

Application Number: DM/2018/01909

Proposal: Open sided, roofed pavilion with new hard surfacing.

Address: Abergavenny Museum & Castle, Castle Street, Abergavenny, NP7 5EE

Applicant: Joint Applicants Monmouthshire CC And Nevill Estate Ltd

Plans: Location Plan - , Other S05 - , Other S04 - , Other S02 - , Other S01 - , Cross Section P1814 - C, Elevations - Proposed P1813 - B, Elevations - Proposed P1812 - B, Elevations - Proposed P1811 - B, Elevations - Proposed P1810 - B, Elevations - Proposed P1809 - B, Elevations - Proposed P1808 - B, Elevations - Proposed P1807 - B, Elevations - Proposed P1806 - B, Site Sections P1805 - B, Site Sections P1804 - B, Floor Plans - Proposed P1803 - B, Site Layout P1802 - B,

RECOMMENDATION: REFUSE

Case Officer: Mr Andrew Jones
Date Valid: 26.11.2018

1.0 APPLICATION DETAILS

- 1.1 This application was presented to Planning Committee on 2nd April 2019 (a copy of the original report is reproduced below).
- 1.2 At that meeting Members resolved that they were of a mind to refuse planning permission for the development on the basis of adverse impact on residential amenity and on the Scheduled Ancient Monument.
- 1.3. On the basis of the above, the following two reasons are considered representative of the views expressed by Members:
 1. Owing to the nature and types of events to be held which would be likely to cause significant noise, the proposed events pavilion would as a result of its proximity to neighbouring dwellings, cause unacceptable harm to residential amenity. As a result the development would be contrary to the requirements of policies EP1 and DES1 (d) of the Monmouthshire County Council Local Development Plan (LDP).
 2. Owing to its obtrusive siting and appearance, the proposed events pavilion and associated hard landscaping would cause unacceptable harm to the setting of the Scheduled Ancient Monument (MM056) Abergavenny Castle. The proposed pavilion would therefore be contrary to the requirements of policy DES1 (e) of the Monmouthshire County Council Local Development Plan (LDP) and paragraph 6.1.24 of Planning Policy Wales (Edition 10, 2018).

PREVIOUS REPORT to meeting of Committee held on 2 April 2019

The application is presented to Planning Committee as there are at least five objections to the proposal, and in addition the application is jointly made by Monmouthshire County Council's Museums Service

1.1 APPLICATION DETAILS

1.1.1 This applications relates to the grounds of Abergavenny Castle, the Castle is owned by the Nevill Estate Company Ltd. The site has been leased to the town since 1881 as 'a place of recreation' and has been leased to Monmouthshire County Council (MCC) or its predecessors since 1971.

1.1.2 Planning permission is sought to erect an events pavilion within the grounds of the Castle to provide a permanent weather proof venue solution. The structure would be sited on the lawn north of the outer bailey defensive bank - which is sited next to the boundary wall. The building would measure 5.4m in height to the ridge, 14m in length and 8m in width. With regard to external finishes it would be a timber framed structure with a combination of traditional jointing and steel connecting detailing; partial timber cladding and high level clear glass rain screening. It was also feature moveable sliding perimeter screens with steel frames and timber louvre infills. The roof would be constructed of natural slate with lead flashings, whilst hard landscaping would be provided by natural Welsh Pennant flagstones.

1.1.3 With regard to Heritage designations, the application is located within the Abergavenny Conservation Area and the site contains the following:

- Grade I listed ruined remains of Abergavenny Castle (CADW ID: 2376)
- Abergavenny Museum Building (CADW ID 86811)
- The Grade II listed Lodge of Abergavenny Castle (CADW ID 86897) - privately owned by the Angel Hotel.
- Grade II listed wall, gate piers and gates at the entrance of the site (CADW ID 86805).
- One area within the Registered Park and Garden that does not form part of the Ancient Monument. This area is beyond the base of the outer bailey bank of the castle.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DC/2003/01252	Rebuilding Of North-east Tower	Approved	19.01.2004
DC/2007/00389	Refurbishment of existing exhibition room, refer to enclosed drawings consent required for installation of roller shutters & de-humidifier	Withdrawn	

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S13 LDP Landscape, Green Infrastructure and the Natural Environment

S11 LDP Visitor Economy

S16 LDP Transport

S17 LDP Place Making and Design

S5 LDP Community and Recreation Facilities

Development Management Policies

NE1 LDP Nature Conservation and Development

EP1 LDP Amenity and Environmental Protection

EP3 LDP Lighting

MV1 LDP Proposed Developments and Highway Considerations

DES1 LDP General Design Considerations

HE1 LDP Development in Conservation Areas

4.0 REPRESENTATIONS

4.1 Consultation Replies (Original Scheme)

Abergavenny Town Council - Recommend the application is approved.

MCC Heritage - The application proposes a pavilion to the edge of the registered garden outside the scheduled area. In principle the erection of a building on this corner of the site is not considered to be unacceptable in relation to the setting of the listed building and the conservation area. This part of the conservation area is characterised by the immediate environs around the castle grounds, with a clearly marked boundary, the current stone walls. Beyond this there are views into the town and a visual connection from within the site to the tower of the town hall and the wider landscape beyond.

The proposed building is a modern structure which can be clearly read as such allowing visitors to the castle to continue to understand and appreciate the significance of the designated asset, the castle. The erection of a building in this corner of the site is not considered to fail to preserve the character of the conservation area. The proposed structure does obscure some views towards the town beyond, in particular views to the north are affected, however this is only to a small scale and only when adjacent to the proposed building. From key vantage points, the castle is still very much

connected to its surroundings, there is no impact on the important views to the south and west as identified in the conservation area appraisal.

The proposed design uses materials that are modern but sympathetic to its setting. However the scale of the building is substantial and that this will have an impact on the setting of the listed buildings and the conservation area by virtue of its scale. The proposed building has been reduced through negotiations to a size which is necessary for it to be a useable building, whilst this is still considered to be quite large there are benefits to the structure in providing a space in which the public can utilise and enjoy the castle and its environment. It is considered that the design of the building could have taken a stronger contemporary approach, however the budget constraints are recognised.

On balance, it is considered that despite moderate visual and aesthetic harm to the setting of the listed buildings and the conservation area, there are benefits to the sustainable management of the wider designated assets that outweigh this which should enhance the experience and opportunity to access and understand the assets.

