

DC/2017/00552

ERECTION OF MARQUEES FOR FUNCTION USE BETWEEN APRIL TO OCTOBER (INCLUSIVE) AND RETENTION OF A SHED (4M SQUARED)

THE BELL, SKENFRITH

RECOMMENDATION: APPROVE

Case Officer: Alison Pankhurst

Registered: 27/06/2017

1.0 APPLICATION DETAILS

- 1.1 The application seeks consent for the retention of marquees on land at The Bell, Skenfrith for function use between April and October inclusive. The application has been submitted as a result of an enforcement case. The marquees are situated in the garden area of the hotel/ inn's grounds which is situated to the south east of the site. The garden area is quite open and can be seen from the main road, but the northern elevation of the garden is screened by a mature hedgerow. The marquee proposed is a double marquee and measures 24m x 12m with a height of 2.5m; the wooden shed is situated to the side of the marquees and measures 1.55m x 2.7m x 2.3m and is used for storing equipment.
- 1.2 Under Schedule 2, Part 4 Class B of The Town and Country Planning (General Permitted Development) Order 1995 (as amended) development is permitted for the use of any land for any purpose for not more than 28 days in total in any calendar year. However, development is not permitted by Class B if (a) the land in question is a building or is within the curtilage of a building.
- 1.3 Therefore as the marquees are within the curtilage of The Bell Inn, this rule does not apply in this instance as the marquees are situated within the curtilage of The Bell Inn.

2.0 RELEVANT PLANNING HISTORY

DC/2015/01298	Discharge of conditions from previous application	Approved 23/11/15
DC/2015/00523	Removal of existing timber structure and oil tank. Construction of new detached building to provide new biomass boiler plant, pastry kitchen and first floor staff accommodation.	Approved 24/6/15

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

- S13 Landscape, Green Infrastructure and the natural environment
S17 Place making and design

Development Management Policies

- EP1 Amenity and Environmental Protection
DES1 General Design Considerations
HE1 Development in Conservation Areas

4.0 REPRESENTATIONS

4.1 Consultation Replies

Llangattock Vibon Avel - recommends refusal. The marquees have a massive visual impact on an outstanding conservation area and do not meet the criteria of the LDP; There is no limitation on the hours that they can be used, the number of times that they can be used, the numbers attending, or the noise level either at the site itself or at the edge of Skenfrith village. As the application stands, there could be three events held every 24 hours, 180 days of the year. The Community Council has been informed that noise levels in the village exceeded 60db at 1.00am during an event held mid-week in September of last year. There is insufficient parking available. If say, there were 150 people attending; that would be about 50 cars. The application states that there is space for 25 cars. These 25 spaces also have to cater for the existing customers of the public house itself. There are no safe areas to park on the nearby road or verges. There is no evidence of a consultation with local residents, in terms of numbers consulted/responded, or questions asked.

MCC Heritage Team – unable to support the application as (i) it is unsympathetically sited within the Conservation Area (CA) and/or no mitigation (or rationale for mitigation) has been considered; materials are also not appropriate to setting of the CA. ii). It is highly visible within the CA; (mostly) when travelling north/north-east along B4521 and from PROW(s); it is also visible from the Castle and some residential properties within the CA.

CA Value: Medium importance and rarity, local scale. Impact: Partial loss of/damage to key characteristics, features or elements (adverse); but not adversely affecting the integrity of the CA - moderate adverse effect (significant).

Although they are important considerations, its impact on the CA and LC are not likely to be key decision making factors for this application: providing the applicant submits adequate mitigation to screen their proposal. Please note: The cumulative effects of such issues may become a decision-making issue if leading to an increase in the overall adverse effect on the CA. I would be grateful to review the submitted mitigation/plans when you receive them.

Environmental Health – considered factors. I note that objections have been made to the proposal from residents who live in the area and via the local community council in relation to noise. There has been no recent history of complaint in relation to noise from the premises. However, I understand that only a very limited number of events have been held in the marquee. I am mindful that more regular events in a marquee at this venue between April and November will have the potential to generate an increase in noise levels in this area. Such events are also likely to have a licensing implication. Whilst I am of the opinion that I am not in a position to substantiate an objection to the proposal I would recommend that prior to any consent being granted a scheme should be submitted by the applicant to the local planning authority for written agreement specifying the provisions that will be implemented for the control of noise emanating from the site. The noise mitigation scheme should be maintained for the life of the approved development and shall not be altered without the prior written approval of the planning authority.

