

**Application Number:** DM/2018/01092

**Proposal:** Four shepherd huts for holiday let use.

**Address:** Land At Bentra Farmhouse, Pentre Road, Llangovan, Monmouth

**Applicant:** Mr R Harry

**Plans:** All Proposed Plans Proposed Floor Plan and Elevations - Revised 11.09.2018, Other Shepherd's Hut Spec - , Other Colour Sample - , Location Plan Rev A - , Block Plan BP2619/00 REV A - , Block Plan BP2619/01 - , Block Plan BP2619/02 - , Transport Statement - , Landscape Visual Impact Assessment Revision A Sept 2018 - ,

## **RECOMMENDATION: APPROVE**

Case Officer: Mrs Jo White

Date Valid: 18.07.2018

### **1.0 APPLICATION DETAILS**

1.1 This application relates to three parcels of land; two to the north-west of existing holiday lets known as Fuesli Lodge and The Mill House, Pentre Road, Llangovan and the other an orchard some 350m to the south-west of Fuesli Lodge.

1.2 Planning Permission is sought for four shepherd huts for holiday accommodation. The huts will measure 5.6m x 2.5m wide x 2.7m to ground level and will be sited for 12 months of the year. No amenity block is proposed as toilet/shower facilities (composting toilets) will be provided within the huts. Water will be provided to the huts by means of a water storage tank underneath each hut. The plans indicate a small gravelled outdoor seating area adjacent to each hut.

1.3 The two shepherd huts proposed within the orchard would be at opposite ends, to the south-west and to the north-east respectively. The topography of the orchard is such that it slopes downwards in both a north-easterly and south-easterly direction. Due to its raised level, part of the orchard can be viewed from the road (Pentre Lane) when travelling in a south-westerly direction.

1.4 The other two huts will be located approximately 160m - 190m to the north-west of Fuesli Lodge, in adjacent fields (separated by high hedges). The topography is such that the land rolls away gently from midway across the field down to the northern corner, where the shepherd huts are proposed. A small woodland area runs adjacent to the northern boundary.

1.5 Parking will be provided in the two locations; for the orchard huts this will be just off the existing access into the orchard and for the huts north-west of Fuesli Lodge the existing parking area will be utilised.

### **2.0 RELEVANT PLANNING HISTORY**

| <b>Reference Number</b> | <b>Description</b>                    | <b>Decision</b> | <b>Decision Date</b> |
|-------------------------|---------------------------------------|-----------------|----------------------|
| DC/2011/00178           | First floor extension and alterations | Approved        | 19.04.2011           |

|               |  |          |            |
|---------------|--|----------|------------|
| DC/2016/00016 | Non-material amendment relating to application DC/2011/00249; Face south roadside elevation with local random rubble stonework with semi-recessed bagged pointing. | Approved | 19.01.2016 |
| DC/2011/00430 | Conversion of redundant agricultural storage building to holiday let   | Approved | 12.07.2011 |
| DC/2011/00249 | Conversion of redundant milking parlour to holiday let   | Approved | 05.05.2011 |
| DC/2016/00736 | Discharge of conditions 4 and 5 of planning permission DC/2015/01369.  | Approved | 04.08.2016 |
| DC/2015/01369 | Two storey extension to replace lean-to single storey extension.   | Approved | 01.04.2016 |

### **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

#### **Strategic Policies**

S8 LDP Enterprise and Economy  
S11 LDP Visitor Economy  
S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S17 LDP Place Making and Design  
S16 LDP Transport

#### **Development Management Policies**

NE1 LDP Nature Conservation and Development  
MV1 LDP Proposed Developments and Highway Considerations  
DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
LC1 LDP New Built Development in the Open Countryside  
LC5 LDP Protection and Enhancement of Landscape Character

### **4.0 REPRESENTATIONS**

#### **4.1 Consultation Replies**

Raglan Community Council: Community Council: no objections. However, if the Planning Authority is minded to grant permission, it is recommended that conditions are included and the following conditions should be considered.

- No vehicular access must be constructed over the fields from the gravel parking area to the Shepherds Huts north of Bentra cottage.
- If there is any loose or other material discharged onto the highway the landowner should ensure the material is cleared within a reasonable time.

MCC Highways: No objections. The submission provides sufficient parking and turning arrangements within 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 fairly 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 therefore is not considered to have any detrimental impact on highway safety.

MCC Environmental Health: based on revised information received, request a condition that no amplified music be played after 9pm.