MCC Highways - The development proposal does not require any change to the existing public highway access arrangement to/ from the castle grounds. No highways grounds for objection.

MCC Environmental Health (Original Comments) - I can advise that I have carefully considered this application with particular regard to the potential for noise disturbance to the occupiers of the nearby dwellings, noting that a number are within 30m of the proposed Pavilion with the perimeter of gardens as close as 10m.

While a number of events do currently take place within the Castle grounds with limited complaints of noise in recent years, the Pavilion could clearly be a focal point for future events.

I have appraised the Noise Impact Assessment by Acoustic Consultants Ltd, dated November 2018, Reference: 6929/BL. In this regard I make the following points:

- I note it is provided that the typical daytime background noise level up until 11pm is 43 dB LA90 (15 minutes).

There is scope in my view for the levels to be significantly lower in the rear gardens of Lower Castle Street during late evening hours particularly during dry / still weather conditions. In Chart 1 for example on the 30th October 2017 the background level, LA90, drops below 40 dB after approximately 8.30pm.

- The assessment considers the impact from speech and predicts a noise level of 52 dB LAeq (1hr) at the dwellings in Lower Castle Street from 25 persons talking. It compares the predicted 52 dB LAeq (1hr) with the measured 49 dB LAeq (15 mins).

However comparison with the measured background of 43 dB LA90 (15 mins) shows a much greater difference and in my view indicates the potential for disturbance to be caused particularly from events during evening hours in summer months when nearby residents may want to use their gardens.

However, while referencing these issues if the use of the Pavilion was restricted to 'speech only' events I would not anticipate a level of disturbance to merit this section objecting to this application.

The assessment does not consider the impact from the playing of music whether amplified or not. It is reasonable to assume that music sound levels would have the potential to be significantly higher than the 52 dB LAeq predicted for speech.

The extent of disturbance to nearby residents will be inter-dependent on a number of factors including the nature, frequency, duration, loudness, finish times of the events and the management in place to control noise levels. There is the potential for cumulative impact on residents from a number of events held over consecutive weekends particularly over the summer months.

As a Noise Impact Assessment has not been provided to evaluate this impact there is a clear need in my view for the application to provide the maximum number of events involving music which may be held at the Pavilion annually, their nature, finish times and management controls for consideration, and if viewed as acceptable incorporating into conditions on any grant of planning permission. The use of conditions in this case is of particular importance as this section, if

complaints are received, will not be able to apply the enforcement provisions of the statutory noise nuisance legislation provided in the Environmental Protection Act 1990 given that this is a Monmouthshire County Council site.

I note that the applicant in the Design and Access Statement has proposed music finish times of Music

Sunday - Thursday: Amplified music events finish by 9.30pm.

Acoustic music events finish by 10pm

Friday - Saturday: Amplified music events finish by 10.30pm

Acoustic music events finish by 11pm.

Plus a maximum of six events per year to be exempt from the above restrictions and to finish by midnight.

The Pavilion will provide no significant noise attenuation and in my view music during late evening hours will have the potential to cause significant disturbance especially after 9pm when background sound levels are likely to drop and residents want the quiet enjoyment of their homes. Further information as provided above is needed to enable this to be considered fully. If a significant number of music events are proposed during late evening hours I recommend that the proposals are supported by a Noise Impact Assessment to fully consider the implications. Such an assessment to be prepared by a person with appropriate acoustic qualifications and should have regard to appropriate guidance.

MCC Environmental Health (Additional Comments) - Provided the following comments:

Speech Only Events

While these may be audible on occasions at the nearest dwellings and therefore have the potential to cause some disturbance, I do not anticipate this to be at a level that would merit this section objecting to the application.

I recommend that to minimise the potential for noise impact any grant of permission is subject to the following condition:

- Speech Only Events, not including music, within the application area are to be in accord with the summary provided in the Further Details Report dated 17th January 2019:
- daytime events to finish by 5pm.
- 16 events permitted annually to finish by 9.30 pm.
- 4 events permitted annually to finish by 10pm, Sundays to Thursdays; or 11pm Fridays / Saturdays.

Music Events

The previous proposals for events involving music included:

- Sunday - Thursday: Amplified music to finish by 9.30pm / Acoustic music by 10pm
- Friday - Saturday: Amplified music to finish by 10.30pm / Acoustic music by 11pm.
- Plus a maximum of six events per year to finish by midnight.

I note that the proposed event finish times have now reduced significantly and further clarity has been provided regarding their frequency and their management. In particular I note the undertaking that 'A member of staff, or a responsible person appointed by an appropriate officer, will be on site at all events, and in the event area at large or private events'.

While the music is likely to be audible at the nearest dwellings and therefore have the potential to cause some disturbance particularly during evening hours, having regard to the proposed frequency of events, finish times and management I do not anticipate the impact to be at a level that would merit this section objecting to the application.

I recommend that to minimise the potential for noise impact any grant of permission is subject to the following condition:

- Events including music within the application area are to be in accord with the summary provided in the Further Details Report dated 17th January 2019:

- 5 daytime events permitted annually to finish by 6pm.
- 8 events permitted annually to finish by 9pm, limited to accompaniment/background music.
- 4 events permitted annually to finish by 9pm, Sundays to Thursdays; or 10pm Fridays / Saturdays.

MCC Ecology - Just to confirm, we will not be asking for a preliminary ecological appraisal or bat survey for an application for a covered events area at Abergavenny Castle. With careful design of the scheme including lighting, the risk to protected species is considered to be low. A small bat roost in the lodge has previously been confirmed and we have details of the species identified. The only considerations would be lighting spill on to the trees along the drive and the top of the existing wall which could be used as a foraging/commuting route by bats. Positioning of internal and external lighting and consideration for use of cowls to prevent spill will be important.

We are aware of Great Crested Newt records close by but consider that the current management of the habitat and the presence of the wall and tarmac road reduce the risk to negligible levels.

Cadw - Provided the following comments:

Scheduled Monuments

The application area is inside 500m of scheduled monuments Area of Conventual Buildings, St Mary's Priory (MM193) but will have no impact on the monuments or their setting.

