

**Application Number:** DM/2019/00413

**Proposal:** Retrospective planning application for existing garden play equipment.

**Address:** The Coach And Horses Inn, Caerwent

**Applicant:** Mr Mark Isaac

**Plans:** Site Layout - , Location Plan

## **RECOMMENDATION: APPROVE**

Case Officer: Mrs Helen Hinton

Date Valid: 07.05.2019

**This application is presented to Planning Committee due to the volume of public representation received**

### 1.0 APPLICATION DETAILS

1.0.1 The application seeks full planning permission for the retention of large scale children's play equipment within the beer garden associated with The Coach and Horses Inn, Caerwent.

1.0.2 The plans submitted indicate that the site equipment currently comprises two timber climbing frames (of varying sizes and designs); a dragon slide; two tree slides (of varying design) a castle slide and a see-saw. The dragon, tree and castle slides are constructed from a shaped fibreglass outer shell with an internal steel frame.

1.0.3 The first climbing frame comprises a painted timber structure measuring approximately 4.7m wide, 1.3m deep (not including slide) with a maximum height of 1.95m. The apparatus is positioned approximately 18m to the south of the main building and 3.6m from an existing post and wire fence on the eastern boundary which is set approximately 2.7m to the west of the Roman city walls.

1.0.4 The dragon slide has a diameter of approximately 2m and a maximum height of approximately 3.5m and is positioned 4.1m from the fence line.

1.0.5 The second climbing frame has a width of 5.4m, depth of 4.5m and maximum height of 3.4m and is constructed from tanalised timber with a natural finish. The development is 2.1m from the existing fence line

1.0.6 The first tree slide has a main diameter of 1.9m (not including branch/ swing projections); a height of 2.5m and is positioned 2.8m from the fence line;

1.0.7 The second tree slide has a principal diameter of 1.6m (not including branch/ swing projections), a height of 3.2m and is positioned 2.8m from the fence line;

1.0.8 The castle slide has a diameter of 2.1m, a height of 2.45m and is positioned 2.9m from the fence line.

1.0.9 The see-saw measures 3m wide with a maximum height of 0.55m.

1.0.10 The garden also contains a number of chattels and mobile elements such as a timber boat, play houses, adult and child picnic benches and various toys such as push along walkers, ride-ons and scooters, etc.

1.0.11 With the exception of allowances granted for minor operations under Schedule 2, Part 2 Classes A - C of the Town and Country Planning (General Permitted Development) Order 1995, businesses of this nature do not benefit from permitted development rights. The Town and Country Planning Act 1990, defines the term "development" as the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

1.0.12 As the majority of the apparatus and structures are surface mounted and lack a solid base or foundation they cannot be considered to be a building. However, as the structures are on site permanently and are not readily moveable, their installation is considered to be "operational development" i.e. works that result in some physical alteration to the land which has some degree of permanence in relation to the land itself. If operational development occurs without the appropriate permission and four years passes from the date of substantial completion, the development becomes immune from enforcement action. An application for the retention of the equipment was originally submitted on 31st July 2018 but was never made valid. Based on this time lime anything erected or installed on site prior to 31.07.2014 is deemed to be immune.

1.0.13 From aerial photographs of the site and images available via Google Street view, it is apparent that the dragon slide and painted timber climbing frame were installed prior to the years 2000 and 2009 respectively and are therefore immune from action. However, the second climbing frame, two tree slides, castle slide and see-saw were installed post September 2014 and therefore require consent.

1.0.14 Following discussion about moving the apparatus further away from the Roman walls, the applicant has confirmed that due to maintenance needs associated with an existing hedge, moving the equipment would result in a greater loss of garden area and as a result has requested that the application be considered in its current form.

## 1.1 Site Appraisal

1.1.1 The Coach and Horses is a detached two-storey building offering bar, restaurant, function room facilities and guest accommodation. The site is located centrally within the village of Caerwent and is positioned on the eastern most edge of the Caerwent Roman City which is designated as a Scheduled Ancient Monument. The existing city walls form the easternmost boundary of the premises adjacent to the category c (classified) highway.

1.1.2 The beer garden is located to the south-east of the main building. Due to the raised level of the site, parts of the equipment within the garden are visible from the residential properties and vehicular highway to the east. Public footpath, 353/AWCPCL1/2 runs along the top of the walls, immediately adjacent to the garden area.

1.1.3 The proposals map of the Monmouthshire Local Development Plan (LDP) identifies that the site is located within the Conservation Area of Caerwent and forms part of the archaeologically sensitive area and the Roman City Scheduled Ancient Monument.