Glamorgan Gwent Archaeological Trust – no comments received.

4.2 Neighbour Consultation Responses

Several neighbours were consulted on the planning application and a site notice was placed on site. Three objections to the application were received and their comments are as follows:

One neighbour commented that no consultation with neighbours had been carried out; hours of opening and requirements – a banner advertises the marquee for special events all year; noise issue from events – the application would give licence to be holding parties and entertainments 6 days a week and the one event held last summer was so noisy that even with the windows of our house all shut it was impossible to hear the television. Given that such events would be happening in the warm summer months we could reasonably want to have our windows open and the volume in our house would be even more unbearable. A marquee provides very little in the way of sound containment and we consider a noise assessment which paid heed to the neighbours' quality of life to be vital unless the application is rejected on other grounds. The marquee is visible from the road.

Another neighbour is concerned and objects on the grounds that it will have a significantly detrimental impact on the Conservation Area; there would be unquestionable noise impact on the local community; failure to consult with the local people; and the dangers, risks and inconvenience brought about by an increased regular influx of vehicles to the village. The first thing one sees on approaching Skenfrith from Abergavenny is two large white tents. No attempt has been made to camouflage them, either by screening or toning them into the environment. Why do they need to remain standing for seven months of the year? A much welcomed seat overlooks the whole valley with its magnificent views – only marred by two white tents. The noise from functions held at The Bell has been a minor nuisance. The noise from loud music emanating from The Bell heard from the top of Coed Anghred Hill is exacerbated by the incessant thumping of bass instruments. We have no idea of the nature or the number of proposed events, but if they are frequent the noise could become an intolerable major issue. There has been no consultation with members of the public regarding the application (duty of care to talk to people). The Bell has also reduced its parking which causes issues particularly at busy times.

Another resident objects to the application on the following grounds:

Impact on the Conservation Area

Noise impact – events will generate a lot of noise and disturbance. This is unacceptable and will severely impact on our quality of life in this peaceful location.

Description does not imply the nature of functions; how frequent they would be and the number of attendees; this is unreasonable and unacceptable.

There has been no community consultation on the erection of the marquees for events.

Vehicle parking – inadequate parking and events could generate extra vehicles to the site.

Hours of opening – the applicant has not stated the hours of opening for the marquee. We object on the basis that should the application be approved, we will potentially be exposed to frequent, long, late and noisy functions taking place.

5.0 **EVALUATION**

5.1 Visual Impact

- 5.1.1 The application is for the retention of two marquees erected within garden land at The Bell Hotel, Skenfrith.

- 5.1.2 The applicants set out that the removal of the marquees on site and their re-erection were very time consuming and would exceed the permitted development allowance as each event would take around two to three days to erect and then take down. Hence this was the reasoning for submitting an application for the time period now sought.
- 5.1.3 The proposed marquees are situated at the rear of the site and within the gardens of the Hotel. The garden to the rear is located directly behind the car park area and there is screening provided by a mature hedgerow to the north. However to the west of the site there are open and direct views from the main road and some neighbouring dwellings. Due to the location of the marquees and the openness of the site it is suggested that a planting scheme is carried out to feature indigenous planting which will screen the marquees from nearby residential properties and views towards the site as one enters the village. The applicant has agreed to carry out the planting to mitigate the visual impact of the proposal and to preserve the character and appearance of the surrounding area and conservation area.
- 5.1.4 The marquees currently have a harmful impact on the rural landscape and a detrimental impact on the Conservation Area, but by planting a screen around the fenced area this should overcome these concerns. Once the planting has been carried out and has matured it is considered that the marquees would be have an acceptable visual impact on the surrounding area.
- 5.1.5 Development within conservation areas should preserve or enhance the character or appearance of the area and its setting, have no serious adverse effect on significant views into and out of the conservation area and have no serious adverse effect on significant vistas within the area. Whilst the positioning of the marquees is prominent it is recommended that screening to the site is planted to overcome these issues. The applicant is willing to plant a screen to the west and south of the site. The use of appropriate materials is also required under LDP Policy HE1 in order to protect and enhance the character and appearance of the conservation area, but it is noted that the marquees will not be a permanent feature at the site and will not be permanently erected during the period specified in this application. This permission would allow the applicant to erect the marquees as and when required during the period of April to October.
- 5.1.6 It is also stressed that the applicant does not have functions at the Hotel every weekend and the marquees will be used on a request basis and there are other function rooms available at the site. Provided the green infrastructure is provided at the site it is considered that the development would be in accordance with Policies EP1, DES1 and HE1 of the LDP.