The application area is located immediately adjacent to scheduled monument Abergavenny Castle (MM056). The monument consists of the remains of a medieval castle. It originated as a motte and bailey, probably built by the Norman Lord Hamelin de Ballon in 1087, located in a strategically important position above the valley of the River Usk, in a position to prevent Welsh incursions into the lowlands. It was the seat of Norman Lord of Abergavenny and played host to a number of Kings when they visited the area.

Originally the motte would have been surmounted by a wooden tower with a bailey containing a timber-built hall and other wooden buildings to the northeast. The wooden tower was quickly replaced by a stone tower, the remains of which are probably below the Victorian building that now houses the Museum. Stone curtain walls were added in the late 12th century which survive to nearly full height to the southwest of the gatehouse. In the 13th and 14th centuries the castle was extensively rebuilt by the Hastings family. They were responsible for the construction of the towers in the west corner of the castle, one round and one octagonal. Only the outer walls survive, but they stand four storeys high in places. The octagonal tower has large window openings and the remains of a spiral staircase. On the south side is a small garderobe tower with an arched outlet at the bottom. At the eastern end of the towers is a cross wall which divided the castle ward into two. Its northern end formed one wall of the hall block and has a doorway which led into the rooms below the hall. Further along is a fine lancet window and the base of a spiral staircase. To the southwest of the cross wall is a stretch of walling that belonged to a freestanding building. The hall was located immediately inside the curtain wall, between it and the modern car park, where the ground is sunken. It was a large rectangular room at first floor level, and traces of the floor level can be seen on the inside of the curtain wall. The hall was entered through stairs at the northeastern end, where steps and a door are visible. In the middle of the ward are the remains of some walls and steps leading to the cellars. The current gatehouse was built in the 15th century.

The keep and most of the other castle buildings were destroyed in the Civil War. The modern castle building, now the museum, was built in 1818 as a hunting lodge for the Marquess of Abergavenny. The castle ward was extensively landscaped during the Victorian period as gardens for the lodge including the terracing of the bailey bank to form a promenade facing back towards the town, this layout being retained through its present use as a public park.

When the castle was constructed the significant views were to the west overlooking the valley of the River Usk in an arc from northwest to south and to the northeast along the River Gavenny. The castle was also built to protect, and dominate, the town of Abergavenny so views north across the town and from the town centre were important. In more recent times the picturesque movement made views to the castle important along with the views of the River Usk. Later views of the tower of the town hall across the rooftops of the town with the hills of Sugarloaf, Blorenge and Skirrid behind it have become cherished views from the castle featured on postcards and in the works of local artists.

Registered Historic Parks and Gardens

The application area is inside 500m of the registered historic parks and gardens of Abergavenny: Bailey Park and Abergavenny: Linda Vista Gardens, but will have no impact on them or their settings.

The proposed development is located inside the boundaries of the registered Abergavenny Castle historic park and garden. The castle ward was extensively landscaped during the Victorian period as gardens for the hunting lodge constructed by the Marquess of Abergavenny on the top of the castle motte (now Abergavenny Museum). This work included the terracing of the bailey bank to form a promenade facing back towards the town and a regular network of paths.

Late 19th century plans of the application area show it had a clear formal layout of paths with a cruciform path layout across the centre of the site directly linked to the gardens in the rest of the castle, with a small number of trees. No traces of this design remain, however, it is clear that the area did not contain buildings and was open allowing views from the promenade along the terraced bailey bank over the town, with the tower of the town hall as a central landmark with the hills of Sugarloaf, Blorenge and Skirrid behind it. This was probably a planned view and became an important view from the garden depicted by local artists and photographers.

Impact

The proposed development is an open sided, roofed pavilion with new hard surfacing. The building will be of wooden construction with a pitched slate roof. It will be constructed in the former open garden area which is now lawn and located in the northern view from the northern defences of the castle (which at this point survive as an earthen bank modified and terraced as a garden feature in the 19th century). The development will have a direct impact on the historic garden and will change the way it is understood and experienced. It will also be located in the view from the promenade along the top of the terraced bailey bank over the town with the tower of the town hall a central landmark with the hills of Sugarloaf, Blorenge and Skirrid behind it. As noted above this view has been identified as a significant one, as historically, and currently, it looks over the town and in more recent years includes the tower of the town hall with the hills behind it.

The application is accompanied by a Heritage Impact Assessment which identifies that the proposed building will have an adverse impact on the registered historic park and garden and the setting of the scheduled monument. However, the assessment fails to assess the actual scale of the impact. This is a crucial part of the assessment process and without such analysis it is impossible to determine (i) the impact of the development on the setting and significance of the registered historic park and garden nor the scheduled monument, (ii) consider any mitigation measures that could be introduced to lower the scale of the impact and (iii) consider if compensatory measures could be proposed to benefit the monument or park and garden elsewhere.

Conclusion

We note that it is predicted that the proposed development will have an adverse impact on Abergavenny Castle registered historic park and garden and its setting and the setting of Abergavenny Castle scheduled monument. We have significant concerns that the applicant has not determined the actual scale of this impact nor considered measures to mitigate or compensate for it. We therefore recommend that the local planning authority requests that the applicant

provides this information and that we are re-consulted once it is available. Our initial assessment of the information that is available to us suggests that the impact on both historic assets is of a scale which is likely to be significant and, depending on the content of the additional information, is likely to give us cause to object.

Glamorgan Gwent Archaeological Trust - can confirm that the proposal has an archaeological restraint. It is our opinion that the construction of the proposed pavilion and hard surfacing, any associated services, landscaping and ground investigation works, will have an impact on the potential buried archaeological resource, and any remains encountered will need to be investigated and recorded. However, we do not consider archaeological evaluation trenching to be a practical means by which to identify any archaeological remains in this circumstance. Therefore, it is our recommendation that a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource should be attached to any consent granted by your Members.

We envisage that this programme of work would take the form of a watching brief during the groundworks and ground investigation works required for the development, with detailed contingency arrangements, including the provision of sufficient time and resources to ensure that any archaeological features or finds that are located are properly investigated and recorded; it should include provision for any sampling that may prove necessary, post-excavation recording and assessment and reporting and possible publication of the results. To ensure adherence to the recommendations we recommend that the condition should be worded in a manner similar to model condition 24 given in Welsh Government Circular 016/2014.

4.1.1 Consultation Replies (Revised Scheme)

Abergavenny Town Council – Recommend the application is approved.

