Speakers may speak only once.
 - Committee Members may then raise technical questions with officers.
 -
- Planning Committee members will then debate the application, commencing with the

local member if a Member of Planning Committee. Officers will not take any further questions unless it is to advise Members about a procedural or legal issue, or where they consider Members are deviating from material planning considerations.

- Where an objector or supporter or applicant/agent community or town council has spoken on an application no further speaking by or on behalf of that group will be permitted in the event that the application is considered again at a future meeting of the Committee unless there has been a material change in the application.
- The Chair's decision regarding a procedural matter is final.
- When proposing a motion either to accept the officer recommendation or to make an amendment the Member proposing the motion shall state the motion clearly.
- When the motion has been seconded the Chair shall identify the Members who proposed and seconded the motion and repeat the motion proposed (including any additional conditions or other matters raised). The names of the proposer and seconder shall be recorded.
- Members shall decline to vote in relation to any planning application unless they have been present in the meeting of the Planning Committee throughout the full presentation and consideration of that particular application.
- Any Member who abstains from voting shall consider whether to give a reason for their abstention.
- The Legal Officer shall count the votes and announce the decision.
-
- When the motion has been seconded, the Chair shall identify the members who proposed and seconded the motion and repeat the motion proposed. The names of the proposer and seconder shall be recorded.
- A member shall decline to vote in relation to any planning application unless he or she has been present in the meeting of the Planning Committee throughout the full presentation and consideration of that application.
- Any member who abstains from voting shall consider whether to give a reason for his/her abstention.
- An officer shall count the votes and announce the decision.

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Agenda Item 3

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held in the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance on Tuesday, 6th February, 2024 at 2.00 pm

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

County Councillors: Jill Bond, Fay Bromfield, Emma Bryn, Sara Burch, Jan Butler, John Crook, Tony Easson, Steven Garratt, Meirion Howells, Jayne McKenna, Maureen Powell, Sue Riley and Ann Webb

OFFICERS IN ATTENDANCE:

Craig O'Connor	Head of Planning
Philip Thomas	Development Services Manager
Andrew Jones	Development Management Area Team Manager
Amy Longford	Development Management Area Team Manager
Paige Moseley	Solicitor
Richard Williams	Democratic Services Officer
Anna Hawker	Trainee Solicitor

APOLOGIES:

County Councillor Su McConnel

1. Declarations of Interest

County Councillor Sara Burch declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2022/01831, due to her previous involvement in the scheme and consultation while Cabinet Member with responsibility for Active Travel. She left the meeting taking no part in the discussion or voting thereon.

County Councillor Dale Rooke declared a personal and prejudicial interest pursuant to the Members' Code of Conduct in respect of application DM/2023/01562, as he is one of Chepstow Town Council representatives that has supported the Friends of the Dell Playpark Group. He left the meeting taking no part in the discussion or voting thereon.

2. Confirmation of Minutes

The minutes of the Planning Committee meeting dated 10th January 2024 were confirmed and signed by the Chair.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held in the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance on Tuesday, 6th February, 2024 at 2.00 pm

3. **Application DM/2022/01831 - Improvements to the existing pedestrian and cycle connectivity across Castle Meadows by providing Active Travel compliant routes. Including the upgrade of existing routes, access points and the replacement of the existing footbridge over the River Gavenny. Land At Castle Meadows, Abergavenny, Monmouthshire**

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

<https://www.youtube.com/live/7mdGfiFwxF8?si=68S9tIDIk5j72kJu&t=201>

In noting the detail of the application and the views expressed, it was proposed by County Councillor Ann Webb and seconded by County Councillor Emma Bryn that application DM/2022/01831 be approved subject to the conditions outlined in the report.

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

For approval	-	12
Against approval	-	0
Abstentions	-	1

The proposition was carried.

We resolved that application DM/2022/01831 be approved subject to the conditions outlined in the report.

4. **Application DM/2023/01562 - Replacement and relocation of the existing children's play area at Castle Dell. It is proposed to remove all of the existing items of play equipment and slightly relocate the boundary of the play area to the north, away from the Town Wall. Install additional items of equipment between the relocated play area and the water fountain and install an elevated bank slide from the top level of the site down to the lower footpath. Play Area, Castle Dell, Welsh Street, Chepstow**

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

<https://www.youtube.com/live/7mdGfiFwxF8?si=DntnTVRduPJbxDxe&t=4115>

In noting the detail of the application and the views expressed, it was proposed by County Councillor Ann Webb and seconded by County Councillor Emma Bryn that application DM/2023/01562 be approved subject to the conditions outlined in the report.

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

For approval	-	14
Against approval	-	0
Abstentions	-	0

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Planning Committee held in the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance on Tuesday, 6th February, 2024 at 2.00 pm

The proposition was carried.

We resolved that application DM/2023/01562 be approved subject to the conditions outlined in the report.

5. Planning Code of Practice (Revised)

We considered the revised Planning Code of Practice.

https://www.youtube.com/live/7mdGfiFwxF8?si=n_sBUaJ4Z9YsAwnb&t=4949

It was proposed by County Councillor Fay Bromfield and seconded by County Councillor Dale Rooke that we endorse the revised Planning Code of Practice without modification and that it be referred to Monmouthshire County Council's Standards Committee on 11th March 2024.

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

In favour of the proposal	-	14
Against the proposal	-	0
Abstentions	-	0

The proposition was carried.

We resolved to endorse the revised Planning Code of Practice without modification and that it be referred to Monmouthshire County Council's Standards Committee on 11th March 2024.

6. Planning Appeals Received - 1st October to 31st December 2023

We noted the planning appeals received by the Planning Department for the period 1st October to 31st December 2023.

The meeting ended at 3.32 pm.

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Application Number: DM/2020/00400

Proposal: Construction of a 1km closed road cycle track, vehicle access and car parking

Address: Land Adjoining Racecourse Farm & Llanfoist Waste Transfer Station Transfer Station, Abergavenny NP7 9LQ

Applicant: Mr M Moran - MonLife

Plans: Site Plan Site Plan - , Location Plan Location Plan - , Landscaping Plan 1517-204 - Rev B, Green Infrastructure Framework Plan Element Urbanism & Landscape - Rev 03B, Design and Access Statement Rev A - 13/12/21, Other Summary Statement & Planning Statement by Owen Davies Consulting - December 2021, Landscape Planting Plan 1517-301 Rev B- Planting Plan 1 of 3, Landscape Planting Plan 1517-302 Rev B - Planting Plan 2 of 3, Landscape Planting Plan 1517-303 Rev B - Planting Plan 3 of 3

RECOMMENDATION: Approve

Case Officer: Ms Kate Bingham

Date Valid: 12.05.2021

1.0 APPLICATION DETAILS

1.1 This application was presented to Planning Committee on 1 March 2022 and was approved subject to a full Appropriate Assessment (AA) concluding that features of the River Usk SAC will not be adversely affected by the development and the conditions outlined in the report below and as revised in late correspondence:

Condition 4 (GI Management Plan)

A proportionate Green Infrastructure Management Plan shall be submitted to and be approved in writing by the local planning authority prior to the commencement of the development. The content of the Management Plan shall include the following;

- a) Description and evaluation of Green Infrastructure assets to be identified, protected and managed in the GI management plan including those that are to be part of strategic landscaping:
 - a. Trees, Hedgerows, grassland
 - b. Green corridors
 - c. Pond environs, interface and blue corridors
- b) Opportunities for enhancement to be incorporated:
 - a. Management of Grassland for botanical species diversity and / or protected species including reptiles
 - b. Management of tree and hedge buffer strips to increase and maintain diversity, connectivity and screening
 - c. Maintain habitat connectivity through and or around the perimeter of the site for species
- c) Trends and constraints on site that might influence management of above features.
- d) Aims and objectives of management.
- e) Appropriate management options for achieving aims and objectives.
- f) Prescriptions for management actions.
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty-year period).
- h) Details of the body or organization responsible for implementation of the plan.
- i) Ongoing monitoring and remedial measures.
- j) Wardening and site liaison.
- k) Protected species licensing requirements for undertaking habitat management and surveillance.

The Management Plan shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery as appropriate. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the Green Infrastructure Management Plan are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning Green Infrastructure objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

Reason: To safeguard all Green Infrastructure Assets at the site in accordance with Local Development Plan policies, DES1, S13, GI1, NE1, EP1 and SD4.

N.B. The proposed GI Management Plan condition above supersedes the need for the Landscape & Environmental Management Plan (LEMP) condition 7 in the listed conditions in the March 2022 report below - now omitted. Informative 4 is amended to reflect that a GI Management Plan is required rather than a LEMP.

Additional condition (Condition no. 11) (CEMP):

No development shall take place (including ground works, vegetation clearance) until a Contractor's Construction Environmental Management plan (CEMP) is submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following as a minimum:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction
- 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.
- i) General site management: details of the construction programme including site clearance, method statements, surface water management and measures, site waste management and disposal, sustainable drainage (pre- and post-construction), maintenance and monitoring programmes;
- j) Pollution prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and an incident response plan;
- k) Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details;
- l) A biosecurity risk assessment that considers non-native species (INNS) and specific diseases.

The development shall be implemented in accordance with the approved details.

Reason: To safeguard species protected under the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended) and the Integrity of the River Usk SAC.

1.2 As the site is within the Phosphorous Sensitive Catchment Area of the River Usk Special Area of Conservation (SAC), all development must demonstrate phosphate neutrality or betterment in relation to the disposal of foul waste. At the time that the application was previously considered by Planning Committee, portaloos were to be provided in the park area at the north of the site for daily use, with additional facilities being brought in for large-scale events. It was proposed that wastewater would be removed from site and then taken to either a Wastewater Treatment Works (WwTW) with phosphorus stripping facilities or a WwTW located outside of the SAC catchment area (north Monmouthshire).

1.3 NRW have now reviewed the environmental permit for the DCWW Llanfoist Waste Water Treatment Works (WwTWs) meaning that development can once again connect to the main sewer providing that the treatment works operates in accordance with the agreed environmental permit. As such, it is now proposed that users of the velo park will have access to existing welfare facilities at the adjacent site (The One Planet Centre at the Waste Recycling Centre, Llanfoist) that connects to the mains. DCWW have been consulted on whether there is capacity at the Llanfoist WwTWs and raised no objection to the proposed development. On this basis Condition 12 (Foul Drainage Strategy) is no longer required.

1.4 In their latest advice, NRW request some updates to conditions to be reflected in an updated Appropriate Assessment under the Habitats Regulations. For lighting, they suggest a condition that reflects that the previous 21:30 cut-off time is updated to after dusk (when Otters may be active). They also request a separate condition that restricts lighting within 20m of the river and on-site ponds/watercourses between dawn and dusk.

1.5 In relation to surface water, NRW have requested that a Surface Water Management Plan is secured and implemented. It is also worth noting that the development will be subject to separate SAB consent.

1.6 NRW also sought clarification regarding the retention, ongoing management and enhancement of boundary habitats between the development and the river. This land remains in MCC's ownership, is managed as agricultural land in accordance with a licence and as such, hedgerows will be covered by the protection afforded to them by the Hedgerow Regulations 1997.

1.7 On the basis of the above the application is now represented to Committee for approval, subject to the updated Appropriate Assessment and the following additional conditions (as well as those revised conditions referred to above):

12. Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), there shall be no operation of lighting on site between dusk and dawn from 31st October through to March 1st.

Reason: To safeguard species protected by the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010, as well as a qualifying feature of the River Usk SAC.

13. 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 shall be operated within 20m of the river, the onsite watercourses and pond, between dusk and dawn.

Reason: To safeguard species protected by the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010, as well as a qualifying feature of the River Usk SAC.

14. Prior to commencement of development, a Surface Water Drainage Plan to confirm details of surface water management shall be submitted to and approved in writing by the Local Planning Authority. This shall include confirmation that no headwalls or discharge points will be installed on the riverbank. The development shall be implemented in accordance with the approved details.

Reason: To ensure the Integrity of the River Usk SAC.

1.8 The previous report and conditions are presented below.

REPORT TO COMMITTEE MARCH 2022

Application Number: DM/2020/00400

Proposal: Construction of a 1km closed road cycle track, vehicle access and car parking

Address: Land Adjoining Racecourse Farm & Llanfoist Waste Transfer Station Transfer Station, Abergavenny NP7 9LQ

Applicant: Mr Mike Moran - MonLife

Plans: Site Plan Site Plan - , Location Plan Location Plan - , Landscaping Plan 1517-204 - Rev B, Green Infrastructure Framework Plan Element Urbanism & Landscape - Rev 03B, Design and Access Statement Rev A - 13/12/21, Other Summary Statement & Planning Statement by Owen Davies Consulting - December 2021, Landscape Planting Plan 1517-301 - Planting Plan 1 of 3, Landscape Planting Plan 1517-302 - Planting Plan 2 of 3, Landscape Planting Plan 1517-303 - Planting Plan 3 of 3,

RECOMMENDATION: Approve

Case Officer: Ms Kate Bingham
Date Valid: 12.05.2021

This application is presented to Planning Committee due to the number of representations and because Monmouthshire County Council is the applicant.

