

Application Number: DM/2019/00142

Proposal: Development of 1no. shed and 2no. polytunnels, a foot path and associated works to supplement services offered at the Resource Centre

Address: Mardy Park Resource Centre, Hereford Road, Mardy, Llantilio Pertholey

Applicant: Monmouthshire County Council

Plans: Location Plan - , All Proposed Plans 001 - ,

RECOMMENDATION: APPROVE

Case Officer: Ms. Lowri Hughson-Smith
Date Valid: 01.02.2019

This application is presented to Planning Committee as it is submitted by Monmouthshire County Council.

1.1 APPLICATION DETAILS

1.1.1 This application relates to a residential care home which is owned and run by Monmouthshire County Council. It is located along Hereford Road in Mardy to the north of Abergavenny.

1.1.2 Planning permission is sought for the erection of two polytunnels and a single timber shed to the rear of the building. Pathways would also be installed to facilitate wheelchair access and users with mobility impairments. It is intended that the proposed facilities would assist residents to learn how to grow their own produce as well as provide storage for small gardening equipment.

1.1.3 With regard to dimensions, the polytunnels would measure 12.8m in length, 6.1m in width and stand 2.8m in height. The timber outbuilding would measure 5.1m in length, 4.2m in width and stand 2.3m in height. The timber outbuilding would also be used as a destination for residents to sit and discuss the garden area as part of their horticultural session.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DC/2011/01034	Change of use of North Wing of building from Use Class C2 to D1 with associated internal alterations.	Approved	18.04.2012

DC/2014/01517 Construction of new car park to serve Mardy Park Resource Centre. Approved 15.07.2015

DC/2015/01368 Discharge of condition 7 from planning consent DC/2014/01517. Approved 09.12.2015

3.0 LOCAL DEVELOPMENT PLAN POLICIES Strategic

Policies

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

Development Management Policies

NE1 LDP Nature Conservation and Development 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

3.1 National Planning Policy

Planning Policy Wales (PPW) Edition 10

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. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

4.0 REPRESENTATIONS

4.1 Consultation Replies

Llantilio Pertholey Community Council - have not responded to date.

MCC Environmental Health - I would be unlikely to object given nature of the development but it would be good to see where the shed / polytunnel intended to go within the outlined area. Even confirmation that within the hatched area will suffice from my viewpoint.

MCC Biodiversity - Based on the current objective survey and assessment available, we have enough ecological information to make a lawful planning decision.

Ecological Considerations

Loss of species rich grassland - The proposals include the loss of approx. 0.07ha of grassland under the footprint of the proposal. There will also inevitable be damage to the wider grassland through the construction of the hardstanding, paths and the storage of materials. To compensate

for this minor loss it is proposed that management of the remaining area of grassland between the proposals and the orchard is undertaken in a more sympathetic way with a reduced cutting regime and collection of the cut grass to improve biodiversity value.

In addition to this, any damage done to the wider sward during works should be restored to prevent invasive species like balsam invading. I will secure these measures by recommending a planning condition for a habitat restoration and management statement for the remaining grassland.

Protection of the River Gavenny Site of Importance for Nature Conservation (SINC)

The river and the surrounding habitat, in this case the woodland, is included in the local designation (SINC). We would like to see this important wildlife corridor protected. Therefore, I will be recommending that there should be no works or storage of material within 20m of the boundary of the SINC. If works need to be undertaken in this area, we would be looking for a construction method statement to be submitted and approved by the planning dept.

Lighting

This applies to both the SINC habitat and the wider landscape. We would like the hedgerow between the development area and the adjacent land to remain a dark corridor for wildlife including bats. The River Gavenny corridor should not be illuminated either. Therefore, we will suggest that there is no lighting in this area to be controlled via a planning condition.

4.2 Neighbour Notification

One objection received raising the following concerns:

- Close to adjoining properties.
- It would be beneficial to have a block plan indicating exactly where the works are on site.
- The information is lacking detail in this regard and therefore as an adjoining landowner I must raise an initial objection.

4.3 Other Representations

None received.

5.1 EVALUATION

5.2 Strategic and Spatial Choices

5.2.1 Principle of Development

Whilst the timber outbuilding would be sited within the development boundary for the settlement, therefore in principle of a new building is acceptable. The two polytunnels would be positioned outside of the development boundary and therefore are considered to be within open countryside. Policy LC1 sets out that "There is a presumption against new built development in the open countryside, unless justified under national planning policy and/or LDP policies S10, RE3, RE4, RE5, RE6, T2 and T3 for the purposes of agriculture, forestry, 'one planet development', rural enterprise, rural / agricultural diversification schemes or recreation, leisure or tourism."

Although of a very small scale, the horticultural use proposed in this instance would fall within the definition of agriculture as set out in Section 336 of the Town and Country Planning Act 1990. Having regard to the criteria set out in Policy LC1 where a new building is justified, the polytunnels would be screened by a mature hedgerow to the north and mature vegetation to the east and would be sited in close proximity to the main building on site as well as the proposed timber outbuilding. All of the buildings proposed are of modest scale and appropriate design, and would not cause unacceptable harm to the wider amenity value of the adjoining countryside.