MCC Environmental Health - I have noted the proposed amended plans. My comments remain as those dated 21st January 2019.

MCC Biodiversity - The Biodiversity and Ecology team provided informal pre-application comments on the ecology requirements for the application. These comments were informed by the design proposals, a background data search for local species records, review of adjacent planning applications and a site visit in the Summer of 2017.

The potential for impacts on protected species were considered as part of the pre application advice, given the scale and location of the proposals, ecological survey was not deemed necessary.

The development will not result in the loss of any significant foraging habitat (amenity grassland only), and we have the opportunity through the development proposals to enhance the site in terms of additional planting for pollinators which will provide foraging resource for bats.

The development is at the northern limit of high quality habitat for bats, it is likely that any bats roosting in this area, on the edge of urban development, will fly south to forage, records we have for bats using the Castle meadows site supports this. We do not consider that the development will result in the severance of bat commuting routes to the wider area as there are higher quality connections to the south via the more vegetated eastern boundaries of the castle.

The key ecological consideration for this scheme is lighting, it is felt that this can be adequately mitigated for by controlling lighting levels/spill to ensure that the adjacent wall and tree lines which could form commuting routes for bats are not illuminated, although the location of the development as mentioned above and the reduced height of the structure decreases the potential impact.

Glamorgan Gwent Archaeological Trust - The proposal has an archaeological restraint. Whilst we note the amendments, it remains the case that the construction of the proposed pavilion and hard surfacing, any associated services, landscaping and ground investigation works, may have an impact on potential buried remains.

Therefore it is our recommendation that a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource should be attached to any consent granted by your Members.

Cadw - An amended design for the proposed development has been submitted. The proposed building is similar in style to the one originally proposed, an open sided, roofed pavilion of wooden construction with a pitched slate roof. However it has been reduced in length from 18.2m to 14m and narrowed in width from 9m to 8m and the height of the roof has also been lowered by some 1.28m. The proposed building is also on the same footprint as the original design with the eastern wall in the same position but with the western one 4.2m further to the east.

Having carefully reviewed the information provided, we consider that the amended design would have a moderate adverse impact on the Abergavenny Castle registered historic park and garden and its setting and the setting of Abergavenny Castle scheduled monument, but this will not be significant.

Abergavenny Castle (MM056)

The proposed building is still in the identified significant view from the top of the bailey bank across the town looking towards the hills. However, where the previous design blocked the views of the houses along Castle Street and Lower Castle Street, with their differing sizes and the irregular ridgelines of their roofs, the lower ridge line of the new design allows much more of these buildings to be seen. The proposed building will also be located slightly further away from the bailey bank and therefore, given that it will also be a smaller structure, it will be less dominant in the view.

The proposed building will still have an adverse impact on the setting of Abergavenny Castle. It will be a modern structure located in close proximity to the defences and will block views of some of the houses along Lower Castle Street. However, the views of the irregular ridgelines of the roofs of the houses in Castle Street and Lower Castle Street will be visible, as will the whole of the Town Hall tower and the views of the hills of Sugarloaf, Blorenge and Skirrid behind it. The proposed building will also be smaller and further away from the defences making it less dominating. As such, we consider that the amended proposal will have a moderate adverse impact on the setting of scheduled monument MM056 but this will not be significant.

The registered Abergavenny Castle historic park and garden

The amended design goes some way to address our concerns about the impact of the proposed development on the registered park and garden. The revised plans and photomontages show that the reduced footprint and lower height of the proposed building makes it slightly less dominant. However, its construction would still result in a reduction in the amount of open green space available at the castle and we continue to be concerned about the ability of the registered park and garden to absorb a modern structure of this size. As advised previously, in terms of the registered garden and public park, the site has always been a fairly open area, devoid of large built structures, and the addition of this building will therefore alter the character of this part of the registered park and garden.

The photomontages also demonstrate the appearance of the proposed building in the foreground of views out from the registered park and garden across the town and towards the surrounding hills and countryside. Although the revised plans reduce the height of the building and the overall size of the structure, allowing views of the Abergavenny roofscape including that of the adjacent buildings at Lower Castle Street and the town hall clock tower, the current open views in this direction will still inevitably be interrupted by the proposed building.

The revised plans also show less external paving, retaining an area of lawn between the entrance paving and the shrub border and including a slightly curved design to the entrance path. These changes are an improvement to the design, softening the hard landscaping and reducing the previous overly extensive and blocky form of the paving. If this application is given planning consent, planting to reflect the period could be chosen for the borders as a means of interpretation, along with additional offsetting measures to aid interpretation of the registered park and garden.

Overall, whilst the revised plans do reduce the impact on the registered park and garden, any structure of this size and in this location is likely to have an adverse impact on the registered park and garden and the views across and from it. Therefore, we consider that the amended proposal will have a moderate adverse impact on the registered park and garden.

Mitigation

Monmouthshire County Council's archaeological advisors, The Glamorgan-Gwent Archaeological Trust, have identified that archaeological features may be revealed during the development and have recommended that, should planning consent be granted, a condition should be attached requiring a written scheme of historic environment mitigation to be instigated in order to ensure that any features of archaeological interest discovered during the works are fully investigated and recorded.

We concur that there is a need for such a condition to be attached to any consent that is granted, however we disagree that a watching brief will be a suitable method for locating such features. The most likely archaeological features that are present in the proposed development area will be connected to the historic garden. These features are likely to be ephemeral, as they are the remains of flower beds and footpaths and are unlikely to be identified by a watching brief conducted during building operations being carried out by machinery. Instead we would strongly recommend that the written scheme of historic environment mitigation should consist of the footprint of the proposed development being de-turfed and cleaned by hand in order to identify any archaeological features followed by their excavation. This work should be carried out prior to any building works commencing.