1.0 APPLICATION DETAILS

1.1 Site Description

This application is submitted by Monmouthshire County Council who are seeking to build a cycling hub, or 'velo park' with a mix of different cycling facilities concentrating around a Closed Road Circuit (CRC). The facility will be of regional and potentially national importance for the growth and development of cycling and other wheeled sports. It is intended to further enhance Abergavenny's reputation as one of the most successful cycling towns and destinations in Wales.

The proposed site is at Racecourse Farm is 1.5 miles south of Abergavenny Town Centre, or 25 minutes walking / 10minutes cycling distance. It is positioned in a mixed-use area adjacent to a junction of the A465 Heads of the Valleys Road.

The area around the road junction has been developed to accommodate new housing, residential care home, roadside leisure/retail operators including a Premier Inn hotel, Brewer's Fayre restaurant, and a drive-through McDonald's restaurants. Llanfoist Primary School is positioned at the western boundary of the Racecourse farm site. Other important features include the River Usk to the east and Monmouthshire Golf Course to the south. This is an established development area, and already includes a mix of land uses including education and leisure.

The whole site is 6.4 ha in size and is currently used for the grazing of horses. Temporary uses of the land in recent years has included overspill events and camping for the National Eisteddfod.

The floodplain of the River Usk covers the low-lying areas to the east and is categorised as Zone C2, an area of floodplain without significant flood defence infrastructure where only less vulnerable development should be considered. The land to the west of the site is at a higher level, including an area of the former household waste landfill. This area is undulating with some steeply sloping banks. As well as the unusual topography including a raised mound and former landfill site, there are several utility features including the footings and towers for the overhead power lines, a high-pressure gas main (beneath ground) and a gravity fed sewer pipe.

Access into the site exists at two locations, a vehicle entrance formed in the opening between McDonald's and the Foxhunters Care Home and an existing field access adjacent to the One Planet Centre.

In terms of the environmental qualities of the site, there are no national or local environmental designations, although the area exhibits a range of natural habitats including ponds and wetland areas. Ecological considerations are important to the site's development. The site is also within the Phosphorous Sensitive Catchment Area of the River Usk Special Area of Conservation (SAC).

1.2 Value Added

Following comments from Natural Resources Wales and the Council's Biodiversity Officer the following amendments have been made to the proposal:

Reference to the use of the One Planet Centre as a facility has been removed to address concerns with any potential increase in phosphates. A small number of portaloos will be provided in the parking area for daily use. Large scale events will provide additional portaloos in accordance with event management plans.

Revised illustrative landscape masterplan with the following amendments:

1. Additional amphibian habitat (pond) larger in scale than the recommended 4m x 3m added to the eastern side of the existing pond. The pond is as large as is reasonably possible to maximise ecological gain.
2. Post and rail fencing added to the pond.
3. Boardwalk and pond viewing platform shortened and realigned to meet the post and rail fence where interpretation board to be sited, with local vegetation clearance, when possible, to allow clear views over the pond.
4. All reference to potential future access to the floodplain removed (ie additional to the existing PROW).
5. Wildflower meadow areas extended in line with NRW landscape comments.
6. Additional notes included on plan and in general notes below the legend to state:
 - a. feathering in at toe of new embankments to ensure earthworks are as sensitive as possible and blend into the landscape (as currently stated in the submitted GI strategy)
 - b. where 1:2 slopes are necessary, low gabion walls are introduced where beneficial to increase the areas of 1:3 which enables screen planting (again as in submitted GI strategy)
 - c. SuDS basin inlets and outlets to be designed sensitively to minimise visual impact and avoid the need for headwalls - in the interests of landscape character i.e. set in gabion baskets aligned with slope.
 - d. Notes on lighting hours of operation included
7. The location of Ash trees indicated on plan to demonstrate that mitigation planting is provided in the event of their loss.
8. Vegetation removal indicated on plan in line with NRW comments
9. Reference to GCN fencing removed
10. Reference to Otter tunnels removed
11. Amended internal path arrangement to re-connect with PROW as diverted north of the track. Proposed alignment allows the additional pond as proposed, and the water body would help to naturally guide walkers along PROW 71 away from ecologically sensitive areas, apart from people visiting the pond viewing area.

1.3 Proposal Description

The national governing body, Welsh Cycling, has worked closely with the Council and local cycling clubs in recent years to promote very popular and successful national and local cycling events in the town. The town boasts several cycling clubs, including Abergavenny Road Club, one of the largest and most successful in Wales. Support for a velo park located in Abergavenny has been identified in the Welsh Cycling's Facilities Strategy and the emerging Monmouthshire Cycling Strategy.

The velo park including CRC will be a purpose-built cycling facility used for leisure, coaching, training and competitive cycling. It will also be available for other wheeled sports (e.g. wheelchair and Nordic skiing) and running. It combines recreational trails with a purpose-built circuit - a traffic free road used as a sports and leisure facility. The CRC will be 6 metres wide and 1km in length with street lighting covering part of the circuit to allow its use during the evening.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2018/01925	Proposed construction of single storey workshop/studio ancillary use in connection with existing dwelling house.	Approved	18.01.2019
DM/2018/01929	Alterations to existing stone walls to the perimeter of the proposed Studio/Workshop. Including reconstruction of missing and dilapidated sections walling using selected local stone, formation of a opening at the new pedestrian access point and replacement of the rounded concrete capping with a stone flag coping.	Approved	04.01.2019
DM/2020/00946	Discharge of conditions; 6 (details of existing sewer) 7 (foul water discharge scheme) and 9 (street phasing plan) 10 (street management and maintenance plan) 11 (all details for adopted areas) 12 (PROW details and pedestrian infrastructure phasing) 13 (surface water management) 14 (construction traffic management) 15 (lighting design for biodiversity) and 16 (method statement for safeguarding biodiversity). Relating to application DC/2016/00880.	Approved	16.10.2020
DM/2020/00947	Discharge of conditions; 2 (detailed soft landscape scheme and green infrastructure management plan), 3 (details of proposed earthworks), 5 (hard landscape details) and 7 (schedule of landscape maintenance). Relating to applications DM/2019/00346.	Approved	27.11.2020
DM/2020/01169	Install 1x 9m wooden pole (7.3m above ground). (Openreach ref. QCH619SW)	Permission Not Required	09.10.2020

DC/2013/00332	Removal of conditions restricting use to holiday accommodation	Approved	18.09.2013
DC/2006/00127	Proposed conversion and extension of existing barns to provide 13 units of holiday accommodation.	Approved	04.02.2008
DC/2006/00637	Proposed conversion and extension of existing barns to provide 13 units of holiday accommodation. 3 new build holiday cottages for disabled persons	Approved	01.02.2008

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S5 LDP Community and Recreation Facilities
S10 LDP Rural Enterprise
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

CRF2 LDP Outdoor Recreation/Public Open Space/Allotment Standards and Provision
RE6 LDP Provision of Recreation, Tourism and Leisure Facilities in Open Countryside
SD3 LDP Flood Risk
SD4 LDP Sustainable Drainage
LC1 LDP New Built Development in the Open Countryside
LC5 LDP Protection and Enhancement of Landscape Character
GI1 LDP Green Infrastructure
NE1 LDP Nature Conservation and Development
EP1 LDP Amenity and Environmental Protection
EP2 LDP Protection of Water Sources and the Water Environment
EP3 LDP Lighting
EP5 LDP Foul Sewage Disposal
MV1 LDP Proposed Developments and Highway Considerations
MV3 LDP Public Rights of Way
DES1 LDP General Design Considerations
DES2 LDP Areas of Amenity Importance

Supplementary Planning Guidance

Green Infrastructure SPG (April 2015)

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.

Technical Advice Notes

Technical Advice Note (TAN) 16 - Sport, Recreation and Open Space.

Paragraph 3.17 states that: 'In urban fringe areas, particularly where there is insufficient land in urban areas, there may be opportunities to provide sport and recreation facilities in ways which do not conflict with other policies to protect the environment and amenity of communities'.

Paragraph 3.18 states that: 'In rural areas, facilities should be located in or adjacent to settlements. Any proposed developments in the open countryside would require special justification. Appropriate proposals linked to farm diversification may be given favourable consideration.'

5.0 REPRESENTATIONS

5.1 Consultation Replies

Llanfoist Fawr Community Council - This Community Council supports the principle of a closed road cycle track scheme in the Abergavenny area but has significant concerns regarding the proposed location. Consequently, this application is recommended for refusal as it is currently presented. This Community Council's concerns are laid out below:

Traffic Access

Existing traffic congestion in this area is already a significant problem. Members of the Community Council do not accept the conclusions of the Traffic Statement that the problems are temporary and COVID related and that the impact will not be severe. Traffic already queues (dangerously) onto the A465 dual carriageway during peak times presenting significant delays and access problems for local residents. Members noted that a traffic audit was conducted on Feb 4th 2021 between the hours of 2pm and 3.30pm. The date and time of this audit is fundamentally flawed as (i) this area was under Level 4 COVID travel restrictions on Feb 4th which criminalised non-essential travel, and (ii) would not have represented peak times for either the local fast food outlets and/or commuting traffic. As a minimum, this Community Council would request that the traffic audit is repeated at more representative date(s) and time(s) including weekends and that the Traffic Statement is reviewed in detail by Mon CC Highways.

Parking Provision

Members are concerned that 80 designated spaces are not sufficient. Similarly, the prospect of significantly increased parking requirements for large events is not adequately provided for. It is also noted that land designated for overflow parking is also an option for the relocation of allotments arising from those to be lost adjacent to Llanfoist Cemetery. Members believe there is a

significant risk of uncontrolled on-street parking arising from these proposals which has not been properly considered.

Wildlife Habitat

Members note the mitigation features included in the proposals but remain concerned that the simple existence of artificial lighting, mechanical and human activity is bound to have a significant impact on wildlife and habitat protection. This Community Council would request that responsibilities (both financial and practical) for mitigating these factors are clearly identified and agreed - something which the current proposals lack clarity on.

Noise and Quality of Life for adjacent residents and Care Home residents

The proposed hours of opening (8am to 9.30pm) raise significant concerns regarding noise and light pollution levels. There is a risk of a constant level of a "base load" noise associated with this proposal which will impact local residents and nursing/care residents of the Foxhunter Home. With planning permission already granted for extensive further development at Grove Farm and protected living bungalows near the Foxhunter these issues are exacerbated. This Community Council is concerned that the quality of life and amenity of local residents (of all ages) would be permanently deteriorated by these proposals.

NRW - We continue to have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding Foul Drainage. If this information is not provided, we would object to this planning application. Further details are provided below.

We also advise that based on the information submitted to date, conditions regarding European Protected Species, Landscaping and Land Contamination should be attached to any planning permission granted. Without the inclusion of these conditions, we would object to this planning application:

- Condition 1: European Protected Species - Secure Implementation of Submitted Documents.
- Condition 2: European Protected Species - Conservation Plan for Great Crested Newts.
- Condition 3: European Protected Species & Landscapes - Landscape Ecological Management Plan
- Condition 4: European Protected Species - Biosecurity Risk Assessment
- Condition 5: European Protected Species - Ecological Compliance Audit
- Condition 6: Land Contamination - Unsuspected Contamination

Protected Sites - River Usk Site of Special Scientific Interest (SSSI)

NRW consider the proposals have the potential to impact upon the River Usk SSSI. Providing the impact pathways referenced above for the SAC are adequately assessed, NRW consider the features of the SSSI will also be adequately safeguarded.

European Protected Species - In addition to the documents we have reviewed previously, we have also reviewed the following documents submitted in support of the above application:

- o Amended version of the document entitled 'Summary Statement & Planning Statement', prepared by Owen Davies Consulting, dated December 2021.
- o Drawing entitled 'Abergavenny Velo Park, Llanfoist, - Illustrative Landscape Masterplan', prepared by Element Urbanism & Landscape, drawing number 1517-304, revision B, dated 30/11/2021.
- o 'Abergavenny Velo Park Masterplan - Green Infrastructure Strategy', prepared by Element Urbanism & Landscape, revision 03B, dated 09/12/2021.
- o 'Land at Race Course Farm, Llanfoist, Abergavenny, Monmouthshire - Addendum to Ecology Strategy, prepared by Just Mammals Consultancy, dated December 2021.
- o 'Abergavenny Velo Park - Design & Access Statement', unauthored, revision A, dated 13/12/2021.

The proposals comprise the development of a cycling centre including paved track, off-road routes, car park, storage facility and lighting. We note the proposed amendments to the scheme

include the addition of a great crested newt pond within the red line boundary (in addition to the previously proposed mitigation ponds outside the red line but within blue ownership boundary); omission of street lighting within the ecologically sensitive western section of the circuit; provision of further information on the time limiting of lighting; removal of permanent newt fencing and otter tunnel from the design and the statement confirming no boundary trees will be removed.

We consider the new information as listed above, addresses our previous concerns in relation to bats in trees, otters and lighting subject to the imposition of conditions listed above.

