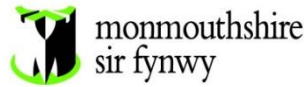


Public Document Pack



County Hall
Rhadyr
Usk
NP15 1GA

Monday, 23 June 2025

Notice of meeting:

Planning Committee

Tuesday, 1st July, 2025 at 2.00 pm,
Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA

AGENDA

Item No	Item	Pages
1.	Election of Chair.	
2.	Appointment of Vice-Chair.	
3.	Apologies for Absence.	
4.	Declarations of Interest.	
5.	To confirm for accuracy the minutes of the previous meeting.	1 - 2
6.	To consider the following Planning Application reports from the Chief Officer, Place (copies attached):	
6.1.	Application DM/2022/01511 - Change of use from empty residential land to tourism for camping/glamping. Construction of wash facilities supplemental to the glampsite. Construction of a field shelter for animals. Swallows Nest, Ty'r Pwll, Parc Llettis Road, Hardwick, Abergavenny, NP7 9AB.	3 - 18
6.2.	Application DM/2024/01294 - The retention of retaining wall and terrace/patio (as built) and change of use of agricultural land to residential curtilage. Ty'r Berllan, Llangwm To Nantygelli Farm, Llangwm, Monmouthshire, NP15 1HB.	19 - 28
6.3.	Application DM/2025/00106 - Proposal: Modification of conditions 6 (change of use to allow meetings and training sessions) and 7 (change start time from 9am to 8 am) on consent DC/2012/00317. Conditions(s) Modified: Section 6 - DCWW would like to be able to use the meeting room to hold internal and external meetings and training sessions without the need to be water sports related. Section 7 - DCWW would like to be able to use from 8am. Section 6 - Meeting room to be used for meetings, interviewing and training sessions. No music or alcohol. Section 7 - Meeting room to be used between the hours of 08:00 and 21:00. Llandegfedd Reservoir Parc Road Coed Y Paen Monmouthshire NP4 0SY.	29 - 38

7.	FOR INFORMATION - The Planning Inspectorate - Appeals Decisions Received:	
7.1.	Rear of 65 Main Road, Portskewett, Monmouthshire, NP26 5UG.	39 - 40
7.2.	Larkfield Petrol Filling Station, Newport Road, Chepstow NP16 5YS.	41 - 44

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 Rachel Buckler	Devauden;	Welsh Conservative Party
County Councillor Emma Bryn	Wyesham;	Independent Group
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

This meeting may be viewed online by visiting the link below.

<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: Retail and commercial development (November 2016)
 - 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)
 - TAN14: coastal planning (2021)
 - TAN 15: Development, flooding and coastal erosion (March 2025)
 - TAN 16: Sport, Recreation and Open Space (2009)
 - TAN 18: Transport (2007)
 - TAN 20: The Welsh Language (2017)
 - 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 at 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.

Public Document Pack Agenda Item 5

MONMOUTHSHIRE COUNTY COUNCIL

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

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

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

OFFICERS IN ATTENDANCE:

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

APOLOGIES:

County Councillors: John Crook and Laura Wright

1. Declarations of Interest

None received.

2. Confirmation of Minutes

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

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

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

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

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

MONMOUTHSHIRE COUNTY COUNCIL

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

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

For approval	-	14
Against approval	-	0
Abstentions	-	0

The proposition was carried.

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

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

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

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

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

Appeal A

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

Appeal B

We noted that the appeal was dismissed.

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

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

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

The meeting ended at 2.21 pm.

Application Number: DM/2022/01511

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

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

Applicant: Elizabeth Pengelly

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

RECOMMENDATION: Approve

Case Officer: Ms Kate Bingham
Date Valid: 18.10.2022

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

1.0 APPLICATION DETAILS

1.1 Site Description

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

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

1.2 Value Added

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

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

1.3 Proposal Description

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

Two of the shepherd huts have already been brought to the site under the 28 day Permitted Development rules. A timber animal shelter has also been constructed with a floor area of 27m² with a flat roof that ranges from 2.5m high to a maximum of 2.8m owing to the slope of the land. This is currently used for alpacas, but has been built with the intention of upgrading it to a multi-purpose area for combined animal shelter. A moveable timber shower block is also on site. This comprises a compost toilet, shower, store room and sink as well as a communal fridge/freezer. This building measures 6m x 2.4m in area and has a slightly sloping, largely flat roof measuring between 2.5m and 2.8m in height.