4.2 Neighbour Notification (Original Scheme)

13 Letters of objection have been received raising the following areas of concern:

- A full acoustic report should be undertaken.
- Request that frequency and duration of events be reduced from the original application.
- Ruins views from houses and from the castle.
- Will not have right to complain regarding noise nuisance as proposed development is managed by MCC.
- Would be more open and transparent if matter was decided by Welsh Government.
- Has been significant disruption from previous events at the Castle (e.g. AM Festival).
- Loss of sleep when events are taking place.
- Harmful to the grade II listed lodge in close proximity.
- Increased traffic and litter.
- Site is not equipped with adequate toilet facilities.
- Will attract anti-social behaviour.
- Design not in keeping with the surrounding environment.
- HIA places greater emphasis on commercial viability than on the potential nuisance this additional facility will cause to the neighbouring properties.
- Concern that lighting will disturb bats.
- Regionally significant views of the town and nationally significant views of the Sugarloaf will be obscured by the new structure.
- In respect of archaeology it is claimed that there was no requirement for evaluation by trenching as the detailed location and design for the new pavilion had not been decided. This is clearly incorrect.
- Roman remains may have extended into the site.
- Noise assessment has not taken account of the planned music events.
- Will result in maintenance issues for the Council.
- Will not preserve or enhance the Conservation Area.
- Alternatives have not been explored.
- It is obviously important that the Planning Authority is seen to handle this Application impartially.
- The Museum Curator made it clear that the options for siting the building anywhere within the Scheduled Ancient Monument had been ruled out.
- One ends up with a space beneath it that will tend to always feel gloomy for a large part of the year, demanding artificial light. This is not the language of an outdoor pavilion or an outdoor events stage/ audience shelter.
- Whatever pavilion is located in the grounds of the castle and the museum, there will need to be land-owner covenanted limits as well as planning conditions set that regulate on noise frequency levels, and frequency of sizes and types of event.
- The one time a wedding was held in exactly the same position as the proposed pavilion the noise level was intolerable.
- Proposal is superfluous in a time of local government austerity.
- Insufficient parking on site.

9 Letters of support have been received stating the following in support of the application:

- Would be beneficial for the running of adult classes, school group interventions and wider astronomical events.
- Although anti-social behaviour will always be a problem at some point in any open access public building, this behaviour could be offset and better governed by involving Young People from the start.
- Will enhance school children's learning and engagement with the castle.
- Would be a site for a class performance/ assembly to demonstrate pupils learning to parents and guardians and staging it on site would give a real context to pupils learning.
- Will provide ideal surface for various dance festivals.

- It will extend the variety of events that can be held in the castle grounds.
- Would help to reduce delivery vehicles during preparation of the Abergavenny Food Festival.
- We trust that planning permission, if granted, could be subject to conditions to manage the number, timing and type of events held.
- The proposed pavilion would not detract from the castle as a historical monument.
- The design blends well with the story of the Castle which, in its heyday, would have had many wooden buildings within and around the walls.

1 Letter received making general observations, including the following:

- An independent assessment of the possible impact on the vista needs to be completed.
- Confident residents want to see a revenue stream to keep the museum open, however this may not be the answer.

4.2.1 Neighbour Notification (Revised Scheme)

14 Letters of objection have been received raising the following areas of concern:

- Affect local ecology
- Close to adjoining properties
- General dislike of proposal
- Increase in traffic
- Increase of pollution
- Loss of privacy
- Noise nuisance
- Out of keeping with character of area
- Will affect quality of life and value of property
- No independent noise assessment (including music) has been carried out
- Loss of view
- Increase in anti-social behaviour/graffiti/fire
- Re that the size of the building has been reduced however the impact on the historic monument, registered park and garden and their setting remains high
- Would be better sited within original castle walls
- Should be called in by Welsh Government
- Re-consultation period extremely short
- Lack of clarity about background music, would this be acoustic or amplified
- Challenge extent of consultation
- Do not consider that the Council's EHO can make a fair and balanced view without relevant noise assessments
- Disappointed that a reasonable request for application to be deferred for one month to enable an acoustic survey to be submitted and then scrutinised by case officers and elected Members.

1 Letter of support have been received stating the following in support of the application:

- Would blend in well with castle grounds
- Does not impinge upon views
- Do not agree with concerns about increase in noise.

4.3_ Other Representations

David Davies MP – Provided the following comments:

- A local constituent has expressed concern that the local authority are the applicant and the determining authority.
- May be difficult for constituents to feel assured that the application will be determined in a fair and impartial way.
- I would be grateful if you could respectfully consider referring the matter to the Welsh Government Planning Inspectorate to ensure that constituents have full confidence in the outcome of the application.

Abergavenny Civic Society (Original) - Support the application making the following observations:

- Would be a welcome new type of facility in Abergavenny.
- Location and design of the structure adequately satisfy the requirement of LDP Policy HE1.
- Would not unduly infringe the setting of the Ancient Monument or the Historic Garden.
- The introduction of a substantial new building to the castle precinct where none appears to have previously existed may be regarded as unfortunate but the function of the property has evolved considerably over the centuries.
- Considerable care has been taken with the siting with a nod to medieval simplicity and scale.

- The modest impact of the slate roof on the townscape viewed from the castle seems to be main sacrifice, but an acceptable one.
- Nearby residents concern with the noise survey and the proposed impact is understood.
- Some restriction on the number of late events in the new building would seem to be necessary.
- There is little Pennant sandstone in the town and paving in ORS would be preferable outside the building if a suitable source can be found.
- We have met with the applicant and our questions about the larch screens and their storage, security, lighting and toilets have been adequately dealt with.

Abergavenny Civic Society (Revised) - Support the application making the following observations:

- The views contained in our letter of 12 December last year remain unaltered.

4.4 Local Member Representations

Councillor Sheila Woodhouse - Has not responded to date.

5.0 EVALUATION

5.1 **Strategic & Spatial Choices**

5.1.1 Planning Policy Wales (PPW) - Edition 10, December 2018, sets out that its primary objective 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.

5.1.1 Principle of Development

For the purposes of the Local Development Plan (LDP) the site is located within the development boundary for the town and therefore not considered to be within open countryside. Accordingly the requirements of Policy LC1 *New Built Development in the Open Countryside* would not be applicable and the principle of a new built structure accepted.

Strategic Policy S5 *Community and Recreational Facilities* sets out support in principle for development proposals that provide and/or enhance community facilities will be permitted within or adjoining town and village development boundaries subject to detailed planning considerations.

The grounds of the castle are free to the public and are currently used informally as a play space as well as an important historical/cultural destination for local people and visitors. Local groups (including schools) currently use the grounds on an ad-hoc basis, however the need for a covered space within grounds has previously been provided through the erection of temporary marquees.