Landscaping - We are satisfied that the revised planting plans have addressed our earlier concerns regarding the inclusion of additional large-growing species. We note the information provided in the planting plans are general maintenance rather than long-term management proposals. This does not appear to have been addressed in the submitted Green Infrastructure Strategy. Therefore, we recommend a Landscape and Ecological Management Plan (LEMP) should be submitted and approved in writing by the Local Planning Authority before development commences. Details regarding what the LEMP should include for landscaping are referenced in the LEMP condition under European Protected Species above (Condition 3)

Flooding - We have reviewed the FCA undertaken by HydroGeo, reference HYG637 R 201105 CB Abergavenny Velo Park_FCA V4, dated 12 March 2021 to provide you with technical advice on the acceptability of flooding consequences. Whilst our advice below shows the FCA has not demonstrated the risks and consequences of flooding can be managed to an acceptable level, recognising the nature of the application and that only the very south of the site is shown at risk of flooding (which appears to not have any built development within the outlines), in this instance we have no objection to the application as submitted in relation to flood risk.

Foul Drainage - We note from the updated information (paragraph 5.1.9 Summary Statement & Planning Statement, amended December 2021) that a small number of portalooos will be provided in the parking area for daily use with additional portaloo facilities for large scale events. This replaces the previous proposal which relied on the nearby One Planet Environmental Education Centre toilet facilities. The application suggests a conservative estimate of between 10,000 and 20,000 visitors per year.

We presume the portalooos will be 'collection only systems', i.e. they won't treat wastewater, only collect it. If so, they are effectively a cesspit/cesspool with the waste needing to be regularly emptied. This is required to be done by an appropriate and registered waste carrier.

The waste from collection-only systems must be taken to an authorised waste reception site or an authorised wastewater treatment works. On this basis, the waste could be taken to a local Wastewater Treatment Works(WwTW). WwTW within the Monmouthshire boundary do not have phosphorus stripping facilities. This, therefore, has the potential to create a pathway to, and increase phosphorus loading on, a river SAC.

Contaminated Land - We have reviewed the document entitled 'Proposed Velo Park, Llanfoist, Abergavenny, Phase I Geoenvironmental and Phase II Site Investigation Report', prepared by HydroGeo, document reference HYG637 R 200619 TP Abergavenny Velo Park Phase I and II.docx, dated June 2020 submitted in support of the above application. We note the report includes a wider area than red line boundary in the planning application. The report includes the historic landfill to the northeast of the site and the base at the northern and eastern slopes, however the historic landfill is not within the red line boundary. We note from the report there is deep made ground present and given the adjacent landfill additional made ground/landfill material may be encountered during development. If gross contamination is encountered during development, then a remediation strategy should be submitted to the Local Planning Authority in accordance with the suggested condition below to ensure if contamination is encountered it is appropriately dealt with. Based on the above, we would advise the following condition to be included on any planning permission granted by the Local Planning Authority:

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority)

shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

GGAT - We have consulted the regional Historic Environment Record (HER) and note the proposal is located in an area of archaeological potential and we have previously recommended archaeological mitigation for proposals in the vicinity. However, the supporting information submitted does not refer to archaeological remains or designations and therefore no consideration has been made concerning any physical impact on buried archaeological remains, or any potential indirect, visual impact of the proposed development. As a result there is insufficient information presented to allow an informed decision to be made regarding the archaeological resource. In order to ascertain the impact that the development will have on the archaeological resource, a suitably qualified archaeologist should initially prepare an archaeological desk-based assessment of the current knowledge of the archaeological resource in the application area in order for the impact of the proposed development to be determined and to allow informed mitigation measures to be proposed.

MCC Highways - The highway authority has considered the supporting information submitted in support, particularly the Transport Statement, the Draft Site User & Management Plan and associated layout plans.

Site Accessibility;

The highway authority considers the location to be a reasonable sustainable location accessible by pedestrians and cyclists and within reasonable distance from bus and rail transport provision.

Highway Safety / Traffic Impact / Traffic Distribution:

The highway authority has considered the impact of the development on the immediate highway network and agree that the anticipated increase in traffic generated by the development are not considered to be that significant and would not be detrimental to the safety and capacity of the immediate highway network.

Means of Access;

Access to the proposal will be via Council maintained road that currently provides access to the Council's recycling centre and waste transfer station.

Parking Provision;

Generally, the parking provision is considered to be acceptable for the day to day use of the facility and it is acknowledged that larger events on the site specific traffic and site management measures will be introduced as detailed in the Event Management Plan.

The proposed development will not lead to a real deterioration in highway safety or capacity on the immediate local network, and offers no objection in principle subject to suitably worded condition; No development shall commence until detailed design and safety audits have been submitted to and approved by the Local Planning Authority for the construction of the means of access from the Council's maintained access road.

MCC Rights of Way - In accordance with Welsh Office Circular 32/92 Footpaths 71 and 73 in the community of Llanfoist which run through the site have been marked on the application plans. The plans also identify that the paths need to be diverted to accommodate the proposed development. The applicant will therefore need to apply for a path order. Importantly, path orders are subject to legal tests and public consultation and are not guaranteed to succeed. Additionally, guidance states "the effect of development on a public right of way is a material consideration in the determination of applications for planning permission and authorities should ensure that the potential consequences are taken into account whenever such applications are considered.

Note the application looks to replace the existing stiles into the site with kissing gates and identifies the potential for improved footpath linkages to residential area. In accordance with MCC's least restrictive policy and The Active Travel Act MCC would prefer to see Footpath 71

given multiuser status and the stiles replaced with gaps. If this is not possible gates rather than kissing gates would be preferable. It would seem sensible to upgrade the status of a footpath to a cycling facility to allow the use of cycles.

If consent is granted, no temporary closure to allow permanent development works to take place on the paths will be issued until the path order has reached confirmation stage. This is because at this point it will have been determined that any changes to the paths alignment in principle are acceptable. Importantly, if the path order is acceptable the new path alignments will need to remain available and free to use at all times. It is unlikely that they could be closed during a spectator event for example.

MCC Biodiversity - Holding objection pending the submission of further information. This information has been received to the satisfaction of NRW. No further comments received from MCC Biodiversity at the time of preparing this report.

MCC Landscape/Green Infrastructure - No objections subject to conditions.

The applicant has undertaken an LVIA and there is sufficient information relating to the assessment methodology and assessment of the likely visual impact on an appropriate range of receptor locations to be able to support the further design stages.

The applicant has undertaken a GI assets and opportunities assessment to inform a GI Masterplan and GI Strategy as informed and guided by the MCC GI SPG. The assessment and LVIA have informed an illustrative landscape masterplan 1517-304 rev A and subsequent landscape plans 1-3 for the site.

From a landscape and GI perspective the amendments as detailed in the application covering letter are broadly acceptable from a GI and landscape perspective where relevant.

Based on the amended current proposals for the construction of a 1km closed road cycle track, vehicle access and car parking it is considered, from a landscape and GI perspective, will not have a significant detrimental impact on the character, appearance and intrinsic values of the localised and wider valued landscape, provisions of Planning Policy Wales (Edition 11) February 2021 and Policies S13 and LC5 of the MCC Adopted LDP 2011-2021.

MCC SAB - We believe the proposed scheme will require a sustainable drainage system designed in accordance with the Welsh Government Standards for sustainable drainage. The scheme will require approval by the SuDS Approving Body (SAB) prior to any construction work commencing. The SAB is granted a period of at least seven weeks to determine applications. SuDS approval is required if the total construction area of your development is 100m² or more. Total construction area is defined as anything that covers land (inclusive of driveways, patios, parking areas etc.). It also includes any construction work that replaces an existing building.

SEWBREC Search Results - Records of Great Crested Newts, Bats and Otters recorded within the vicinity of the site.

5.2 Neighbour Notification

Twenty five representations received in support of the application:

- Abergavenny has a thriving cycling culture which would further benefit from a facility like this, providing a safe environment for younger riders in particular.
- Help achieve active travel goals.
- This would be amazing for Abergavenny, with such amazing cycling in the area this can only help increase Abergavenny as a cycling community.
- I would certainly hope to make use of it and also my young family in the future.
- With a young family living around the corner to the proposed site this is the type of forward thinking facility that is needed. Cycling is a booming leisure and tourism activity, but more facilities are needed to help train our children (and adults less confident on a bike) in a safe off road environment.

- Abergavenny rightfully has a growing reputation as a cycling hot spot, and this facility will only help cement this reputation.
- What an amazing idea. A great asset for the town. Well done all involved.
- Further encouragement for people to get into cycling and out of their cars.
- The design appears to sit well in the landscape and the high quality landscape design with native planting and wildflower areas look like a significant enhancement to the site.
- Excellent idea that will encourage more sport and visitors in Abergavenny.
- Abergavenny has an amazing road cycling club and at the heart of that is the off road club morning they run every week in the grounds at King Henry school. King Henry school plan to enlarge and the large cycling area (also used for sports) will become part of the new school build, gone forever to the cycle club. As such I believe that the velo park application should be viewed along with the school application i.e. if new school goes ahead the velo park definitely should too as there is no alternative venue for the bike club.
- It's about time that the young people were of Abergavenny were given somewhere to cycle, enjoying themselves, learning at the same time. Everything in Abergavenny seems to be about old folk and nothing for the youngsters.
- At a time where we have seen an increase in cycling, providing the infrastructure to support it is vital.
- We have an obesity crisis in our country and having safe cycling routes can help encourage new cyclists to get more exercise.
- The design is very environmentally thoughtful and has taken important steps to protect and sustain biodiversity.
- This will pass on a great legacy for future generations and should be supported.
- This is a fantastic facility for Welsh cycling (beginner to professional) and the public. We need modern cycling facilities to enable Welsh cyclists to compete on a global level and to enable more of the public to engage and have access to cycling.
- My son is a young Maindy Flyer and hopes to compete professionally having such a facility would be of great benefit and support Welsh & British cycling members.
- Cycling is a fantastic sport for all and we need to provide greater access to such a healthy sport.
- The park would provide multipurpose amenities for cyclists and generate additional income for the local community.
- I think this is forward thinking and exactly what we need, to encourage children to have a safe environment to learn, enjoy and develop cycling skills.
- As a family of cyclists (of varying abilities) we have found the lack of cycling provision in Monmouthshire particularly frustrating, especially for younger children seeking to develop their skills in a safe traffic free environment.
- This facility would be a huge benefit to the Monmouthshire community whilst having minimal impact on the natural environment.
- Having visited several of these velo parks across the UK the proposed location is one of the best I've seen. Its proximity to the town centre makes it easily accessible and a real boon to its use.
- To have this sort of facility in an area other than a 'big' city is forward thinking and will benefit the local businesses as it would allow large races to be held thus bringing people into the area. You only need to look at the Abergavenny cycling festival to see the number who children who attend these events from further afield.
- It's good to see within the plans the wild meadows and wetland areas to benefit the local wildlife.
- I hope the planning department will view this development favourably as it will provide a great facility for children in the immediate and nearby localities.
- I don't feel that buildings that have only just been built should have a great right to block this proposal, it was not long ago that those buildings become blots on other peoples view.
- I think that this is the type of facility that would be quiet for nearly all the time. The larger cycle events they hold would be infrequent and i am sure that club days would not cause significant traffic, at the present club days there was minimal traffic with lots opting to cycle there.
- Some of the residents of the home might even like to see cyclists going round the tracks being people powered they would be very quiet.

- As a business owner, I have seen the benefits to the local economies of MTB and other cycling centres around the UK and wondered why such a passionate area for cycling (Abergavenny) does not have its own specialist local cycling facilities.
- As a volunteer for many years, at Abergavenny Road Club, I have seen the huge benefits that cycling has had in the community. Children starting their first coached sessions at a very young age and just making friends, exercising and having fun or being inspired to race at National and International levels. If our cycling club was able to access this facility then it would provide endless opportunities to develop young cycling talent and promote healthy lifestyle and conscious environmental decisions.
- I am hugely supportive of this application and feel that it is something that should proceed extremely quickly given the huge impact that Covid has had on young people and young people involved in sport.
- I have had the opportunity to take part in events at both Stratford velo park and Redbridge cycling centre. These events are incredibly popular with new cyclists who would normally avoid events on roads because of the dangers of cars. During the pandemic there has been a massive uptake in cycling, this track would be perfectly timed to take advantage of this.