5.2.2 Good Design / Place making

As noted in section 5.1.1 above all of the buildings proposed are of modest scale, and typical of small scale horticultural use. All would be sited in close proximity to one another and to the main building to the west. The parcel of land enjoys natural screening to north and east boundaries, accordingly the proposal would not appear visually prominent or isolated within the wider landscape. Some additional paving would be required to provide level access to the polytunnels and new vegetable patch area. Given the benefits of providing an inclusive access to all users to

these facilities it is considered that this would outweigh the minor visual intrusion of additional hard landscaping.

5.2.3 Impact on Amenity / Promoting Healthier Places

Concerns have been raised from third parties at the residential cul-de-sac to the north-west of the site at The Pines. The concerns were centred around the level of detail initially submitted with the application with regard to the exact positioning of the new structures. A 1:500 block plan has therefore been provided subsequently confirming the location of the proposals directly behind the main building. The nearest structures to The Pines properties would be the most westerly polytunnel which would be approximately 25m from the rear boundary with No 19. However, given the intervening hedgerow, section of car park and modest scale of the tunnels (2.8m in height) it is not considered that they would cause harm to the residential amenity of the neighbouring dwellings at The Pines. Given the primary use of the site, residential care, it is not considered that the use of facilities proposed would be unacceptably intensive so that it would give rise to noise/nuisance complaints.

PPW10 is clear in that it recognises that promoting healthier places is key to achieving health and well-being goals. Section 3.19 of PPW notes that "the planning system has an important role in shaping the social, economic, environmental and cultural factors which determine health and which promote or impact on well-being in line with the Healthier Wales goal." It goes on to set out in Section 3.20, that planning should "identify proactive and preventative measures to reduce health inequalities. This will include enabling opportunities for outdoor activity and recreation..." In this instance the proposal seeks to facilitate practical horticultural learning sessions for residents to empower them to learn how to grow their own produce, including fruit and vegetables. As such, the proposed development is considered to actively assist with the goals set out in PPW10.

5.2 Distinctive and Natural Places

5.2.1 Landscape / Visual Impact

The site forms part of the eastern boundary of the settlement, however as stated previously the site does benefit from considerable natural screening when viewed from the east thanks to dense mature vegetation. As such wider public vantage points would have minimal view of the new structures. Whilst a public footpath exists approximately 160m to the north of the site, given the distance involved and presence of existing vegetation views would be limited. Therefore for these reasons and those detailed previously in this report, the development would not cause unacceptable harm to the wider rural landscape. Views from within the settlement, from Hereford Road, would also be limited and in the case of the timber outbuilding entirely obscured by the main building. The criteria therefore set out in Policy DES1 are considered to be satisfied.

5.2.2 Biodiversity

The Council's Biodiversity Officer has confirmed that enough ecological information is known to make a lawful planning decision. Appropriate planning conditions, set out in Section 6.0 below, are to be attached that would see to ensure protection of the River Gavenny SINC to the East as well as improvement of the grassland for biodiversity. It is therefore considered that the proposed development meets the criteria set out in Policy NE1 of the adopted LDP.

5.3 Response to Third Party Representations

5.3.1 Concerns raised with regard to the quality of the submitted plans were noted and accordingly an accurate block plan was requested and submitted by the applicant. For the reasons detailed in the preceding sections of this report, the siting and impact of the proposed development is considered to be acceptable.

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

5.4.1 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 WCFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WCFG 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.

6.1 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 Within 6 months of the date of this approval, a habitat restoration and management statement to restore damaged areas and secure improved grassland management for biodiversity shall be submitted to the Local Planning Authority for approval. The statement shall thereafter be implemented in full.

REASON: To ensure that Monmouthshire County Council maintains and enhances biodiversity and ecosystem resilience in accordance with the Environment (Wales) Act 2016 and to meet the requirements of Policy EP1 of the LDP.

4 No works including earthworks, storage of materials, vehicles or plant are permitted within 20m of the River Gavenny SINC. Any works within 20m will only be permitted as part of an approved Construction Method Statement which includes measures to reduce negative effects on the SINC. Any such works shall be carried out strictly in accordance with the requirements of Construction Method Statement approved.

REASON: To ensure that Monmouthshire County Council maintains and enhances biodiversity and ecosystem resilience in accordance with the Environment (Wales) Act 2016 and to meet the requirements of Policy EP1 of the LDP.

5 No lighting or lighting fixtures shall be installed until an appropriate lighting plan which includes lighting type and specification, protecting foraging/commuting habitat for bats and the River Gavenny SINC has been agreed in writing with the Local Planning Authority. The lighting shall be installed strictly in accordance with the details agreed and remain as such in perpetuity.

REASON: To safeguard habitats of Species of Conservation Concern in accordance with Section 6 of the Environment Act (Wales) 2016 and LDP Policies EP3 and NE1.

INFORMATIVES

1 The proposed scheme will require a sustainable drainage system designed in accordance with the Welsh Government Standards for sustainable drainage. The scheme will require approval by the SuDS Approving Body (SAB) prior to any construction works commencing. Details and application forms can be found at:

<https://www.monmouthshire.gov.uk/sustainable-drainage-approving-body-sab>