Strategic Policy S5 asserts that whilst there is a general presumption in favour of community facilities, they should not erode the character and appearance of the natural and built environment, nor the design qualities of their location. New facilities need to have good access to public transport, as well as be a walkable distance to as many homes as possible.

It is accepted that the events pavilion would also be hired for private functions/events however it is not considered that when used for private events it would be prejudicial to wider public's use of the castle grounds.

The site is sustainably located within the town, and for the reasons to be considered in the ensuing sections of this report would meet the aspirations of Policy S5 and therefore acceptable in principle.

5.1.2 Good Design / Place Making

The pavilion structure itself has been designed as a modern interpretation of a simple timber framed outbuilding. It has been designed to allow for flexibility given the variety of events that are to be held there.

It is recognised that the proposed building is of good size; it has been reduced through the pre-application process. It is considered on balance that the structure is of a scale that is necessary to fulfill its intended purpose, but is not harmful to either residential amenity or the historic assets

(these issues are discussed separately elsewhere in this report).

The use of frameless glazing in the gables will provide a simple means to protect against inclement weather whilst also allowing the building to benefit from natural light.

In addition, the use of sliding timber screens also assists the multi-purpose function of the pavilion. It is not considered that when all screens are employed it would result in the structure appearing of unacceptable bulk and mass.

Owing to the sensitive siting of the building it is considered appropriate to condition that a sample of all external materials, including hard surfaces, are managed through appropriate planning condition.

PPW10 recognises that Design is not just about the architecture of a building but the "relationship between all elements of the natural and built environment and between people and places". It is also an inclusive process and in this instance it is acknowledged that because of the nature of the wider site and its buildings, the site is not fully accessible to all users. The proposed pavilion would be sited on a level parcel of land at the site entrance and would be served by a level paved approach. As such, its use could be enjoyed by those unable to reach and experience all parts of the castle and its grounds.

While it is accepted that the introduction of a large building in this location would have an impact on the various heritage assets (including listed buildings and conservation area) there are benefits to the sustainable management of the wider designated assets that outweigh this. This proposal should enhance the experience and opportunity to access and understand the assets. The development therefore is considered to be of an acceptable design and meets the relevant criteria of Policy DES1 *General Design Considerations* of the adopted LDP.

5.1.3 Impact on Amenity / Promoting Healthier Places

A number of concerns have been raised from local residents with regard to potential noise disturbance generated by events at the pavilion, in particular those with music during the evening/night. Policy EP1 of the LDP sets out clearly that development "should have regard to the privacy, amenity and health of occupiers of neighbouring properties". In this instance, the proposed pavilion would be sited within 30m of some dwellings to the north with the perimeter with the edge of gardens as close as 10m. Whilst the castle and its grounds already act as host to a number of events throughout the year it is accepted that the permanent pavilion proposed could be a clear focus for events.

A Noise Impact Assessment has been undertaken in support of the application, but this only covered speech only events. Consultation has been undertaken with the Council's Environmental Health Officer (EHO), who originally expressed concerns that the extent of disturbance to nearby residents will be inter-dependent on a number of factors including the nature, frequency, duration, loudness, finish times of the events and the management in place to control noise levels. Based on the initial proposal the EHO noted that there was potential for cumulative impact on residents from a number of residents held over consecutive weekends - in particular during the summer when people would have windows open and reasonably expect to enjoy the amenity of their garden.

Accordingly there was a clear need identified for the applicant to provide the maximum number of events involving music which may be held at the Pavilion annually, their nature, finish times and management controls for consideration and if viewed as acceptable incorporating these criteria into conditions attached to any grant of planning permission. This information has now been provided which divides events to be held at the application site into two distinct categories of "Speech Only" and "Music" events.

Speech Only Events

These events would be audible from residents at the nearest dwellings, however the Council's EHO has advised that owing to their nature the noise levels would not be of such a level as for them to formally object. However, to manage their potential impact conditions are to be attached which are set out in Section 6 below in this report.

Music Events

The proposed finish times of events that feature music have been reduced significantly and in addition, greater clarity has been provided in respect of the number of events and their management. The revised schedule of music events is summarised below for clarity:

- 5 daytime events permitted annually to finish by 6pm.
- 8 events permitted annually to finish by 9pm, limited to accompaniment/background music.

- 4 events permitted annually to finish by 9pm, Sundays to Thursdays; or 10pm Fridays / Saturdays.

While it is accepted that there would be an impact on local residential amenity with regard to noise, primarily during evening hours, but it is considered, on balance, that subject to appropriate planning conditions the impact would not be of such harm so as to warrant refusal.

With regard to the scale of the building, as stated previously in this report the building would be located approximately 10m from the rear gardens of some properties. However, owing to the intervening distances and the height of the proposal (6.9m to the ridge), it is not considered that the proposed pavilion would be unacceptably overbearing to the properties along Castle Street. Furthermore, owing to the lighting set within the internal roofspace and the small number of external bollard lights, these would not cause unacceptable harm to the amenity of neighbours. The site would continue to be bound along the northern boundary by the existing stone wall; its retention in its entirety would preserve existing levels of residential privacy.

It is therefore considered that in balancing all of the issues discussed above that the proposal would not fail to satisfy the criteria of Policy EP1 of the adopted LDP.

5.2 Active and Social Places

5.2.1 Access / Highway Safety

The existing access into the Castle grounds, both pedestrian and vehicular, is provided to the north of the site through a gated driveway directly off Castle Street. In addition, it benefits from an existing gravelled parking area within the castle grounds that provides unmarked spaces for up to 16 motor vehicles. Additional spaces exist, although not formal, for parking of bicycles. Adopted Supplementary Planning Guidance (SPG) in respect of Monmouthshire Parking Standards (2013) sets out parking space guidelines depending on the nature of the development. Owing to the multi-purpose nature of the proposed pavilion it does not sit neatly into one set category as set out in Section 9 of the SPG. The building would measure approximately 182 square metres in size and would include weddings, music events, school visits and outdoor theatre. The wedding reception use would potentially result in up to 120 visitors. Taking the adopted standard for a restaurant, 1 space per 3 non-resident staff and 1 space per 7m², this would require a total of 29 parking spaces. Whilst the site falls short of this target, and would do so for other land uses set out in Section 9 of the SPG it is considered there are a number of reasons to accept the lower provision of 16 spaces.