Nine objections received:

- As the CEO of Dormy Care Communities and a Director of Foxhunters Estates, I strongly object to this development: Foxhunters Care Community is situated on Iberis Road and is home for up to 70 ladies and gentlemen. The development of 24 bungalows adjacent to the care home is about to commence which will provide 24 bungalows for the over 55 age group and will offer housing with support. The traffic is already a problem with there often being over 50 cars leading to McDonalds. This would no doubt increase and cause traffic build up on the bypass which is already badly affected. The planned lighting of the scheme would pollute the care home and the bungalows. Noise will also be a problem with the closing time being as planned. With so many other locations available in Monmouthshire, this does not fit in with the local infrastructure and would create nuisance to existing and future home owners.
- As my property looks out onto the proposed site, I cannot support this in its current state. The lighting solution stated will greatly affect my property, as the 5m high flood lights will cause light pollution and disrupt the local wildlife (we have many bats and other nocturnal animals).
- Currently at weekends, there is congestion that backs onto the roundabout and slip lane and there have been several accidents on that stretch of road.
- If the site had solar powered, low level lighting and a dedicated slip lane to divert traffic from the existing slip lane, then this would be much better.
- Race day and weekend traffic will gridlock Llanfoist roads and visitor parking will likely impact residents. There needs to be assurances that any events will be marshalled and locals will be protected.
- Llanfoist is a wonderful area and I fully support projects like this, but I do not think the proposed site is the correct location for this amenity.
- Adding a further facility in this area, without suitable consideration of its impact on the surrounding infrastructure does not seem a feasible plan.
- A wildlife conservation area was established by Monmouthshire County Council adjacent to the location of The Foxhunter Residential Home, Ffordd Sain Ffwyst and the proposed velo park site. This is now well populated by a variety of bird species, amphibians and insect life. The disturbance caused by construction and operation of the cycle track would drive away the bird species and the pond would become a refuse dumping area for the attenders of the track.
- Extra slow moving traffic will cause a considerable increase in local air pollution.
- The level of noise and light pollution produced during construction and operation of this proposed cycle track will cause an unacceptable degradation of the living environment to the residents of Ffordd Sain Ffwyst and The Foxhunter residential complex.

- At present we look out onto open fields and woodland and the main reason for moving here was statements by the developers that there would be no further developments in this area.
- Due to the proximity of the track to Ffordd Sain Ffwyst we believe that there would be a problem with people parking there.
- We are directly on the boundary of the Western field, the closest property to the development. If this goes ahead, could we expect a form of compensation for the residents of Ffordd Sain Ffwyst?
- Believe the Planning Committee should undertake a site visit in order to understand our concerns. And to see the topography for themselves.
- No attention has been given to the concerns of most of us facing the proposed velo park from regarding the hours of operation and the potential nuisance value of the park being open from 08:00 to 21:30 day in, day out.
- The presence of humans on the site, potentially from 08:00 to 21:30 every day, is without doubt going to have an adverse effect on all the wildlife here, in particular the various species of waterfowl that are here. I doubt the herons will visit any more, nor the Canada geese.
- This spring and summer I have heard, for the first time since moving here in 2017, skylarks singing, indicating that they are nesting in the grassy areas that will be used for the velo park.
- No one can pretend that the velo park is going to respect the current fauna in the area. It will definitely have a detrimental effect.
- Traffic will be further increased by the 2 already approved housing developments in Llanfoist (Foxhunter and The Grove) when complete, and are not factored into projections because the traffic survey was undertaken 16 months ago.
- There are only 80 vehicle parking spaces planned on the Velo park site, which again for events such as competitions etc. appears totally inadequate for peaks of activity.
- The proposal is to use an adjacent field for overspill parking. As the report states this field can only be used during dry summer months; the velo park is planned to be in operation throughout the year, so for the majority of the year the adjacent overspill car park will not be usable.
- The proposed alternative overspill car park is to use the car park of Llanfoist Primary School, which has spaces for 52 cars. This will therefore inevitably have to be used for the majority of the year when on site velo park car parking is full.
- The access to the school is through a housing estate, which is completely unsuitable for large numbers of vehicles; this is a family estate with lots of small children playing outside. It could also prevent many users of the school attending community classes in the evening or at weekends, due to being unable to park when the school is in use as an overspill car park.
- These concerns could be easily resolved by increasing the number of planned on site car parking spaces at the velo park so that overspill parking is not required. There is ample space to achieve this increase in on-site parking.
- As it is, local residents cannot access their own homes due to being stuck in giant queues at peak times throughout the week. Llanfoist's already stretched infrastructure simply could not cope with any more users.
- Most walkers and cyclists would have to cross the Llanfoist bridge over the river Usk in order to access the site from Abergavenny. This bridge is very dangerous. The result of this is that local users will most likely drive to the facility thus exacerbating the traffic issues above (not to mention visitors from outside the local area!). Public transport to the site is non-existent either.
- It is my understanding that the allotments currently located at Llanfoist Cemetery need to be relocated by law and the preferred site is alongside the proposed car park for the track. Is this land also not earmarked as overflow car parking needed for larger events? If users can't utilise the allotment land then where do they park? It also goes without saying that visitors would probably end up parking on local streets which would further inconvenience local residents unless some sort of marshalling system was provided by event organisers.
- There are a number of protected species living on the site, including bats, great crested newts, otters and grass snakes. The development would devastate their natural habitat. It

is my understanding that the proposed site in Gilwern was abandoned due to the presence of bats. Why is this site not being granted a similar reprieve? There are more protected species here; it makes no sense.

- The development would cause a huge visual impact to residents living in close proximity in Ffordd Sain Ffwyst and Foxhunters Care Home. Open rolling fields full of fauna and wildlife are to be replaced by 6m wide tarmac roads and tall lampposts which will look unsightly. Also light pollution at night time.
- The proposed facility has the propensity to generate noise in close vicinity of people's houses for up to 13 hours a day, 7 days a week, 364 days a year. This will be a nuisance and will affect the peaceful enjoyment of residents' properties. The character of the area is very peaceful at the moment and the proposed development would no doubt impact on this, especially during races (supporters etc.) especially if there was a tannoy system.
- Users will be able to see into those properties closest to the development.
- On studying comparative cycle tracks across the UK it is evident that this layout is indulgent in the utilisation of land. In this case; green unspoilt land. The Llanfoist design takes up too much ground over generous bends and the use of straight lengths. It all feels unnecessary when the proposal could be compacted onto/into an area half that which is occupied here.
- This particular track design is a wasteful excess, building again upon green pasture land which is better left to more natural environmentally friendly use. I propose a more economic layout of the same length be considered immediately, if not abandoned all together in favour of natural wildlife.
- How much will all of this cost to build and run? Surely MCC have more pressing things to spend money on at the moment.

General comments/suggestions:

- I believe it would be good to include a skateboard park and facility at the site and/or include a capacity to use the planned track for a wider purpose than just bicycles; in particular skateboarders.
- I note the report on otters in the area, it would be excellent to accommodate these marvellous beasts in the eventual site design so as to minimise disturbance to them.
- Moving from London to South Wales has made me aware of the awful "car culture" that exists here. Many people do not believe you cannot live here without a car, and in turn even the shortest trips are taken in a car. I believe that cycling infrastructure like this is essential for combating this way of thinking.
- Gravel/all road cycling is a very popular type of riding where routes are move off road, and use bikes with larger more capable tyres. Potentially it is an opportunity to create a gravel track. This would make sense in an area of Wales littered with gravel tracks. It would also take advantage of this current interest in gravel cycling. Also I would imagine a gravel track would be less expensive to build and also less energy intensive and potentially one of the first in its kind.

5.3 Other Representations

Welsh Cycling:

Welsh Cycling would like to formally express their support for the proposed velo park cycling facility in the Abergavenny area.

The velo park will make a significant difference not just to local cycling clubs but to all residents in the surrounding area by making physical activity more accessible and increasing their opportunities to develop healthy lifestyles. As well as making cycling safer and easier, the facility will support the promotion of cycling for leisure, tourism, club and school activities and enable national and regional level racing to take place.

The inclusion of features that attract a wide range of users including families, recreational cyclists and competitors will help to maximise the use of the facility. The design also allows for other sports such as running and roller skiing and use by wheelchairs and adapted bikes therefore further increasing the number of potential users.

The development of the velo park will allow Monmouthshire to enhance its national and international reputation for cycle sport and tourism. It will also provide the ideal environment to help develop the champions of tomorrow. This facility has the potential to play a significant role in achieving the overarching vision of Welsh Cycling of 'Inspiring Wales to Cycle'. It delivers against our two main strategy strands of 'More people cycling more often' and a 'Performance programme that maximises riders' potential'.

Abergavenny & District Civic Society:

We welcomed the proposal in principle and continue to do so; it appears to broadly satisfy most LDP considerations, though we sympathise with local concerns, especially about traffic, and hope that those concerns will be carefully assessed.

The Pre-Application Consultation report unfortunately makes no direct reference to our comments and concerns. These are presumably subsumed in the short Section 9 and covered by 'to be addressed in the planning application', an unhelpful way of dealing with the need for the report to say how the comments made have been considered when finalising the application. Section 4 of the Summary Statement and Planning Statement summarises the applicant's response to matters raised. Only some small changes and additions to details appear to have been made to the proposals as a result of consultation. There are a number of matters that we still feel need to be taken into account:

- 1 The latest normal site closing time has become 21.30 rather than 21.00.
- 2 The applicant has not specifically responded to our concern about noise impact on the Foxhunter nursing/care home. Woodland planting will take some years to muffle such disturbance. We note the owners' concern about this and about traffic and lighting.
- 3 Concern about traffic congestion has been set aside by an unsubstantiated belief that it is temporary and Covid-related. The Transport Statement concludes that the impact of the proposal will be 'not severe' but the evidence of local residents suggests that the velo park will aggravate a severe problem when fast food and cycling event traffic peaks coincide. We hope that the Statement will be reviewed carefully and critically with your Highways section before making recommendations on the application. Our suggestion of an alternative access via the care home access road might not help this problem and has presumably been rejected, but it would be helpful to read the reasons.
- 4 As recognised by the applicant, the improvement of cycling access to the site from the wider Abergavenny and Llanfoist area would probably significantly reduce the car traffic generated.
- 5 The proposal takes no account of the likelihood that access to the site at all times on foot via public rights of way will generate uncontrolled on-street parking in the vicinity by spectators. Temporary PROW closures may be agreed but these should be infrequent for major events.
- 6 We believe that the pond south of the care home and the semi-wooded area between the school and Ffordd Sain Ffwyst may also be owned by the County Council, suggesting that the wildlife management of the velo park and these areas should be brought together and adequately resourced.

Abergavenny Road Club:

The club has promoted all aspects of cycling for over 30 years, with a particular regard to youth development. Typically, over 100 local children are encouraged through organised coaching activity each year an excellent way of improving children health and wellbeing. Re-development of the towns Leisure Centre site means the club will lose their facility in the near future having a traffic free venue to develop children is essential for safety and there is a genuine risk to coaching activities if an alternative is not identified. The proposed velo park is an ideal solution. Its purpose-built nature would allow the club to further expand activities, including provision for adults and people with disabilities through the use of adapted cycles. Ideas for adults include mother & toddler sessions, women specific sessions and general, structured adult sessions with a focus on involving local residents. Abergavenny Road Club regularly access grants to support the training of volunteers, ensuring such activities are feasible and would help maximise use of the proposed velo park

Abergavenny Cycle Group: Members of Abergavenny Cycle Group are excited about the prospect of a new off-road cycling facility in Llanfoist:

Benefits to the local community

Aside from its primary purpose as a circuit for bike racing, ACG believes the velo park offers great potential for recreational cycling, learning to cycle and safe, pleasant exercise in the outdoors. A closed circuit with a good surface is a safe place for parents and guardians to teach young children to ride a bike, and a place for older children and adults to improve their skills and gain confidence. Off-road cycle trails and walking paths are an added attraction.

We also see the scope for exhibition and demonstration events to be held at the velo park. These might include events organised by bike retailers where prospective customers can test ride bikes before purchasing. Elsewhere this has proven to be promote the uptake of electric assist bikes to replace local car journeys. E-bikes are relatively new products, and are a significantly more expensive investment than a traditional bicycle. Yet there is a huge interest in this new form of low-carbon, low impact personal transportation and uptake is growing every year.

The velo park also has the potential to be a hub for a wide range of cycling activities and events in the area, from teach-ins and workshops to social rides and other get-togethers. There is also scope for other human-powered activities - such as hand-cycles and scooters. We also see the potential for a bicycle recycling facility as a partnership between the velo park and the One Planet Centre / MCC Household Waste Recycling Centre. This could involve reconditioning discarded bicycles and resale to local people at fair prices.

The complex topography and high nature value of the site does present challenges in design and construction but we believe the presence of natural features such as ponds, wetlands, wildlife habitats and the varied topography enhances the attractiveness of the site for recreational activities. The project team has put a lot of input into this aspect of the development and we believe it will be managed in a sympathetic way, to increase the amenity value of a location that sees very few visitors at present.

The plans for the facility include a large area set aside for car parking. We understand that for elite level racing events, competitors may be traveling large distances by car but we hope that as many local visitors as possible will come by bike. It would be a bitter irony if a cycling facility contributed to further increases of motor traffic on local roads: road danger and high traffic volumes are the main reason more people don't cycle and walk to get around. We would like to see the site itself, and the surrounding areas be as accessible to visitors arriving by bike as possible. This will require genuine commitment by the velo park project team in partnership with the planning, highways and active travel officers of Monmouthshire County Council.

The development of Llanfoist over the past few decades has been characterised by a lack of coherent planning, and an almost complete absence of planning for active travel. It's been very much 'car first' - up to and including developments that are currently underway. This is despite clear government messages on active travel, including in official Planning Policy Wales guidance and Active Travel Act Design Guidance, and MCC's own recognition of a climate emergency and the pressing need to increase the modal share of sustainable and active travel in the county.