MCC Ecology:

No concerns about the original location of the shepherd huts. However, concerns regarding the revised locations next to the woodland - this area is high quality landscape for bats, especially lesser horseshoes, and there are several protected roosts in the area. The woodland is likely to supporting commuting and foraging bats, and there are trees on the woodland edge which have potential to support bat roosts. A 30m buffer zone from the woodland edge would be a suitable to avoid potential impacts (combined with lighting control).

## 4.2 Neighbour Notification

Six letters of objection have been received raising the following areas of concern:

- concern about unacceptable noise levels from guests and light pollution from huts;
- increase in road traffic on lanes and junction opposite London House, with limited passing places;
- concern that it will lead to more huts in the future;
- Huts in orchards will be visible to all neighbouring properties
- The area of outstanding beauty will be compromised;
- The four huts are more like common Gypsy Caravans;
- The 'wrong type' of person will be attracted;
- Over-development
- Holiday makers will cause accidents;
- Concerns relating to the effects on the delicate ecosystem, wildlife and local environment;
- Abuse of existing holiday lets will be repeated and add to current traffic related problems;
- Two huts would be in sight of upstairs windows of Bentra Cottage if it were not for the fact the applicant has allowed the boundary hedge to grow to 20 feet;
- Huts positioned close to ancient watercourse and no evidence of environmental impact study
  - concerns of effects on water quality;
- The scattering of huts seems unusual. Random caravans will spoil the overall aspect;
- There is no access to two huts nearest Fuseli Lodge - presumably there will be a track/path across the field which will have further urban type development;
- Pentre Lane not suitable for more traffic as already experiencing subsidence and cracking;
- Disturbance to Livestock as Public Right of Way in area will cause extra footfall which may cause disruption amongst livestock.
- Applicant does not live or work in the area and so will not be directly affected by the development;
- The nature of accommodation suggests frequent turnover of visitors set close to neighbouring properties;
- The accommodation is not accessible to disabled persons;
- There are already a number of campsites/holiday lets in the area;
- No visitor attractions within walking distance and so car journeys required

### 4.2.1 One Letter of Support has been received:

- The huts appear to have been appropriately located so as to assimilate into the landscape;
- Considered to be low impact visitor accommodation which will have low impact upon highway network;
- Enterprise of this nature should be encouraged within reason;
- There are multiple ways out from the proposed sites depending on where they were travelling.

## 5.0 EVALUATION

### 5.1 Principle of the proposed development

5.1.1 National planning policy on tourism is set out in Chapter 11 of Planning Policy Wales (PPW, Edition 9 November 2016) and reflects the Welsh Government's aim to encourage tourism to grow in a sustainable way and make an increasing contribution to the economic, social and environmental well-being of Wales (11.1.2). It provides for the planning system to encourage sustainable tourism in ways that enable it to contribute to economic development, conservation, rural diversification, urban regeneration and social inclusion, recognising the needs of visitors and local communities (11.1.4).

5.1.2 Strategic Policy S11 of the Monmouthshire Local Development Plan (LDP) refers to the 'Visitor Economy' and sets out that "development proposals that provide and/or enhance sustainable forms of tourism will be permitted subject to detailed planning considerations".

5.1.3 Shepherd huts are a relatively new form of visitor accommodation. As such, there is not a specific policy within the current LDP relating to this type of tourist accommodation. However, Supplementary Planning Guidance (SPG) 'Sustainable Tourism Accommodation' was adopted in November 2017 to provide clarity and certainty for applicants, officers and Members in the interpretation and implementation of the existing LDP policy framework in relation to proposals for sustainable visitor accommodation.

5.1.4 Paragraph 1.3 of the SPG identifies "the importance of tourism to the Monmouthshire economy, the need to safeguard, provide and enhance the County's visitor facilities, including the accommodation offer, is essential if Monmouthshire is to realise its potential as a high quality and competitive visitor destination."

5.1.5 The LDP defines sustainable tourism as tourism that is 'economically viable, generates local benefits, is welcomed by and helps support local communities, reduces global environmental impacts and protects/enhances the local environment' (5.82). In this instance the shepherd hut accommodation provided would be moveable and is therefore considered to be a low impact form of visitor accommodation and would satisfy Policy S11 in principle.

### 5.2 Visual Impact

5.2.1 Due to the topography of the land, the huts north-west of Fuesli Loge will be located at lower level, with potentially only the upper section visible from Fuesli Lodge. Woodland is located approximately 5m to the rear of the huts creating screening from the north. High hedgerow provides screening between the huts together with high vegetation to the boundary of Bentra Millhouse, some 85m to the east. Taking this into consideration, the two huts to the north-west of Fuesli Lodge are located as such that they are not considered to have a harmful visual effect upon the landscape and would therefore be acceptable to be in situ throughout the year.