The site is sustainably located close to the town centre and is within 50m of the Castle Street public car park (208 spaces/16 disabled) which also has a wheelchair-accessible route to the castle grounds. The town of Abergavenny is also served by a train station, and the main bus station, as well as the Bus Station Car Park (66 spaces/4 disabled), which is approximately 250m from the application site. It is therefore considered that because of the central location, the site is not dependent on private motor vehicles and in particular for a number of the local community groups that would utilise the pavilion it would be within walking distance. This is in line with PPW 10 which seeks that the "planning system should enable people to access jobs and services through shorter, more efficient and sustainable journeys, by walking, cycling and public transport".

With regard to larger events, including visitors from outside of the town, prior notification is to be given (as it currently is for ongoing events) that parking is not provided on site and to point visitors towards the close public car parks and means of public transport which are within walking distance.

No objection has been received from the Council's Highways Team, which has also confirmed that the existing access arrangements are acceptable. Policy MV1 of the LDP seeks that developments should have a strategy that details "measures proposed to improve access by public transport, walking and cycling and reduce the number and impacts of car journeys associated with the proposal". It is considered therefore that the proposed pavilion would meet the aspirations of Policy MV1 of the adopted LDP.

5.2.2 Community Facilities

Section 4.4.1 of PPW10 recognises that "community facilities perform various functions which cover a broad range of activities and services that can be delivered by the public, private and third sectors". It also acknowledges that they can contribute "to a sense of place which is important to the health, well-being and amenity of local communities and their existence is often a key element

in creating viable and sustainable places". The proposed pavilion would offer such benefits to local community groups and schools in line within these aspirations. These however, are balanced against the need to safeguard local residential amenity in addition to the significant heritage asset that is the castle and its surrounding grounds.

5.2.3 Recreational Spaces

The importance of recreational space to our health, well-being, amenity is vital to contributing towards an area's green infrastructure. PPW10 notes that "formal and informal open green spaces should be protected from development, particularly in urban areas where they fulfil multiple purposes". In this instance the castle, and its substantial grounds, are free to enter to the public and provides a valuable, multi-functional space to a broad demographic. The provision of the events pavilion, which could be easily temporarily cordoned off during private events, and would not prejudice access to the remains of the castle, museum and the remainder of the grounds.

5.3 Productive and Enterprising Places

5.3.1 Tourism

Tourism plays a significant role in the Monmouthshire economy particularly in assisting the diversification of the rural economy and in sustaining the County's historic town centres. Monmouthshire benefits from extensive natural and cultural assets that offer considerable potential for residents and visitors to enjoy.

It is recognised that the County's historic market towns and cultural/heritage assets are key attractions, therefore any new development must be sensitively integrated so as to not cause unacceptable harm to these assets. For the reasons detailed in Section 5.1.2 above and 5.4.1 below it is not considered, on balance, that the proposed events pavilion would cause unacceptable demonstrable harm to the significant cultural/ heritage asset that is Abergavenny Castle and its grounds.

5.4 Distinctive & Natural Places

5.4.1 Historic Environment

The site is located within a significant historic environment. The various designations are set out within section 1.1.3 at the outset of this report. The application has been submitted with a Historic Impact Assessment (HIA) which has been considered by both Cadw as well as the Council's Heritage Team. Cadw have advised in their representations that the proposal will have a direct impact on the registered historic garden and will change the way it is understood and experienced. They have also predicted that it would have an adverse impact on the setting of the Abergavenny scheduled monument. Cadw therefore have advised that further information be provided to consider the scale of this impact and consideration to the measures to mitigate or compensate for it.

Whilst the area of hard surfacing in front of the proposed pavilion has been rationalised as a result, the Local Planning Authority (LPA) is satisfied that the HIA submitted provides sufficient information to inform a recommendation to Members of Planning Committee.

Views from the site, in particular towards the north looking out to the Sugarloaf, Bloreng and Skirrid have been highlighted as being affected by the introduction of the pavilion to the castle grounds. However, in consultation with the Council's Heritage team it is considered that some views would be obscured towards the town beyond, in particular views to the north are affected, but this is only to a small scale and only when adjacent to the proposed building. From key vantage points, the castle is still very much connected to its surroundings, with no impact on the important views to the south and west as identified in the adopted Abergavenny Conservation Area Appraisal.

Section 6.1.5 of PPW10 notes that "the planning system must take into account the Welsh Government's objectives to protect, conserve, promote and enhance the historic environment as a resource for the general well-being of present and future generations".

Therefore, whilst there would be an impact on the setting of the historic environment (including historic garden and scheduled monument) this must be balanced with the benefits of providing an accessible and inclusive space that would help to sustainably manage the asset that is Abergavenny Castle. The identified harm is not of such extent so as to warrant refusal, and it is therefore considered that the development would meet the requirements of LDP Policy HE1 as well as national policy in respect of the historic environment detailed in PPW10.

5.4.2 Archaeology

The application has been submitted with an Archaeological Desk Based Assessment that has been subject to consultation with the Council's professional advisors on such matters, Glamorgan Gwent Archaeological Trust (GGAT). The Trust has confirmed that the proposal has an archaeological restraint as the site has the potential to contain remains of Roman, Medieval and Modern date. While the proposal would have an impact on the potential buried archaeological resource, GGAT have advised that evaluation trenching would not be a practical means to identify any findings. As such they have requested that should planning permission be granted a condition be attached requiring a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource. The condition is set out in Section 6 below of this report and is in line with model condition 24 in Welsh Government Circular 016/2014. For these reasons it is considered that the proposal would follow advice set out in Section 6.1.27 of PPW10 and is therefore acceptable.

5.4.3 Biodiversity

Policy NE1 *Nature Conservation and Development* seeks to safeguard the County's rich biological diversity, which includes a range of designated sites. The castle buildings and surrounding vegetation have high potential for biodiversity, a small bat roost in the lodge has previously been confirmed and the Council has details of the species identified. In addition, it is known that Great Crested Newt records are close by but it is considered that the current management of the habitat and the presence of the wall and tarmac road reduce the risk to negligible levels.