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

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

2.0 RELEVANT PLANNING HISTORY (if any)

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

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

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

Development Management Policies

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

Supplementary Planning Guidance

Sustainable Tourism SPG (November 2019).

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

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

Planning Policy Wales (PPW) Edition 12

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

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

Welsh Government Circulars

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

5.0 REPRESENTATIONS

5.1 Consultation Replies

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

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

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

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

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

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

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

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

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

MCC Biodiversity - No objections subject to conditions.

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

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

SEWBRc Search Results - No significant ecological record identified.

5.2 Neighbour Notification

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

Principle of development

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

Visual Impact

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

Residential Amenity

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

Biodiversity

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

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

Access

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

Health & Safety

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

Other

- Whilst recognising that the drainage regime is separate to planning, we observe that SAB approval is required for development proposals of over 100m². Given the local topography, which slopes from north to south, and presence of a watercourse a short distance away to the east (approx. 35-40m) the consideration of drainage provisions, potential surface water run-off and local phosphate levels are an important material consideration.

5.3 Other Representations

None.

5.4 Local Member Representations

No comments received.

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

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

6.0 EVALUATION

6.1 Principle of Development

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

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

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

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

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

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

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

3 Scale and design appropriate to site context

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

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

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

5. Generate minimal car trips

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

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

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

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

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

6.2 Good Design / Landscape Impact

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

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

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

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

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

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

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

6.3 Impact on Amenity

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

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

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

6.3.2 Due to foul drainage restrictions, each of the shepherd huts can accommodate no more than two people (or two people and two children in the eco version) and the bell tents can take up to four each. As such, the maximum number of people staying on site at any one time would be no more than 28. The shepherd huts only have one bedroom and a floor area of approximately 18.4m² meaning that they are not physically capable of accommodating any more guests. A condition requiring a register of occupiers is a standard condition used on all visitor accommodation and therefore occupancy levels can be monitored and controlled by the Local Planning Authority should Members be minded to approve the application.

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

6.3.4 The impact of traffic is considered below.

6.4 Transport

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

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

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

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

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

6.5 Biodiversity

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

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

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

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

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

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

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

6.6 Green infrastructure

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

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

6.7 Foul Drainage

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

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

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

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

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

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

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

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

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

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

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

6.10 Conclusion

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

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

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

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

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

7.0 RECOMMENDATION: APPROVE

Conditions:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

INFORMATIVES

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

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

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

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

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

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Application Number: DM/2024/01294

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

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

Applicant: Mr Gavin Gerrish

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

RECOMMENDATION: APPROVE

Case Officer: Ms Kate Bingham
Date Valid: 17.10.2024

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

1.0 APPLICATION DETAILS

1.1 Site Description

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

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

1.2 Value Added

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

1.3 Proposal Description

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

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

2.0 RELEVANT PLANNING HISTORY (if any)

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

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S12 LDP Efficient Resource Use and Flood Risk

S13 LDP Landscape, Green Infrastructure and the Natural Environment

S17 LDP Place Making and Design

Development Management Policies

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

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

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

Planning Policy Wales (PPW) Edition 12

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

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

5.0 REPRESENTATIONS

5.1 Consultation Replies

Llangwm Community Council – No comments received to date.

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

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

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

MCC Lead Local Flood Authority - No objection.

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

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

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

MCC Heritage – No comments received to date.

SEWBRc Search Results - No significant ecological record identified.

5.2 Neighbour Notification

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

Surface Water

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

Visual Impact

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

Four representations received in support of the application:

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

5.3 Other Representations

None.

5.4 Local Member Representations

County Councillor – No comments received to date.