## **2.0 RELEVANT PLANNING HISTORY (if any)**

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2018/00754	NMA - Minor amendments to approved plans with a small increase to conservatory following the existing lines of buildings. (Relating to planning DC/2016/01114).	Approved	17.07.2018

DM/2018/01243	Application identifying all play equipment in the garden (some has been there in excess of 25 years).		
DM/2019/00413	Retrospective planning application for existing garden play equipment.	Pending Determination	
DM/2019/00954	Non-material amendment to use Aluminium windows to two elevations on conservatory.	Invalid Application	
DC/2016/01114	Amendments and alterations to supersede permission DC/2011/00809	Approved	31.01.2017
DC/2011/00809	Proposed alterations and extensions.	Approved	28.11.2012
DC/2015/00314	Discharge of conditions 10 (landscaping, enclosures and surface finishes), 16 (slate sample), 17 (paving for the patio) & 18 (section details of the windows and doors) of planning permission DC/2011/00808.	Approved	15.05.2015
DC/2011/00808	Proposed extension and change of use to existing store building to form tea rooms.	Approved	07.11.2012

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

#### **Strategic Policies**

S5 LDP Community and Recreation Facilities  
S8 LDP Enterprise and Economy  
S11 LDP Visitor Economy  
S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S16 LDP Transport  
S17 LDP Place Making and Design

#### **Development Management Policies**

MV1 LDP Proposed Developments and Highway Considerations  
HE1 LDP Development in Conservation Areas  
HE4 LDP Roman Town of Caerwent  
CRF1 LDP Retention of Existing Community Facilities  
CRF3 LDP Safeguarding Existing Recreational Facilities and Public Open Space  
EP1 LDP Amenity and Environmental Protection  
DES1 LDP General Design Considerations  
HE4 LDP Roman Town of Caerwent

## 4.0 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 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.

## 5.0 REPRESENTATIONS

### 5.1 Consultation Replies

**Caerwent Community Council**- Application supported.

**Cadw** - We are concerned that the fibre glass play equipment is not in keeping with the Caerwent Roman City Scheduled Monument or its setting. However, we are mindful that the equipment will eventually require renewal or upgrading and are therefore content to wait until then in order to remedy the situation through the requirements for scheduled monument consent from Cadw

**Glamorgan Gwent Archaeological Trust** - as the area is within the garden of the Inn and photographs show the areas as grassed it is highly likely that it is within the Scheduled Monument of Caerwent Roman City Cade Reference MM001. Cadw must be consulted for their opinion regarding this application.

### 5.2 Neighbour Notification

The application has been advertised by direct neighbour notification and the erection of a site notice. To date 626 representations have been received. Although 19 objections have been registered via the website (when using the drop down selection options) on closer inspection of the additional comments provided, the commentator is supportive of the application and objects to the removal of the equipment.

On the basis of the above, the application has been the subject of 7 full objections.

### Objections

Noise nuisance  
General dislike of proposal  
Increase of pollution  
Development too high  
Out of keeping with character of area  
Over development  
Close to adjoining properties  
Increase in traffic.  
Affect local ecology

Whilst pleased that a local business is thriving, greater consideration needs to be given to neighbours.

Our grazing land directly adjoins this garden. I am already busy picking up rubbish including beer glasses that end up in the field where our stock graze.

Intrusive noise from the play area has increased in recent years as the amount of play equipment has increased and can be significant on nicer days, to the detriment of residential amenity.

The extensive children's play area is not in keeping with the aims of the Well-being of Future Generations Act (Wales) 2015, namely The Well-being Goals, specifically A Healthier Wales. Providing an extensive children's playground where the culture is of adults drinking alcohol, also with the provision of soft drinks and sweets etc., for children, is unhealthy.

Children's play equipment suitable for both younger and older children is already provided in the village on the playing field adjacent to the village hall. There are also picnic tables for adults to use to when supervising. This area has been improved recently and is a lovely area promoting recreation and exercise (in keeping with the Well-being of Future Generation Act).

The hours of opening on the application are 7am to 11pm. The children's play area would therefore, at times, need lighting in order for the children to play safely and be supervised. This causes light pollution.

Litter regularly crosses through the existing fence and litters the ancient scheduled monument.

The visual impact of the play equipment is also not in keeping with the aesthetic of the Roman wall being an Ancient monument.

The existing facilities for children already far exceed what is appropriate and/or necessary.

Health and safety risk.

### Support

The coach and horses is a well-run pub by friendly people; the play area brings extra revenue to the pub thus keeping it running.

The pub garden is a safe environment for children to play outside whilst their parents socialise.

The play area has been part of the Coach and Horses for many years. As well as Caerwent being a Roman village, people too, come to the pub. This must be saved for the tourists and community.

The pub is known for its play area and helps boost tourism and economy for other local attractions such as the Dewstow gardens / Caldicot Castle/ Chepstow. To force the removal of the play area would be a huge loss to a great asset Caerwent has to offer.

It has caused no detrimental effect to the surrounding area and indeed enhances the viability of this local and long established business.

Loss of this equipment would have a detrimental impact on the pub and on the village. This is the only village pub and is important to the local community.

Not many pubs in local area with a decent children's area.

Caerwent is a very small village, and the pub is essential to ensure the continued income - of both visitors, and money.

The play equipment is a huge draw to the pub. It brings in a lot of business which also means jobs for the locals

The pub has historically been the heart of Caerwent's community, with a children's play area having been provided for many years. Families from far afield come to visit as they are drawn to the friendly atmosphere of the pub, the restaurant and the safe play area for children. People

visiting the local Roman remains also visit the Inn after they have looked around. Opposing the application will only be to detriment of this thriving local business.