The velo park's own analysis of active travel routes in its pre-planning submission found that none of existing routes to the site meet the standards of safety required by the Active Travel (Wales) Act. This is not a shortcoming of the velo park development per se, rather a legacy of poor decisions in the development of Llanfoist. We hope that the velo park development, and all future developments in Llanfoist, will do a better job of providing safe, direct and pleasant routes for active travel, and placing the car at the lowest priority within the sustainable transport hierarchy.

We would like to see a safe cycle route connecting the site with Merthyr Road (already part of MCC's Active Travel Integrated Network). Our preferred option is via the existing footpath route just to the south of the road access to the McDonalds / Costa Coffee / Premier Inn / Recycling Centre, a route which has heavy traffic and no cycle infrastructure (see map below).

This will enable visitors by bike from Llanfoist and neighbouring settlements of Govilon and Gilwern (via the ex-railway line cycle route NCR 46). We are pleased to see that the velo park site plan already provides for a separate entrance for cyclists and pedestrians at this point of access. All that is required is the upgrading of the existing footpath to a cycleway. We hope that this can be agreed as a precondition for the approval of the velo park planning application. Cycle travel to and from Abergavenny remains problematic, with plans for a new active travel bridge over the Usk on hold, and the absence of cycle infrastructure on the B4246: a four-lane road with two busy roundabouts connecting to the A465 Heads of the Valleys dual carriageway.

Until those problems are addressed, cycle access from Abergavenny to the velo park will be very much 'for confident cyclists only'. It is hard to imagine many parents would allow younger children to cycle from Abergavenny to the site. Installing high quality cycle infrastructure along this important travel corridor should become a highest priority for future investments in active travel in Monmouthshire.

5.4 Local Member Representations

Cllr G Howard - Wishes to withhold any views about the pros and cons of the scheme, due to sitting on the planning committee, so will save observations until whichever meeting it is presented.

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

In Monmouthshire, there is a commitment to increase the accessibility and quality of physical activity opportunities for all residents, with the aim of supporting healthy lifestyles for its residents and allowing them to achieve their sporting potential. The Monmouthshire PSB's Well-being Plan is concerned with creating an active and healthy Monmouthshire, supporting children and young people, and promoting volunteering. The 'Creating an Active & Healthy Monmouthshire Plan' identifies ambitious but achievable opportunities to make more people more active.

Whilst there are no existing purpose-built facilities, an area of the Abergavenny Leisure Centre/King Henry VIII School site has been used by Abergavenny Road Club as its base for coaching, training and events for over 10 years. However, this area is likely to be redeveloped as part of the school's modernisation programme and therefore lost as a cycling facility. There is therefore an established need for a replacement and purpose-built cycling facility for the local cycling network.

The adopted LDP indicates the site is positioned outside of the development boundary; however, it is not safeguarded as a Green Wedge. The pond area is protected as an Area of Amenity Importance (LDP Policy DES2). The area of the existing Waste Recycling Centre and the land located between McDonald's and the One Planet Centre has been protected as a Waste Site. Recent developments include a Re-use Shop on land adjacent to the Waste Recycling Centre near to the entrance to the site. Planning permission was also granted in 2018 for 120 residential dwellings and open space to the south on land at Grove Farm and the construction of 26 residential dwellings on the site adjacent to the Foxhunter Care Home. The site is bounded to the west by DES2 area of amenity importance which consists of pond and associated habitats. Part of the eastern area of the site is within C2 flood plain related to the nearby River Usk.

The site predominantly bounds the eastern edge of the Llanfoist settlement boundary and is partly within the settlement boundary at the northern entrance of the application site. This part of the site is also within current LDP SAE1 employment site. A proportion of the site is also within LDP SAW1 (ii) potential waste management site.

LDP Policy S5 allows for Community and Recreation Facilities Development proposals that provide and/or enhance community and recreation facilities to be permitted within or adjoining town and village development boundaries subject to detailed planning considerations. The policy also requires new facilities to have good access to public transport, as well as being within walkable distance to as many homes as possible. It is considered that the proposal satisfies this policy with the site being adjacent to settlement boundary of Llanfoist which is itself on a regular bus route. The site is also located within 1.5 miles of Abergavenny Town Centre, approximately 25 minutes walking / 10 minutes cycling distance.

The proposed use of the land as a sports and recreation area is therefore considered to be acceptable within a planning policy context.

6.2 Sustainability

6.2.1 Good Design

The design of the proposed site reflects the suitability of the terrain for a mix of different cycling facilities built around a core closed road circuit (CRC) together with cyclocross and introduction level mountain biking. The built development includes:

- o A 6m wide circuit that is 1.13km long with 41m of ascent per lap.
- o The main circuit is 0.91km long with 35m of ascent (excluding the western loop) with street lighting that allows winter and evening activity to take place.
- o A 250m start and finish straight suitable for regional and national events with a finish line shelter for timekeepers and officials.
- o A series of recreational trails located within and alongside the CRC that encourages recreational cycling as well as cyclocross and entry-level mountain biking.
- o Three shipping containers are located within the car park and adjoining the One Planet Centre for the storage of cycling equipment for Welsh Cycling and local clubs.

The existing boundaries and edges are a key asset in terms of ecological and landscape value. The proposed Green Infrastructure Strategy proposes to reinforce these elements to create substantial continuous hedge-lines and woodland belts that will expand and connect habitats, and provide landscape enhancement and visual screening. It is considered that the visual impact of the development will be reduced by the proposed planting and by the detailed layout of elements such as lighting (including omission of lighting for the western area) and the screen planting in response to local landscape character. For those effects that remain, it is considered that they are balanced by the positive change that will be introduced as a result of the development.

The siting of the car parking area and storage area adjacent to the One Planet Centre will help to minimise the visual impact of parked cars and the shipping containers.

Overall, it is therefore considered that the proposed development will not harm the visual amenity of the area and meets the requirements of LDP Policy DES1.

6.2.2 Green Infrastructure

From a Green Infrastructure (GI) perspective it is considered that the application has integrated GI throughout the overall scheme at the same time as providing the development. The scheme has sought to protect and enhance existing biodiversity capital and integrate with existing and new GI corridors linking to boundaries and to the wider landscape.

Within the immediate vicinity of the site, there are a number of significant GI assets including the tree lined River Usk and its floodplain, the overgrown pond and associated marginal habitat to the west, two small ponds within the adjacent farms, and several mature tree groupings along the boundaries of the floodplain fields to the east.

Two public rights of way cross the site. A north/south footpath enters the site between the northern edge of the pond and the care home. From here, the path runs in a south easterly direction

towards Racecourse Farm and beyond, to cross Monmouthshire Golf Course. A second footpath runs in a broadly east-west direction passing the southern boundary of the Llanfoist Fawr Primary School and continuing to cross the site and join with the north/south footpath at Racecourse Farm. Currently a dense bank of brambles blocks the linkage between the care home and the site at the boundary. The proposals include the diversion of the two public rights of way and additional new connecting routes. Increased accessibility is also supported through the installation of pedestrian gates, well-constructed paths and gentle gradients where possible.

The experience of visiting the area will therefore be enhanced through substantial improvements to the integrity of the landscape and provision for informal recreation including seating, informal play, a pond viewing platform and interpretation features.

There is an existing footpath order, which is awaiting certification, for Footpath 71 and Footpath 73. The order will see Footpath 71 slightly amended from the application site's boundary to the rear of Foxhunters Care Community and other developments off Iberis Road. Footpath 73 is sought to be redirected to account for further residential development.

Opportunities for environmental education and community involvement in the management of the site is an important benefit of the proposed development and directly linked to the use of the adjoining One Planet Environmental Education Centre.

Landscape aftercare prescriptions in the form of maintenance schedules capable of being rolled over annually for 5 years would be welcome. In addition, a GI management plan based on the most recent layout, planting plans and GI strategy would be required. This can be provided prior to commencement of development via a condition should Members be minded to approve the application.

Subject to this condition, it is considered that the proposed development will provide new green infrastructure that can be enjoyed by both users of the track and the wider community and therefore the proposal meets the requirements of LDP Policy GI1.

6.3 Landscape

The site is located within the low-lying landscape which sits just above the floodplain of the River Usk, adjacent to the urban edges of Llanfoist and Abergavenny and the transport corridors of the A465 and A40. The wider setting includes the upland areas of the Brecon Beacons National Park and the Blaenavon Industrial Landscape World Heritage Site.

The site itself covers an area of approximately 2 ha and is currently managed as a mixture of scrub and grazing which is subdivided into small paddocks. The site's topography is heavily undulated with a high point to its centre, falling both north and south and most steeply towards the River Usk floodplain.

The most notable existing vegetation comprises native boundary hedgerows interspersed with hedgerow trees, together with a small group of 'Category C' trees including an over-mature Ash in the centre of the site and a mature Oak adjacent to the care home. The majority of the site's hedgerows have not been managed in recent times and have become over-mature and gappy. The remainder of the site consists of semi-improved grassland with areas of encroaching scrub, particularly in the north of the site.

The site is visible from the nearby World Heritage Site, the public right of way that cross and run parallel to the site, recently built residential areas, care home and residential areas to the south west of the site. The Agricultural Land Class (ALC) is predominantly predictive grade 2 with a small area to the south of the site predictive ALC 3b. The site accommodates an underground high-pressure strategic utility and is in the vicinity of overhead cables.

Much of the site is in open countryside. The site is within the Upper Usk valley Landscape Character Assessment (LCA) described as a flat, river valley floodplain, of alluvium soils flanked by low river terraces of sand and gravels. It is a landscape of outstanding ecological interest identified as a rare example of a large mesotrophic lowland river. Small enclaves of wetland

habitats are particularly important and are found along the lower Usk floodplain below Abergavenny. Large fields of arable crops and improved pasture dominate. It is an open landscape, enclosure provided only by low intensively managed hedges, in places replaced by post and wire fencing, individual field trees, hedgerow trees and linear tree belts with sinuous lines of willow and alder, following water courses. The inclusion of the River Usk SSSI/SAC within the area, whilst only taking up 5% of the LCA land area emphasises the Landscape Habitat importance of this LCA. An analysis of the relevant sensitivity appraisals from LANDMAP information indicates that the LCA has been evaluated as;

Visual and Sensory; 4% Outstanding, 90% High
Landscape Habitats; 5% Outstanding
Historic Landscape; 7% Outstanding, 89% High
Cultural; 36% Outstanding 64% High

The landscape planting plans have provided a comprehensive detailing of landscaping to provide mitigation as requested, habitat enhancements and diversity and well as effective habitat connectivity. The plant specifications of species, size, density and numbers are acceptable from a landscape and GI perspective.

Policy LC1 of the LDP (New Built Development in the Open Countryside) and Policy LC5 (Protection and Enhancement of Landscape Character) highlight 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. Based on the assessments and information provided, it is considered that the proposed development and associated landscape mitigation will not have a significant adverse visual impact on the landscape character and its setting. The proximity to existing undulating landform, associated with nearby built development and infrastructure provides an opportunity to integrate the fragmented settlement edge more effectively into the wider landscape. On this basis it is considered that the proposed development meets the requirements of LDP Policies LC1 and LC5.

6.4 Historic Environment

GGAT have advised that the supporting information submitted does not refer to archaeological remains or designations and therefore no consideration has been made concerning any physical impact on buried archaeological remains, or any potential indirect, visual impact of the proposed development. The applicant has confirmed that the Historical Environmental Records (HER) were examined and did not identify any archaeological remains relating to the application site or the immediately adjoining land that may be physically altered by the development. On this basis it is considered that any archaeological features within the site itself would be minor in nature and an appropriately worded planning condition and watching brief would be appropriate on this occasion.

6.5 Biodiversity

A Great Crested Newt survey submitted with the application concluded based on the evidence found, that it is likely that there is a moderate population present. In accordance with the recommendations of this survey, a scheme has been designed which ensures that suitable high quality features will be included that will be managed and monitored adequately by MCC. Amphibian underpasses will be installed under the track, hibernation and safe haven opportunities will be provided inside the track, and the remaining grasslands quality maintained and improved.

Bat activity was noted as occurring principally along the dark fringes of the site which are made up of hedgerows and tree-lines and are planned for retention.

In contrast with other outdoor sports facilities, cycling circuits do not require floodlighting but the track will require street lighting that extends the use of the facility for coaching and training into evening and during the winter months. It should be noted that presently, British Cycling regulations do not allow racing and competitions to take place under street lighting and so this type of event will not happen during the hours of darkness. The ecological surveys have established the

presence of bats and reptiles that could be affected by lighting of both the cycling circuit and parking areas. Accordingly, the lighting has been designed to the specific environmental and physical features of the site and use.

The lighting scheme includes two separate elements - the lighting of the car park and street lighting that allows a reduced area of the circuit to be used during the evening.