The primary consideration in respect of biodiversity is lighting spilling onto the trees along the drive and the top of the existing wall which could be used as a foraging/commuting route by bats. In this instance the building would be primarily lit within the roof space by fittings set within the roof trusses. In addition to this two small down-directional bollard lights would be provided on the paved area in front of the south west gable. Thus, owing to the amount of lighting proposed it has been confirmed that formal survey work is not required in respect of protected species by the Council's Biodiversity Officer. However, it is considered appropriate to attach a planning condition that would remove normal permitted development rights in respect of lighting. It is for these reasons it is considered that the proposed development would satisfy Policy NE1 of the adopted LDP.

5.5 Response to the Representations of Third Parties

A number of the issues raised, summarised in Section 4.2 of this report, have already been addressed in the preceding sections of this report. A number of other points, however, have been made.

Whilst an acoustic report with respect of music has not been provided, the Council's EHO that this would only have been a requirement had a significant number of music events were to be proposed during late evening hours. Given the changes to the operating hours and confirmation of the number of events, as detailed in Section 5.1.3 the impact is considered to be such that it could be satisfactorily mitigated through planning condition.

The loss of private views from a domestic dwelling is not a material planning consideration.

With regard to the transparency of the Council determining an application that is in part made by itself, this is common practice and the Council's scheme of delegation would mean that even without third party objection the decision would need to be made as a matter of course through Planning Committee. As such, the correct democratic procedure has been followed.

Ongoing maintenance costs of the pavilion is not a material planning consideration and would be a matter for the Council's Museum Team to monitor and manage.

With regard to the potential for litter and anti-social behaviour, the pavilion could be locked when it is not in use and is not considered therefore to provide a destination for anti-social behaviour. The castle grounds are open to the public, incidents of such behaviour would continue as it is now to be managed by the Museum Team and if necessary referred to the Police.

It is accepted that the pavilion would not provide WC facilities, the feasibility of bringing such a former facility back into use is being explored by the Council's Museum Service however would be considered outside of this application.

In respect of noise complaints made by residents in respect of previous events held within the castle grounds (weddings, AM Festival, Food Festival) these are all of a larger scale than proposed as part of this application. As detailed previously, owing to the size, frequency and hours of the events proposed it is not considered that this harm to residential amenity is unacceptable.

Third parties correctly point out the issue of the Council effectively enforcing against itself; this is recognised with regard to not only enforcing planning conditions but also investigating statutory noise nuisance legislation (Environmental Protection Act 1990). Because of this the details of the conditions to be attached to any planning consent are of particular importance; in this instance the conditions set out in Section 6 are considered to be clear and meet the tests set out in planning guidance.

Finally, with regard to the issues of site selection for the pavilion, whilst it is noted that the applicant has confirmed that the location chosen was linked to it being outside of the Scheduled Monument the application must be considered on its merits as proposed. The officer recommendation in this instance to Members of Planning Committee is based on the location as proposed and for the reasons detailed previously within this report is considered acceptable on its own merit.

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

5.6.1 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.

5.7 Conclusion

The proposed events pavilion has required a particularly careful balance of all of the relevant material planning considerations, as detailed in the preceding sections of this report. Of notable significance is the impact of potential noise/disturbance to local residents as well as safeguarding the historic environment. It has been acknowledged within this report that whilst there would be an impact to both of these material considerations, the impact can be acceptably mitigated through planning conditions.

Having regard to relevant policies within the adopted LDP as well as national planning policy PPW10 and all material planning considerations, the development in conclusion is considered to be acceptable.

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 No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

REASON: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

4 Samples of the proposed external finishes shall be agreed with the Local Planning Authority in writing before works commence and the development shall be carried out in accordance with those agreed finishes which shall remain in situ in perpetuity unless otherwise approved in writing by the Local Planning Authority. The samples shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works.

REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.

5 No development shall take place until full details and samples of hard landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall be carried out prior to the beneficial use of the approved development and retained as such in perpetuity.

REASON: To ensure the long term maintenance of the landscape amenities of the area and to ensure compliance with LDP Policy GI1 and HE1.

6 The site shall only be used for Speech Only (no music) Events within the application area (as shown edged in red on Drawing Reference: Location Plan) for the frequency detailed below and all events shall finish and the use cease by the times specified below:

- daytime events to finish by 5pm.
- 16 events permitted annually to finish by 9.30 pm.
- 4 events permitted annually to finish by 10pm, Sundays to Thursdays; or 11pm Fridays / Saturdays.

REASON: In the interests of amenity and to ensure compliance with LDP Policy EP1.

7 The site shall only be used for Music Events within the application area (as shown edged in red on Drawing Reference: Location Plan) for the frequency detailed below and all events shall finish and the use cease by the times specified below:

- 5 daytime events permitted annually to finish by 6pm.
- 8 events permitted annually to finish by 9pm, limited to accompaniment/background music.
- 4 events permitted annually to finish by 9pm, Sundays to Thursdays; or 10pm Fridays / Saturdays.

REASON: In the interests of amenity and to ensure compliance with LDP Policy EP1.

8. 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 internally or externally on the building, or within the curtilage until an appropriate lighting scheme has been submitted to the Local Planning Authority and approved in writing. The strategy shall include:

- a) Lighting type, positioning and specification
 - b) Measures to minimise light spill from open sided areas and glazed gable ends of the structure
 - c) Drawings setting out light spillage in key areas for bats based on technical specifications
- The strategy must demonstrate that key flight lines are not illuminated, the strategy shall follow the guidance set out within the Bat Conservation Trust's Guidance Note 08/18- Bats and artificial lighting in the UK. The scheme shall be agreed in writing with the LPA and implemented in full.

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

9 No development shall take place until full details of soft landscape works have been submitted to and approved in writing by the local planning authority. These details should be informed by the Green Infrastructure Action Plan for Pollinators in South East Wales prepared by TACP dated December 2015. Details shall include:

- Soft landscape details shall include: planting plans, specifications including cultivation and other operations associated with plant and grass establishment, schedules of plants, noting species, sizes, numbers and densities, and maintenance schedules.

REASON: To ensure the provision afforded by appropriate landscape design and provides benefits for pollinators, in line with LDP Policy S13.

INFORMATIVES

1 The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

2 All archaeological work must meet the Standard and follow the Guidance of the Chartered Institute for Archaeologists (CIfA) and it is our policy to recommend that it is undertaken by a Registered Organisation or a MCIfA level Member within CIfA (www.archaeologists.net/ro and www.archaeologists.net/codes/ifa).