5.2.2 With regards to the huts proposed within the orchard, high-level vegetation provides screening to the northern boundary, adjacent to the road, together with hedgerows to the south. Open fields bound the orchard to the east and south-east providing wider vantage points. However, the huts are set back within the orchard and will thus be largely screened by the orchard itself. Whilst it is acknowledged that these huts will be more exposed during the winter months when the trees are bare, they are set far enough into the orchard so as not to cause a harmful impact upon the wider rural landscape.

5.2.3 With regards to the use of the siting of the huts all year round, Section 4.18 of the SPG specifies that "glamping accommodation such as yurts, tepees, bell tents, shepherd's huts should be taken down or relocated out of season. However, the necessity for this will need to be considered on a case by case basis depending on the site context and landscape/visual impacts". In light of this, it is considered that in principle the siting of the huts in the same location throughout the year would be acceptable in principle subject to the visual impact on the wider rural landscape. Given

the modest scale of the huts, together with their siting (within a slight dip and nestled within an orchard), it is considered that the impact upon the wider landscape would be acceptable.

5.2.4 Due to the siting of the huts, guests will be required to walk from the parking areas through fields/orchard to access the huts. The applicant has confirmed that no formal pedestrian access or circulation routes are proposed as it is intended to add to the rural experience. Whilst this rustic approach could be considered a positive approach, it could heavily restrict accessibility for users. A condition would therefore be imposed to require an appropriate, yet informal, pedestrian/circulation route from the parking areas that will be visually sympathetic to the wider landscape.

### 5.3 Design

5.3.1 Following negotiations with the applicant the colour of the proposed huts have been revised. The revised plans now indicate that each hut will be finished in black corrugated steel roof (featuring solar panels), black steel wheels, corrugated walls in a 'Juniper Green' and black windows. The muted colours will assimilate into the landscape and are not considered to cause visual harm to the rural landscape, in accordance with LDP Policy DES1.

5.3.2 The huts are modest in scale measuring approximately 5.6m long x 2.45m wide with an overall external height of 2.7m. Solar panels to the roof assist in the making the huts energy efficient and composting toilets will harvest human waste, ensuring the huts are environmentally friendly.

### 5.4 Highway Safety

5.4.1 Concerns have been raised by residents regarding an increase in traffic along Pentra lane. The huts are dispersed across two locations at either end of Pentra Lane with parking provided for both respective locations. Whilst the four huts proposed would inevitably create additional traffic, the Council's Senior Highways Engineer is of the view that this would only be a slight increase that would be infrequent and would be unlikely to be at peak times. He is satisfied that there are no grounds to sustain an objection on highway safety grounds or traffic impact. The development is therefore considered to comply with LDP Policy MV1.

### 5.5 Residential Amenity

5.5.1 Local residents have raised concerns relating to noise and disturbance created by guests using the huts. The nearest dwelling to the huts located north-west of Fuesli Lodge is Bentre Millhouse which is approximately 138m to the east and is screened by high vegetation. Similarly, the nearest dwelling to the huts in the orchard (London House) is some 110m to the west. Given the screening, which will provide a degree of noise attenuation, the distance from neighbouring properties and the topography of the land, there are no concerns that the huts would cause unacceptable harm to the local residential amenity in terms of visual impact or noise disturbance.

5.5.2 The Environmental Health Officer has suggested a condition be imposed restricting any amplified music being played after 9pm. However, for the reasons outlined above, it would be unreasonable to impose such a condition. In any event, the Council's Environmental Health department would be responsible for any statutory noise complaints.

5.5.3 For the reasons discussed above, it is considered that the proposed development for four shepherd huts would not cause unacceptable harm in terms of noise or privacy to the residential amenity of local residents, as required by LDP Policy EP1.

### 5.6 Ecology

5.6.1 The Council's Ecologist raised concerns in respect of the two huts proposed adjacent to the woodland (north of Fuesli Loge) in terms of the effect on commuting and foraging bats. A 30m buffer zone from the woodland edge was therefore recommended.

5.6.2 In response to the comments, the applicant sought independent advice from Acer Ecology who suggested that mitigation in the form of either removing the window that fronts the woodland or

placing a specialist film to the window to reduce light glare would be sufficient mitigation measures to protect the bats. It was further advised that, "the bats would typically fly close to the woodland and so unless the building was within 2-3m of the woodland they wouldn't be directly affected by the building." Owing to this, the two huts in question are positioned some 5m from the edge of the woodland. A condition imposing that a sample of the proposed light-reducing film is submitted prior to commencement (and retained in perpetuity), together with a condition prohibiting the erection of any external lighting would mitigate against any detrimental effect upon commuting and foraging bats.