- o No street lighting for the western area of the circuit to minimise environmental impacts in the area closest to the pond and to maintain dark corridor
- o Specification of extra warm white lighting colours (warm white 2200k LEDs) to minimise impacts on bats and reptiles
- o Full cut off internal louvres fitted to all track lighting for full light cut off behind luminaire.
- o Minimising and avoiding where possible lighting on key habitats and features. The light spill outside of the circuit surfaced area would be below 1 LUX and achieves acceptable ecological standards.
- o Circuit lighting levels within the range of 15 and 22 LUX following British Cycling design guidance
- o Specification of extra warm white lighting colours (warm white 2200k LEDs) to minimise impacts on bats and reptiles
- o Full cut off internal louvres fitted to all track lighting for full light cut off behind luminaire. The car parking area uses semi cut off internal louvres.
- o Minimising and avoiding where possible lighting on key habitats and features. The light spill outside of the circuit area would be below 1 LUX and achieves acceptable ecological standards.

The use of LED lights is specified because they are more directional with light produced in a narrow beam and warm white 2200k LEDs are specified to help limit any ecological impact.

The car park optic has an average of 10 LUX which is appropriate for the type of usage in this setting. Lighting spill grid calculations have been produced at various heights including 0m, 2.5m and 5m. The 5m results show no direct light outside of the circuit area as all the light leaving the fittings goes downwards. At 2.5m and 0m the light spill outside of the track and within the green areas located inside the track is kept below 1 LUX.

The interior elements of the site provide extensive opportunities for habitat creation, and the proposals include areas of wildflower meadow, low scrub, and small groupings of trees. The landform will include slopes and undulations, together with areas of stone, boulders and log piles. The SuDS drainage will provide a network of routes to help direct amphibians towards tunnels which pass under the cycle track, to aid their safe migration. The SuDS basins will be sown with a diverse species wildflower meadow mix which is tolerant of periodic flooding.

Subject to the implementation of the matters identified above - which can be controlled by condition - it is considered that the proposed development will not harm any protected species or the wider environment and the scheme is therefore considered to meet the requirements of LDP Policy NE1 in relation to nature conservation.

6.6 Impact on Amenity

The business plan for the velo park estimates between 10,000 and 20,000 visitors per annum. The final level of use will be known once the programme is fully developed, following a number of test events to establish the capacity of the circuit for racing, and the ability of the venue to manage a range and different sized activities. The users/visitors will be split between public, the education sector, local clubs, Welsh Cycling and private bookings. However, the facility will have a limited capacity, with the numbers of users on site at any one time managed with an agreed programme and carefully controlled in accordance with:

- o British Cycling safety audit of the circuit limiting the number of competitors allowed to take part in a competitive road race.
- o Pre-race entry limits controlling the number of competitors taking part in road or cyclo-cross racing event programme
- o A pre-booking system managing user numbers using the facility for formal training, coaching activity and drop-in session for members of the public.

o Education and schools programmes managed by the Council and Welsh Cycling.

It is proposed that the velo park will be operational each day from 8:00-21:30. Busier times at the velo park are likely to be Monday to Friday 17:00 to 21:00, weekends 09:00 to 17:00 and bank holidays apart from Christmas Day. Peak times will also change seasonally with use expected to drop during the spring and summer months as the weather improves resulting in more people opting to cycle on the road and local trails. These users are expected to use the circuit more frequently in the autumn and winter months due to the safety and lighting of the facility. The opening hours proposed will be subject to review and will reflect demand although they will not normally extend beyond 21.30.

The use of the facility will not require or use a tannoy speaker or announcement system that might affect residents. Traffic movement within the site will be restricted to the northern car parking area located furthest away from the residential area and closest to the main roads and Waste Recycling Centre. In contrast to traditional team sports, cycling generates very little sound or necessitates shouting or other loud noises whilst cycling. The main coaching areas will be located to the east of the circuit furthest away from residential areas. Research undertaken by the applicant relating to similar CRC's located across the UK has identified no known cycling related noise issues or upheld complaints. However, to limit the risk of noise impacting neighbours the use of the velo park will not take place during unsociable hours - after 21.30 and will not include the western area of the track nearer to residential areas after dark.

Lighting will be fitted with full cut off louvres directing light onto the track only, which will prevent light spill outside the site. Lighting has been omitted from the western field adjacent to the properties on the neighbouring housing estate. The lighting will be user controlled so they are only in use (or dimmable) when required. Cycling under street lights will not take place after 21.30. Screen planting is proposed along the boundary with the Foxhunter Care Home which will filter views of the site as well as the recycling centre whilst retaining views from this property to the south-east.

The potential noise level from such events is not considered to be significant enough to seriously harm local residential amenity and the development therefore complies with LDP policies EP1 and EP3.

6.7 Highways

The highway authority considers that the proposed development will not lead to a real deterioration in highway safety or capacity on the immediate local network and offers no objection to the development. As such it is considered that the development complies with LDP Policy MV1.

6.7.1 Access / Highway Safety

A Transport Assessment (TS) has been submitted in the support of the planning application and in addition to this an Active Travel Audit (ATA) and Event Management Plan (EMP) have been produced.

The TS has demonstrated the following:

- o A review of the local highway network and collision data in the vicinity of the site indicates that there are no apparent problems in relation to the current operation or safety of the local highways;
- o The proposed site access arrangements comply with MCC guidance so that safe and suitable access can be achieved;
- o Proposed parking provision on-site will accommodate the proposed demand and will therefore ensure that there is no adverse impact upon the local highway network; and
- o Forecast trip attraction indicates an immaterial increase in traffic movements during the proposed development's peak hours of operation, with no anticipated severe impact on the local highway network (in particular, the Iberis Road / LHWRC Access Road Roundabout Junction).

The EMP is a key document for the safe management of traffic and parking on the small number of occasions across the year that a major cycling event is held. It provides information in relation to

the operational periods, parking arrangements, event management procedures, which will all serve to minimise the highways and transportation impacts associated with the regional / national events hosted by the velo park on an infrequent basis.

The TS concludes that the development will not result in a severe impact upon the safety or operation of the surrounding local highway network. This view is shared by the Highway Authority and as such there are no significant highway or transportation matters that would justify the refusal of this planning application on that basis.

6.7.2 Parking

The proposal includes 80 parking spaces which is in accordance with the assessment of similar CRC's and accommodate the entire demand associated with training and coaching activity as well as most larger scale events. A field owned by Monmouthshire CC to the east of the site and adjacent to the Llanfoist Household Waste Recycling Centre shall serve as the primary ad-hoc overflow parking area if required during the drier summer months and can accommodate a total of 320 spaces. The overflow parking spaces will accommodate demand associated with national scale events and prevent overspill parking on the adjacent highway network. Furthermore, should further off-site parking provision be required or if the field is unavailable, other options exist including the nearby Llanfoist Fawr Primary School car park (52 spaces). All off site and overflow parking options, including the use of the school's parking, shall be agreed prior to any large-scale events being sanctioned and managed in accordance with the velo park's Event Management Plan. This arrangement is considered acceptable and in accordance with LDP Policy MV1.

6.8 Flooding

The site is partially within a Zone 2 flood plain where only less vulnerable development (which this scheme is classed as) is permitted. The planning application proposes less vulnerable development (a velo park). NRW's records also show that this site has previously flooded from the River Usk during the December 1979 flood event. Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified. Therefore, the tests set out in Section 6.2 of TAN15 are relevant. It is considered that the tests set out in criteria (i) to (iii) have been met. The final test (iv) is for the applicant to demonstrate, through the submission of an FCA, that the potential consequences of flooding can be managed to an acceptable level.

The FCA states that the site rises from east to west with site ground levels ranging between 45-54m AOD and a minimum ground level of 45.50m AOD. Based on these site levels, the FCA shows:

During a 1% (1 in 100 year) plus 25% for climate change annual probability fluvial flood event, the predicted flood level is 46.61m AOD. The majority of the site ground levels are well above 47.00m AOD, therefore the majority of the site will not be inundated with floodwater during this event. It is noted that a small proportion of the site may be inundated with floodwater on the eastern boundary of the site. Furthermore, the area of the site to the north where the car park is proposed to be located has been shown to be located outside the 1% (1 in 100 year) plus 25% for climate change annual probability fluvial flood event outline. During a 0.1% (1 in 1000 year) annual probability fluvial flood event is interpolated as 48.60m AOD the majority of the site ground levels are well above 47.00m AOD, and therefore the majority of the site will not be inundated with floodwater during this event. The area of the site to the north where the proposed car park will be located have been shown to be located outside the 0.1% (1 in 1000 year) annual probability fluvial flood event outline. Furthermore, this area has a minimum ground level of 48.87m AOD which provides a freeboard of 0.27m above the predicted flood level for this flooding event.

The FCA proposes the management of any residual flood risk by recommending the owners/occupants signing up to the Flood Warning System and the preparation of an emergency flood plan. Cut and fill will be required as part of the construction details of the development, the FCA demonstrates that this will not alter the conveyance of any potential flooding and will increase flood storage post development.

The majority of the velo park, would be expected to remain dry in all but the most extreme weather conditions. The proposed development would be operated with minimal risk from flooding, would not increase flood risk elsewhere and is therefore considered to be compliant with the requirements of TAN15.

6.9 Drainage

6.9.1 Foul Drainage

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.

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.

No cafe or toilet facilities are proposed as part of the development at this time. In the future, the existing One Planet Centre has potential to be used or a suitable modular eco-building could be added at a later date for this purpose once phosphate stripping technology is added to the local WWTW. At the current time however, a small number of portaloos will be provided in the parking area for daily use. Large scale events will provide additional portaloos in accordance with event management plans. It is proposed to remove the waste off site to be treated at a WWTW in a non-phosphorous sensitive area in accordance with the foul drainage statement that has been submitted in support of the application. Compliance with a detailed strategy can be conditioned should Members be minded to recommend approval. On this basis no additional waste water will be entering the Phosphorous Sensitive Catchment Area as a result of this development and phosphate impacts can be screened out.

6.9.2 Surface Water Drainage

Surface water and drainage will continue to flow in the same direction as is existing (towards the existing pond from the majority of the site and in the south-eastern corner drainage will continue towards the lower fields and wetland area. There will be no significant additional surface water draining to the area near to Racecourse Farm and attenuation will manage the flow. This is considered acceptable in planning terms. Separate SuDs approval would also be required for the proposal.

6.10 Contaminated Land

Phase I and II Geo-environmental and Site Investigations (January 2020) have been undertaken to establish the development potential of key areas of the site including the area of landfill. The report recommended that no development is progressed on the landfill due to the thickness of the clay capping layer resulting in the presence of waste materials at shallow depth including metal and glass. This is reflected in the submitted drawings.

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. Because of the presence of a high-pressure gas main, a formal consultation in January 2020 under the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, established that the HSE did not

advise, on safety grounds, against the development although restriction on occupied buildings or major traffic routes within a certain proximity of the pipeline would apply.

6.11 Response to the Representations of Third Parties and/or Community/Town Council

6.11.1 The following main issues have been identified as concerns by local residents and the Community Council:

1. Lighting

The proposed lighting design provides significant details concerning lighting spill and it should be emphasised that the cycling circuit does not require floodlighting, with only the equivalent of street lighting necessary to enable the use of the facility for coaching and training into the evening during the winter months. To minimise impacts on neighbours the lights will be fitted with full cut off louvres directing lighting onto the narrow area of the track with no significant light spill or glow as is often experienced with sports pitch floodlighting. Lighting has been omitted from the western field closest to the houses at Ffordd Sain Ffwyst.

2. Traffic

The highway authority considers that the proposed development will not lead to a real deterioration in highway safety or capacity on the immediate local network and offers no objection to the development.

Major events will be managed in accordance with an Events Management Plan (EMP) which includes provision for traffic management. The Car Parking EMP provides information in relation to the operational periods, parking arrangements, nearby complimentary services and facilities, and typical event management procedures, which will all serve to minimise the highways and transportation impacts associated with the regional or national events hosted by the proposed velo park on an infrequent basis. Furthermore, a Site User Management Plan will enable the control of the type of activity agreed and the number of site visitors to the site at any one time. A number of test events will take place to establish the capacity of the site and infrastructure to accommodate large scale events.

Whilst walking and cycling is possible via the existing network of footpaths that form part of the County Council's integrated network map, discussions to facilitate the conversion of some of these paths to permissive cycle path will be investigated as part of wider active travel improvements in the area.

Highway issues are reviewed in detail in Paragraph 6.7 above.

3. Wildlife

A series of ecological surveys have been undertaken since June 2019 that identified Great Crested Newts (GCN) and bats have been recorded and evidence of otter moving through the site. The GCN mitigation strategy and GI plan have been developed to ensure maximum protection and habitat connectivity/creation is afforded to these species. An impact assessment has also been undertaken. The Council's statutory consultee on ecological matters, NRW are content with these measures and have offered no objection to the application (subject to suggested conditions). As such it is considered that the proposed development will not harm wildlife interests and will provide net gain for biodiversity in accordance with PPW11. Biodiversity is discussed in more detail in Paragraph 6.5 above.

4. Noise and Disturbance to Local Residents

This aspect has been discussed in Paragraph 6.6. Lighting will be fitted with full cut off louvres directing light onto the track only which will prevent light spill outside the site. Lighting has been omitted from the western field adjacent to the properties on the neighbouring housing estate.