6.0 EVALUATION

6.1 Principle of Development

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

6.2 Good Design/ Place making

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

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

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

6.2 Historic Environment

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

6.3 Impact on Residential Amenity

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

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

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

6.4 Access / Highway Safety

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

6.5 Green Infrastructure

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

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

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

6.6 Biodiversity

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

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

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

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

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

6.7 Surface Water Drainage

6.7.1 The total development area is over 100m² so SAB consent will be required. However, the surface water drainage of the patio area still needs to be demonstrated to not increase flood risk to

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

6.7.2 Hydgeo attended the site on the 24th February 2025 to undertake soakaway testing in accordance with BRE Digest 365 guidance. Taking the slowest of the design infiltration rates, attenuation calculations have been undertaken for the only impermeable contributing area proposed as part of the development at the retaining wall to the rear of the dwelling: 68m².

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

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

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

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

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

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

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

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

6.9 Conclusion

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

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

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

7.0 RECOMMENDATION: APPROVE

Conditions:

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

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

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

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

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

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

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

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

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

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

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

INFORMATIVES

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

2 As of 7th January 2019, all construction work in Wales with drainage implications, of 100m² or more, is now required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water (whether they require planning permission or not). These SuDS must be designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage.

The SuDS Approving Body (SAB) is a service delivered by the Local Authority to ensure that drainage proposals for all new developments of at least 2 properties OR over 100m² of construction area are fit for purpose, designed and built in accordance with the National Standards for Sustainable Drainage published by Welsh Ministers.

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

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

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

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

Application DM/2025/00106
Number:

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

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

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

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

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

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

Applicant: Mr Jonathan Davies (DC-WW)

Plans: Location Plan

RECOMMENDATION: Approve

Case Officer: Kate Bingham
Date Valid: 28.01.2025

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

1.0 APPLICATION DETAILS

1.1 Site Description

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

1.2 Proposal Description

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

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

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

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

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

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

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

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

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

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

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

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

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

2.0 RELEVANT PLANNING HISTORY (if any)

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

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

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

Strategic Policies

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

Development Management Policies

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

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

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

Planning Policy Wales (PPW) Edition 12

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

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

5.0 REPRESENTATIONS

5.1 Consultation Replies

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

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

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

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

Torfaen County Borough Council - No objections.

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

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

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

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

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

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

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

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

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

SEWBRc Search Results - Llandegveth SSSI.

5.2 Neighbour Notification

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

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

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

5.3 Other Representations

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

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

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

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

1 To remind the meeting that this is a Site of Special Scientific Interest (SSSI), and that the first consideration of any application as to the use of facilities, must be to protect the wildlife and respect the previous decision regarding the "closed season" for any intended use.

2 That the decision taken in respect of earlier similar applications which took into account the effects of light and noise and pollution which would cause disturbance of wildlife patterns of behaviour, be upheld.

3 In the light of previous decisions of the council, it would be inappropriate to increase hours of operation beyond 6 pm and be intrusive of the above. That normal practice for business meetings would be regarded as being held during usual office hours, e.g. up to 6 pm.

5.4 Local Member Representations

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

6.0 EVALUATION

6.1 Principle of Development

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

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

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

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

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

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

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

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

6.2 Biodiversity

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

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

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

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

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

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

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

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

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

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

6.5 Conclusion

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

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

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

{7.0 RECOMMENDATION: APPROVE}

{\b Conditions:}

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

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

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

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

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

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



Appeal Decision

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

an Inspector appointed by the Welsh Ministers

Decision date: 28/04/2025

Appeal reference: CAS-03956-B8F0C2

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

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by R Senior & Son Ltd against the decision of Monmouthshire County Council.
 - The application Ref DM/2023/00757, dated 28 April 2023, was refused by notice dated 13 June 2024.
 - The development proposed is a single storey bungalow.
 - A site visit was made on 16 April 2025.
-

Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

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

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

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

Other Matters

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

Conclusion

10. For the reasons given above and having regard to all matters raised, I conclude the appeal should be dismissed.
11. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of making our cities, towns and villages even better places in which to live and work.

A Thickett

Inspector



Appeal Decision

by G Hall BSc (Hons) DipTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 20/06/2025

Appeal reference: CAS-04155-T9W3L5

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

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

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

Procedural Matter

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

Main Issues

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

Reasons

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

Visual amenity

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

Highway safety

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

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

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

Conclusion

20. I have considered all other matters raised and for the above reasons conclude that the appeal should be allowed.
21. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

G Hall

INSPECTOR

SCHEDULE OF CONDITIONS

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.