## 5.7 Response to Objections

5.7.1 Local concerns relating to visual impact, residential amenity and highway safety have been addressed in the preceding sections of this report and can be managed through planning conditions. Other issues raised relate to the site being designated as Area of Outstanding Natural Beauty (AONB) and a Site of Scientific Special Interest (SSSI) together with the current application being the basis for future expansion. Firstly, the site does not fall in either the Wye Valley AONB or a SSSI. Secondly, the Local Planning Authority (LPA) can only consider the proposal as submitted rather than on speculative future intentions. Planning conditions would ensure the size of the development is managed and any future applications to expand would need to be considered on their own merits. Other comments made in relation to the applicant's personal circumstances are not a planning consideration in the determination of this application.

## 5.8 Conclusion

5.8.1 The proposed siting of four Shepherd's huts for tourism use would not cause unacceptable harm to the local residential amenity or the wider rural landscape. The number of units is small, with the units being spread across two areas. As a result, it is not considered that they would give rise to an unacceptable increase in noise or vehicular movements. Ecology mitigation is proposed for the huts adjacent to the woodland and will be managed through planning conditions. As such, subject to conditions, the proposal is considered acceptable and in accordance with LDP Policy S11, DES1, EP1, NE1, MV1 and Supplementary Planning Guidance 'Sustainable Tourism', and is therefore recommended for approval.

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

5.9.1 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.

## **6.0 RECOMMENDATION: APPROVE**

### **Conditions:**

- 1 This development shall be begun within 5 years from the date of this permission.  
  
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development shall be carried out in accordance with the list of approved plans set out in the table below.  
  
REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.
- 3 There shall be no more than four shepherd huts on the site at any one time.

REASON: To safeguard the landscape and to define the scope of the permission.

- 4 Notwithstanding the details submitted, no works shall commence on site until a scheme of hard landscaping has been submitted to and approved in writing by the Local Planning Authority. Such details shall include:
- a. Levels showing the extent of 'cut and fill' for the siting of the huts;
  - b. Details of any hard surface materials to be used for the siting of the shepherd's huts.
- Such details as may be approved shall be implemented prior to beneficial use of the shepherd huts hereby approved.

REASON: To protect the visual impact upon the landscape.

- 5 No development shall take place until details of proposed pedestrian access and circulation routes (footways to the huts) have been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented prior to beneficial use of the shepherd hut hereby approved.

REASON: To protect the visual impact upon the landscape.

- 6 The shepherd huts 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.

- 7 An up to date register containing details of the names, main home address, dates of arrival and departure of occupants using the shepherd's huts shall be made available for inspection by the Local Planning Authority upon request.

REASON: To ensure the shepherd hut site is occupied as holiday accommodation only. The shepherd hut site is unsuitable for general residential accommodation because of its location in the open countryside and the policy support for glamping is due to the economic benefits secured.

- 8 Prior to the commencement of any works, a sample of the light reducing film to be applied to the north elevation windows of the huts that face the woodland (north-west of Fuesli Lodge) shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented prior to the beneficial use of the shepherd's huts hereby approved and shall remain in perpetuity.

REASON: To safeguard foraging/commuting habitat of Species of Conservation Concern.

- 9 No lighting or lighting fixtures shall be installed on the huts or within the development boundary until an appropriate lighting plan which includes low level PIR lighting and allows dark corridors for bats has been agreed in writing with the Local Planning Authority. The plan shall detail light type, specification and position. The development shall be carried out in accordance with the agreed details and no other lighting or lighting fixtures shall be installed.

REASON: To safeguard foraging/commuting habitat of Species of Conservation Concern in accordance with LDP policies NE1 and EP3.

- 10 No windows other than those indicated on the approved plans shall be inserted in the shepherd huts hereby approved unless otherwise agreed by the Local Planning Authority.

REASON: To safeguard foraging/commuting habitat of Species of Conservation Concern.

- 11 None of the shepherd huts hereby approved shall be replaced by any other structure(s) or glamping accommodation differing from the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure compliance with the approved plans and to safeguard the amenities of the area.

- 12 In the event of the shepherd huts ceasing to trade, the units 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.

## **INFORMATIVES**

1. The applicant is advised that a site licence from the Environmental Health will be required to ensure appropriate standards of public health and safety are achieved and maintained. Please contact [environmentalhealth@monmouthshire.gov.uk](mailto:environmentalhealth@monmouthshire.gov.uk)