Noise will be limited due to the nature of the proposed use. There will be no requirement for a tannoy or announcement system and shouting normally associated with some team sports is generally not required in cycling.

Screen planting is proposed along the boundary with the Foxhunter Care Home which will filter views of the site as well as the recycling centre whilst retaining views from this property to the south-east.

5. Other

The Council wishes to make future provision for a replacement allotment in the Abergavenny area on a site with a larger car parking provision and easy access to the road. However, this is not part of this application.

6.12 Well-Being of Future Generations (Wales) Act 2015

6.12.1 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.

6.12.2 The Act aims to make "long-lasting, positive changes to both current and future generations". Long-term benefits associated with an increased uptake of active modes may include creating a healthier population and reducing the impact transport has upon the environment by encouraging travel by bicycle instead of more polluting modes. This proposal will help achieve that objective.

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 commence until detailed design and safety audits have been submitted to and approved by the Local Planning Authority for the construction of the means of access from the Council's maintained access road. The development shall be carried out in accordance with the approved details.

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

4 A proportionate Green Infrastructure Management Plan shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the Management Plan shall include the following:

a) Description and evaluation of Green Infrastructure assets to be identified, protected and managed in the GI management plan including those that are to be part of strategic landscaping.

- a. Trees, Hedgerows, grassland
- b. Green corridors
- c. Pond environs, interface and blue corridors
- b) Opportunities for enhancement to be incorporated
- a. Management of Grassland for botanical species diversity and / or protected species including reptiles
- b. Management of tree and hedge buffer strips to increase and maintain diversity, connectivity and screening
- c. Maintain habitat connectivity through and or around the perimeter of the site for species
- c) Trends and constraints on site that might influence management of above features.
- d) Aims and objectives of management.
- e) Appropriate management options for achieving aims and objectives.
- f) Prescriptions for management actions.
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty-year period).
- h) Details of the body or organization responsible for implementation of the plan.
- i) Ongoing monitoring and remedial measures.

The Management Plan shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery as appropriate. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the Green Infrastructure Management Plan are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning Green Infrastructure objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

REASON: To maintain and enhance Green Infrastructure Assets in accordance with LDP policies, DES1, S13, GI1, NE1, EP1 and SD4. (Legislative background - Well Being of Future Generations Act 2015, Planning (Wales) Act 2015 Environment (Wales) Act 2016)

5 A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority prior to works commencing on site and shall include details of the arrangements for its implementation

REASON: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features in accordance with LDP Policies LC5, DES 1, S13, and GI1 and NE1.

6 All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved.

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 in accordance with LDP Policies LC5, DES 1, S13, and GI1 and NE1.

~~7 No development shall commence until a Landscape & Environmental Management Plan (LEMP) for the provision, management and maintenance of the landscape and ecological features at the site has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall be carried out in accordance with the approved details.~~

~~REASON: To ensure necessary landscape and environmental management measures are agreed prior to commencement and implemented to ensure the site's landscape and environmental features are adequately managed long term in accordance with LDP Policy NE1.~~

7 No development shall commence until a Great Crested Newt Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Great Crested Newt Conservation Plan shall be carried out in accordance with the approved details.

~~REASON: To ensure the protection of Great Crested Newt affected by the development in accordance with LDP Policy NE1.~~

8 No development, including site clearance, shall commence until a Biosecurity Risk Assessment that considers invasive non-native species (INNS) and specific diseases (e.g. Chytrid) has been submitted to, and approved in writing by, the Local Planning Authority. The risk assessment shall include measures to prevent the introduction of invasive species, and, where present, measures for the control, removal or long-term management of INNS, both during construction and operation. The risk assessment shall consider landscaping and other related plans. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.

~~REASON: To secure measures to prevent or control the spread and effective management of any invasive non-native species and listed diseases at the site in accordance with LDP Policy NE1.~~

9 Following substantial completion of the development, an Ecological Compliance Audit (ECA) scheme shall be submitted to and agreed in writing by the Local Planning Authority. The Audit shall identify Key Performance Indicators (KPI's) that are to be used for the purposes of assessing and evidencing compliant implementation of proposals.

~~REASON: To evidence compliant implementation of all ecological avoidance mitigation and compensation works in accordance with LDP Policy NE1.~~

10 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

~~REASON: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.~~

~~12 Foul waste from portaloos used in association with the development hereby approved shall be managed in strict accordance with a Foul Drainage Strategy to be submitted to and approved in writing by the Local Planning Authority before works commence on site.~~

~~REASON: To ensure there is no increase in phosphorous entering River SACs within a Phosphorous Sensitive Area.~~

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 The proposed scheme will require a sustainable drainage system designed in accordance with the attached Welsh Government Standards for sustainable drainage. The scheme will require approval by the SuDS Approving Body (SAB) prior to any construction work commencing. Details and application forms can be found at: <https://www.monmouthshire.gov.uk/sab>

3 The Great Crested Newt Conservation Plan should include:

1. An assessment of impacts during the construction and operational phases of the scheme. This to include an evaluation of the nature, extent and duration of the likely direct and indirect impacts of the development. This assessment should include:
Tabulated review of the extent, distribution and quality of GCN habitat to be removed, retained, enhanced and created, supported by drawings as appropriate;
risks of incidental injury or killing; and
consideration of habitat functionality and connectivity during and post construction.
2. Ecological design considerations. This should include habitat enhancement for GCN within and outside of the development footprint on land within the Applicant's ownership (e.g., the creation of ponds away from the cycle track and artificial lighting, as well as in areas within the red line boundary that are protected from flooding) and should demonstrate how connectivity between habitats is to be maintained post construction.
3. Submission of details and associated plans concerning principles of GCN avoidance and mitigation measures during construction including, but not limited to amphibian fence specifications and proposed locations; fence monitoring and maintenance requirements; and proposed timescales.
4. Submission of further details concerning on-site and off-site GCN habitat compensatory proposals including plans, extent, access, as well as current and proposed tenure. Details shall identify areas of terrestrial and aquatic habitat to be retained, enhanced and created. In respect of aquatic habitats, pond and associated infrastructure design and fish management requirements should be submitted and flood risk assessments to be carried out for each proposed and existing water body.
5. Submission of the principles of a long-term site management plan that includes:
defined aims and objectives;
habitat management prescriptions;
surveillance;
contingency measures if fish or invasive non-native species (INNS) are detected;
licensing requirements; current and any proposed changes to tenure of the dedicated ecology areas;
persons or bodies responsible for undertaking management and
surveillance together with required skills and competencies; reporting requirements and proposed dates for updating/revising the management plan.
6. Proposed mechanism for ensure the long-term management and operation of the proposal. In this instance, we surmise that this will be delivered by a planning obligation such as a Section 106 to ensure the long-term conservation measures located outside the red line boundary of the proposal. We suggest the mitigation strategy includes a 'Heads of Terms' document that specifies funding mechanisms, tenure, delivery of management and provisions for updating the management plan.
7. Submission of measures designed to ensure the installation and maintenance of an amphibian-friendly surface water management system that does not include gully pots (or other similar features that could trap newts).
8. Submission to include proposed timescales and reporting requirements and long-term financial considerations.
9. Submission of a long-term GCN monitoring plan. The methodology shall accord with, and the results reported through, the Wales Great Crested Newt Monitoring Scheme.

4 The GI Management Plan should include:

1. Details of habitats, landscape, environmental and ecological features present or to be created at the site together with aims and objectives.
2. Details of the desired conditions of features (present and to be created) at the site.
3. Details of scheduling and timings of activities.
4. Details of short and long-term management, monitoring and maintenance of new and existing landscape, environmental and ecological features at the site to deliver, restore and maintain the target condition/conservation status.
5. Details of monitoring of landscape and ecological features. In respect of great crested newt, the surveillance methodology shall accord with and the results reported through the Wales Great Crested Newts Monitoring Scheme.
6. Wardening and site liaison.

7. Details of replacement measures should any landscape or environmental features die, be removed or become seriously damaged or diseased within 25 years of completion of development.
8. Contingency measures if fish or invasive non-native species (INNS) are detected, and proposals that are capable of being implemented in the event of failure to undertake or to appropriately implement identified or contingency actions.
9. Details of management and maintenance responsibilities.
10. Details of timescales; length of plan; and the method and proposed dates to review and update plans (informed by monitoring) at specific intervals as agreed.
11. Licensing requirements for undertaking habitat management and surveillance.
12. Persons or bodies responsible for undertaking management and surveillance together with required skills and competencies; and
13. Reporting requirements.

Application Number: DM/2023/01329

Proposal: Change of Use of Glebe Bungalow to C3 dwellinghouse from Annex and Holiday Let granted permission under DC/2007/00778 and DC/2017/01200

Address: Glebe Bungalow, Llantilio School Road, Llantilio Pertholey, Abergavenny, NP7 6NU

Applicant: Mr Liam Kirwan

Plans: Location Plan - , Site Plan

RECOMMENDATION: Refuse

Case Officer: Ms Kate Bingham

Date Valid: 26.09.2023

1.0 APPLICATION DETAILS

This application was presented to Planning Committee on 10th January 2024 with a recommendation for refusal. Members did not agree with this recommendation and accordingly the application is represented for approval subject to the following conditions and informatives:

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 The installation of two bird boxes on the north elevation of the building as described in email from Owen Davies dated 21/2/24 and drawing dated 21/2/24 shall be implemented as approved within 3 months of the date of this permission and shall be retained in perpetuity.

Reason: To provide net benefit for biodiversity on the site as required by the Environment (Wales) Act 2016, Planning Policy Wales and LDP Policy NE1.

4 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A B C D and E 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 enlargements, improvements or other alterations to the dwellinghouse or any outbuildings shall be erected or constructed.

REASON: If substantial extensions or alterations were necessary this development would not normally be favourably considered and would be contrary to LDP Policy H4.

5 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 H4.

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 Any external works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact assetprotectionwales@networkrail.co.uk.

The previous report to the meeting of Committee held in January 2024 is below.

Application Number: DM/2023/01329

Proposal: Change of Use of Glebe Bungalow to C3 dwellinghouse from Annex and Holiday Let granted permission under DC/2007/00778 and DC/2017/01200

Address: Glebe Bungalow, Llantilio School Road, Llantilio Pertholey, Abergavenny, NP7 6NU

Applicant: Mr Liam Kirwan

Plans: Location Plan - , Site Plan

RECOMMENDATION: Refuse

Case Officer: Ms Kate Bingham
Date Valid: 26.09.2023

This application is presented to Planning Committee at the request of the Local Member

1.0 APPLICATION DETAILS

1.1 Site Description

This application relates to an existing building (Glebe Bungalow) which originally granted permission (DC/2007/00778) as an annex to Glebe Cottage in 2009 and subsequently permission was granted in 2017 to vary the condition allowing it to be occupied as an annex but also let out to visitors as a holiday let (DC/2017/01200). The building itself replaced a static caravan that was on site and occupied as an annex to the same property that was granted a Certificate of Lawful Use in 2007. In 2020, the applicant sold the main house, thereby severing the tie between the house and the annex.

The site is located on the edge of the settlement of Llantilio Pertholey to the north of Abergavenny. The village is not classified as a major or minor village under Local Development Plan (LDP) Policy S1 and the location is therefore considered to be open countryside. For clarity the site sits outside of the development boundary for Abergavenny which is to the west on the opposite side of Hereford Road.

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

1.2 Proposal Description

Planning permission is sought to retain the use of the building as a dwellinghouse (C3) to allow the applicant to continue to occupy it following its separation from the main house.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2023/00237	Two storey side extension and porch to replace lean-to extension – Glebe Cottage (not annex)	Approved	29.06.2023
DM/2023/00631	Renovations, alterations and conversion of former cowshed/dairy to a holiday let unit – Glebe Cottage (not annex)	Approved	05.10.2023
DM/2023/00946	Discharge of condition 3 (Samples and external finishes) for planning decision DM/2023/00237.	Approved	17.07.2023
DC/2017/01200	Variation of condition 1 (to change the restriction from annex only to holiday let and annex). Relating to application DC/2007/00778.	Approved	25.01.2018
DC/2007/01218	Static caravan used for twenty years for residential purposes - Certificate of Lawfulness.	Approved	17.10.2007
DC/2007/00778	Proposed New Granny Annex to replace Lawful Static Caravan used for Residential Purposes within Curtilage.	Approved	01.04.2009
DM/2023/01329	Change of Use of Glebe Bungalow to C3 dwellinghouse from Annex and Holiday Let granted permission DC/2007/00778 and DC/2017/01200	Pending Determination	

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision

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

H4 LDP Conversion/Rehabilitation of Buildings in the Open Countryside for Residential Use
DES1 LDP General Design Considerations
SD3 LDP Flood Risk
EP1 LDP Amenity and Environmental Protection
EP5 LDP Foul Sewage Disposal

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

Llantilio Pertholey Community Council - No comments received to date.

Natural Resources Wales (NRW) - No objections.

Foul Drainage: We note that the annex/holiday let which is the subject of this planning application (Glebe Bungalow) was originally within the residential curtilage of the main house (Glebe Cottage) and has been used as a dwellinghouse since 2013. Recognising the specific nature of the application submitted, we are satisfied that it is unlikely to increase the amount of phosphorus entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Usk SAC.