5.2 Residential Amenity & Noise

- 5.2.1 The site is relatively isolated, on the edge of the village and the marquees are situated at the rear of the hotel gardens. There are two residential properties in direct view of the rear gardens of the hotel and they look directly onto the marquees. There is no screening to the site on its western or southern sides and the site is surrounded by agricultural fields. As it stands the site is open and it is considered that the development would have a harmful impact on the nearest neighbours' amenity. There have been several objections to the proposals. There are also concerns regarding the noise that is generated from functions taking place at the site.
- 5.2.2 To overcome the issue regarding the direct views from the neighbouring properties, it has been suggested that planting is carried out at the site to screen the residential properties on the western and southern edges of the garden. This would alleviate any

visual impact on their residential properties and would also act as a screen to reduce noise from events at the site.

- 5.2.3 Neighbours were also concerned about the opening times for the marquee. While the licensing system can cover the hours of operation of the marquees, amenity is also a planning consideration. In view of neighbours' concerns and the fact that the marquees would be less easy to insulate from noise than a building a limit on the hours the marquees can be used is proposed as set out in the conditions below (until 11pm). This is more restrictive than the hours the hotel itself can open, which is self-explanatory. While there would be potential for noise disturbance from time to time, it is considered that the imposition of such a condition, together with control over the duration of music being played in the marquees and adherence to a noise mitigation plan, as requested by the Council's Environmental Health Department, would ensure reasonable levels of amenity are maintained for the local community. With these conditions in place it is considered that the development will comply with policies DES1, EP1 and HE1 of the Monmouthshire Local Development Plan.
- 5.2.4 In terms of not specifying how many events the applicant is likely to hold at the premises, it is difficult to pre-empt functions that may or may not be booked. The applicant has confirmed that they have only held several functions at the premises and have not held a function every weekend. The applicant has also confirmed they have another room within the hotel that they use for small weddings and other functions.
- 5.2.5 The Community Council raised concern regarding the impact of the visual amenity of the marquees at the rear of the site, but this can be overcome by the aforementioned planting to screen the views of the neighbouring properties and visitors to Skenfrith.
- 5.2.6 Parking is available on site for events and functions to the premises and the hotel would manage parking so that it does not cause parking problems in the village itself.

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

- 5.3.1 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.

5.4 Conclusion

- 5.4.1 The application seeks to consent to erect marquees on site between April and October. The siting of the marquees in this location does not have a harmful impact on the character and appearance of the rural landscape and is acceptable providing that an acceptable planting scheme is implemented. The marquee results in the site being able to accommodate wedding and other functions and provide employment opportunities and benefits to the local economy in accordance with strategic policies S8 and S10. The development would be in accordance with relevant policies in the LDP and is therefore acceptable.

6.0 **RECOMMENDATION: APPROVE**

Conditions:

Amod Rhif/Condition No.	Amod/Condition
1	This development shall be begun within 5 years from the date of this permission.
2	The development shall be carried out in accordance with the list of approved plans set out in the table below.
3	The hereby approved marquee shall not be used to hold functions between the hours of 23:00 and 09:00 (24 hour clock).
4	The erection and siting of the hereby approved marquee is permitted between 1st April and 31 st October only. Outside these times the marquees shall be taken down, removed from the site and not re-erected on site.
5	No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development.
6	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 date of this permission, 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.
7	Amplified music or performed music shall only be played inside the marquees at the venue between the hours of 11:00 and 23:00.
8	All walls of the marquees must be erected (with exception to the entrance) when it is being used for an event or function.
9	A noise mitigation plan shall be submitted to and approved by the local planning authority prior to the use of the marquees commencing for functions and events and the use shall be carried out in accordance with the approved mitigation plan at all times.