Flooding: Our Flood Risk Map confirms the application site lies partially within Zone C2 of the Development Advice Maps (DAM) as contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning identifies the application site to be at risk of flooding and falls into Flood Zone 2 and 3 (Rivers). As this application is for a change of use from an annex/holiday let to a dwelling, we note that a highly vulnerable use already exists. Given the nature of the proposed development, and in the absence of a flood consequences assessment, we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and advised to install flood-proofing measures as part of the development.

Network Rail - Network Rail have no objections in principle to the above application. Any external works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3 months' notice before works start. Initially the outside party should contact assetprotectionwales@networkrail.co.uk.

MCC Environmental Health - Please note that, with the pre-existing use of the property as an annex to a dwelling and the property's likely historic use as a dwelling, the Public Protection Team have no objections to the sought change in use.

MCC Biodiversity - The Biodiversity team has no comment on the above application. We think it is appropriate to secure net benefit in accordance with PPW on all planning applications, including change of use. An appropriate condition is suggested should the application be approved.

SEWBRc Search Results - No significant ecological record identified.

5.2 Neighbour Notification

Three representations in support of the application for the following reasons:

- I know the occupier has lived in the bungalow for 10 years or more, so I don't see any issues or concerns and are in favour for Glebe Bungalow becoming residential.
- Only right that this dwelling should now be classified as a permanent home and not as a holiday let.
- Very happy for the bungalow to be formally made into a dwellinghouse as opposed to a holiday let.
- Prefer the consistency of residents rather than have frequently changing visitors in such an important building in our small community.

5.3 Other Representations

None.

5.4 Local Member Representations

County Councillor Revd Malcom Lane - I have been contacted by the agent for applicant Mr Liam Kirwan in relation to his application to convert a holiday let to a dwelling house at Glebe Bungalow DM/2023/01329. There are unusual background circumstances and matters in relation to the interpretation of Local Policy H4 Conversion of buildings in the open countryside for residential use, including modern constructed buildings, that should be discussed by the Planning Committee before a decision is made. I have visited the site which is behind St Teilo's Church.

6.0 EVALUATION

6.1 Principle of Development

6.1.1 By way of background to the application, works were completed on the building the subject of this application by 2013. As stated in paragraph 1.1 the building replaced a static caravan that was on site and occupied as an annex to the same property that was granted a Certificate of Lawful Use in 2007. For personal reasons, the applicant had to sell Glebe Cottage (the primary dwelling) - thus separating ownership of Glebe Cottage and Glebe Bungalow (the name of the annex building the subject of this application). As such, it is no longer possible for the applicant to comply with the condition attached to permission DC/2017/01200 limiting the property to being used as an annex.

6.1.2 The condition also allows the use of the building as holiday accommodation although this would not be of benefit to the applicant who wishes to live in the property himself. However, it remains a viable option for the building given that it can no longer be used as an annex and a holiday let would indirectly benefit the economy of the wider area.

6.1.3 Notwithstanding the understanding that there were personal reasons for the separation of ownership of the site, the application must be determined on its planning merits only. In terms of planning policy, the change of use of the building from an annex to a self-contained dwelling falls to be considered under LDP Policy H4 - Conversion of Redundant Buildings in the Open Countryside.

6.1.4 It is important to highlight the supporting text around Policy H4 within the adopted LDP which states in para. 6.1.13 that, "The conversion/ rehabilitation of buildings in the open countryside for residential use is an exception to national policies which generally seek to strictly control residential development in the open countryside."

6.1.15 This is reinforced within Policy H4 and it states that the "criteria will be applied strictly; proposals that are deemed not to comply with them will be judged against national policies relating to the erection of new dwellings in the countryside or against Policy T2 relating to the re-use and adaptation of existing buildings to provide permanent serviced or self-catering visitor accommodation."

6.1.6 Of particular relevance to this application is criterion (e) of Policy H4 which sets out that:

'Buildings of modern and /or utilitarian construction and materials such as concrete block work, portal framed buildings clad in metal sheeting or buildings of substandard quality and / or incongruous appearance will not be considered favourably for residential conversion. Other buildings will be expected to have been used for their intended purpose for a significant period of time and particularly close scrutiny will be given to proposals relating to those less than 10 years old, especially where there has been no change in activity on the unit'

6.1.7 The property is a modern purpose-built two bedroom-building, now set within its own garden. It is served by an access, off road parking, its own private foul drainage and no extensions or alterations are sought for its retention as use as a self-contained dwelling.

6.1.8 However, while it is not disputed that the building has been constructed to a high quality in terms of its appearance and would not require any physical changes, it is undoubtedly of modern construction (being completed in 2013). As such, its design standard does not fundamentally outweigh the failure to comply with criterion (e) of Policy H4 and therefore is unacceptable in principle.

6.1.9 The conversion of this modern annex/holiday let into a residential dwelling does not meet the criteria of Policy H4 of the LDP and there are no overriding reasons to allow the development of a new dwelling in the open countryside. Policy LC1 outlines that "there is a presumption against new built development in the open countryside, unless justified under national planning policy and/or LDP policies". The application does not outline any rationale for the construction of this unjustified new build dwelling in the open countryside and therefore the proposal does conflict with the requirements of Policies S1 and LC1 of the LDP.

6.1.10 Finally, in support of this application, the applicant has provided some examples of where existing holiday let properties have been granted consent for conversion to dwellinghouses. However, upon review, these examples relate to traditional buildings rather than a modern, purpose-built annex. Therefore little weight can be afforded to these as direct comparison is not possible and no precedent has been established. In summary, there are no material planning reasons to justify the granting of planning permission for a building of modern construction to be used as a single dwellinghouse when it is in direct conflict with criterion (e) of LDP Policy H4.

6.2 Impact on Residential Amenity

6.2.1 The nearest neighbouring dwelling is Glebe Cottage but this is over 20m away from any habitable room windows of the building in question and therefore overlooking between the two is minimal. There are no other existing dwellings within close proximity of the site with St Teilo's Church being located to the north.

6.2.2 It is noted that the current occupier is in support of the application and representations have been made by other local residents that there is a preference for a permanent residential dwelling rather than a holiday let.

6.3 Access / Highway Safety

6.3.1 The property benefits from its own access, parking and turning area which spurs off from a shared entrance onto the highway with Glebe Cottage. No changes are proposed as part of this application.

6.4 Biodiversity

6.4.1 As there are no physical works proposed as part of this application there are no issues in relation to loss of habitat or harm to any protected species. However, it would be appropriate to secure net benefit for biodiversity in accordance with PPW. This could be secured via condition should Members be minded to approve the application,

6.5 Flood Risk

6.5.1 Natural Resources Wales (NRW) Flood Risk Map confirms the application site lies partially within Zone C2 of the Development Advice Maps (DAM) as contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning identifies the application site to be at risk of flooding and falls into Flood Zone 2 and 3 (Rivers). The current lawful use as an annex/holiday let is already considered to be a highly vulnerable use in terms of flood risk and the proposed change of use would not increase this risk. As such NRW have no objections on flood risk grounds subject to the developer being made aware of the potential flood risks and advised to install flood-proofing measures as part of the development.

6.6 Foul Drainage (Phosphates)

6.6.1 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.

6.6.2 Natural Resources Wales has set new phosphate standards for the river Special Areas of Conservation (SACs) in Wales (21st January 2021). 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.

6.6.3 This application has been screened in accordance with Natural Resources Wales' advice for planning applications within the river Special Areas of Conservation (SACs) catchments (version 3 issued 22nd July 2022). It is considered that 'No Likely Significant Effects' on the SAC are anticipated as a result of this development proposal as there is unlikely to be a source of additional phosphorus or pathway for impacts. The development is therefore screened out as not likely to have a significant effect on a river SAC in relation to phosphorus inputs as it falls within the following criterion in the NRW advice: Any development that does not increase the volume and phosphorus concentration of wastewater. The building already has consent to be used as an annex and a holiday let. The proposed change of use would not lead to any material increase in occupation.

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 Having carefully reviewed the case made to retain the use of building as a self-contained dwelling, there are no material planning reasons or other reasons so exceptional to overcome the principle of a building of modern construction being suitable for conversion which fails to comply with criterion (e) of LDP Policy H4 and thus would be contrary to policies S1 and LC1.

7.0 RECOMMENDATION: REFUSE

Reasons for Refusal:

The building is of modern construction, being completed in 2013. As such, it cannot be considered favourably for conversion as a separate dwelling as it fails to comply with criterion (e) of Policy H4 of the Monmouthshire Adopted Local Development Plan in that it would represent an unjustified new dwelling in the open countryside which also conflicts with Policies S1 and LC1.



Appeal Decision

by Helen Smith BA(Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 09/02/2024

Appeal reference: CAS-03086-Z4Z3Z7

Site address: The Cedars, Chapel Lane, Pwllmeyric, NP16 6LE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs David and Catherine Carne against the decision of Monmouthshire County Council.
 - The application Ref DM/2023/01210, dated 29 August 2023, was refused by notice dated 20 October 2023.
 - The development proposed is a double garage with craft room over (replacement of application DC/2018/00183 Rev A).
 - A site visit was made on 17 January 2024 and 31 January 2024.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. At the time of my site visit, a detached outbuilding was under construction at the appeal site. For the avoidance of doubt, my decision is made on the basis of the application plans considered by the Council.

Main Issues

3. These are the effects of the proposed development on (a) the character and appearance of the area, with particular regard to the setting of a listed building; and (b) the living conditions of the occupiers of Rose Cottage, having particular regard to light and outlook.

Reasons

Character and appearance

4. The appeal site relates to a Grade II listed building, comprising of an attractive and well preserved late Georgian Villa. It is set within a large and mature landscaped garden generally free from built form. Its garden is to the front and to the side of the dwelling and has mature trees and vegetation separating different parts of the garden. To the east of the site is the adjacent dwelling Rose Cottage, which is separated from the appeal site by a stone boundary wall. The section of the appeal site where the proposed development

would be located is at a higher level than the listed building, due to the sloping nature of the site.

5. The proposed development would have a tall pitched roof with high eaves, to accommodate a large craft room above the double garage which would be partly within the roof space. It would be a wide building with a long length and this in combination with its height would result in an outbuilding of a significant scale and bulk. Whilst there are other two storey properties in the vicinity, most notably Rose Cottage and the modern houses to the west, these lie distinctly outside the curtilage of the listed building and as such do not inform its immediate setting. The proposal's glazed apex, glazed doors and projecting balcony on the front elevation, together with the galvanised metal staircase and flat roof dormers, would result in a large outbuilding with a modern appearance which would be at odds with the traditional Georgian characteristics of the listed building. This would exacerbate the visual dominance of the proposed building. Consequently, the proposal would be an unsympathetic and incongruous outbuilding in its setting.
6. Although the mature vegetation adjacent to the proposed garage would partly screen the proposal from some viewpoints within the garden, it would still be viewed in the context of the principal elevation of the listed building, particularly when viewed from the south western entrance to the driveway. Given its elevated position forward of the listed building, and despite it being partially set within the rising ground levels, the proposal would result in a dominant and incongruous outbuilding which would intrude on the setting of the listed building and would visually compete with it. This would significantly detract from the attractive verdant setting of the Georgian building and would erode its special character.
7. Although the proposal would not be visually prominent from wider views outside of the site, this does not mitigate the localised impacts I have identified to the setting of the listed building and does not warrant permitting such effects given the statutory duty to have special regard to the desirability of preserving the setting of the listed building.
8. For the above reasons, I conclude that the proposed development would cause significant harm to the character and appearance of the area and would fail to preserve the setting of the listed building. This would be contrary to criterion (c) of policy DES1 of the Monmouthshire County Council Adopted Local Development Plan (LDP) which seeks to ensure, amongst other things, that development proposals respect the existing form, scale, siting, massing, materials and layout of its setting and any neighbouring quality buildings.

Living conditions

9. Rose Cottage is located on the shared boundary of the appeal site and its rear elevation faces towards the proposed building. There are two windows in its rear elevation, a first floor landing window and a ground floor window which has been blocked up internally.
10. As the first floor window serves the landing of Rose Cottage, a non-habitable room, and bearing in mind the proposal would be set off the boundary, any impacts on outlook would be minor. Although it is argued that the ground floor window could be reinstated, it does not currently contribute to the existing light levels or outlook from the lounge which it serves. In any event, this room benefits from sufficient light and outlook from the existing front window and bi-folding doors to the side. The proposal would not therefore result in any harmful overbearing impacts.
11. For the above reasons, I conclude that proposal would not harm the living conditions of the occupiers of Rose Cottage, and would comply with criterion (d) of policy DES1 of the LDP.

Conclusion

12. Although I have concluded that the proposal is acceptable in regard to the living conditions of the occupiers of Rose Cottage, this does not outweigh my findings on character and appearance and the setting of the listed building, which are overriding considerations. For the reasons set out above, and having regard to all matters raised, the appeal is dismissed.
13. 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.

H Smith

INSPECTOR

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