## **6.0 EVALUATION**

### **6.1 Strategic & Spatial Choices**

#### Principle of Development

6.1.1 The application seeks full planning permission for the installation of children play equipment in the beer garden of an existing Inn, since the year 2014. The site is within a highly sensitive location, being positioned within and on the eastern edge of the Caerwent Roman City Scheduled Monument.

6.1.2 Policy S5 of the LDP specifies that proposals that provide or enhance community and recreations facilities will be permitted within and adjoining town and village development boundaries

6.1.3 Policy S8 identifies that development proposals that seek to deliver sustainable growth will be permitted where they enhance the continued development of key economic sectors including tourism. However, protection of the natural and built environment are key considerations.

6.1.4 Policy S11 confirms that development proposes that provide and/ or enhance sustainable forms of tourism will be permitted. However the policy also outlines that development proposals that have an unacceptable adverse impact on features and areas of tourism interest and there settings will not be permitted.

The host property comprises an active village inn business located within the community of Caerwent. There are no other public houses in the village. It is noted that the children's play equipment is ancillary, incidental to the main premises and it looks to enhance the business's appeal to a wider range of customers, thereby making the business more viable and resilient. The principle of development is considered acceptable and compliant with the policies indicated above.

#### Good Design/ Place making

6.1.6 It is acknowledged that the site has accommodated children's play equipment for a considerable period of time. However, since 2015 the amount of equipment on site has increased significantly with the necessary need for such a number of pieces of equipment being brought into question by an objector.

6.1.7 Being mindful of the historical and archaeological sensitivity of the site as a result of its positioning within the Conservation Area and more specifically within the Roman town immediately adjacent to the Roman Walls, the visual impact arising as a result of the size, scale and number of pieces of equipment now installed does raise significant concerns.

6.1.8 With the exception of the timber-climbing frame most recently installed, the remaining equipment the subject of the application is made from moulded fibreglass and is therefore unlikely to fade to any significant degree or naturally assimilate with the landscape. As a result of the equipment's height, scale and the lack of natural screening, all the pieces are visible from the public right of way that runs along the top of the historic walls and are partially visible above the Roman walls when viewed from the public highway to the east.

6.1.9 Despite concerns that the items of equipment made up of fibre glass are not in keeping with the character and appearance of the Scheduled Monument, as part of their consultation response, Cadw have advised that they raise no objection at this time, on the basis that the equipment will eventually require renewal or upgrading and could therefore be amended and regulated through the requirements of scheduled monument consent at a later date.

6.1.10 Although the pieces are visible from the public realm closest to the site, and as a result of the external materials (notably the fibreglass) could be considered visually intrusive and out of keeping with the historic context, the items are contained within the defined boundary of the beer garden and as a result are viewed and read in relation to the inn and garden. Being mindful of the lack of objection from Cadw in this instance, the containment of the pieces within the defined garden, the lack of foundations associated with the principal pieces of equipment which make the structures more transient, and the beneficial impact the business as a whole has for visitors to the Roman walls and vice versa, on balance it is considered that the impact generated is not so detrimental to the overall character and appearance of the area to warrant refusal of the application. The application is therefore considered compliant with the requirements of policies S11, S13, S17, DES1 and EP1 of the LDP.

#### Impact on Amenity/ Promoting Healthier Places

6.1.11 Following public consultation, a number of concerns have been raised with regards to the noise generated by use of the equipment.

6.1.12 It is noted that the closest residential properties are Maybury, 17.5m to the east and The Haven approximately 50m to the west. Use of the equipment will inevitably generate some level of noise disruption and disturbance, which in this instance could be exacerbated by the height and number of pieces available.

6.1.13 The Roman walls to the east of the equipment appear to act as a form of noise abatement of the garden area. Although greater in distance, the space between the site and the properties to the west is far more open, as it is used as a car park, and could therefore allow for greater noise disruption being experienced. During discussions, the applicant has confirmed that they are trying to encourage the hedge along the western edge of part of the garden to mature and establish. Although only installed on part of the garden boundary this should provide some additional screening. In line with the allowances of Schedule 2, Part 2 Class A of The Town and Country Planning (General Permitted Development) Order 1995, there is potential for the applicant to provide an enhanced 2m high wall or fence along the western most boundary of the carpark to provide enhanced screening. This could be secured by condition. A heightened boundary along the western edge of the garden is not preferable in this instance as it would limit natural surveillance of the car park and would be visible from the public highway to the north of the site to the detriment of visual amenity.

6.1.14 Being mindful that all the equipment is positioned outside, the use of the area would be limited by the weather and would therefore be intermittent in nature. Given the commercial nature of the site and the considerable period of time that play facilities have been available, an ambient level of disruption is to be expected. However, it is appreciated that the level of noise generated during maximum use in the peak season i.e. summer holidays and at weekends could be disruptive. The key consideration is whether the increased noise generated as a result of the increased equipment on site is so significant and detrimental to amenity to warrant refusal of the application.

6.1.15 The Inn currently serves food from 12:00-15:00 and 18:00-21:00 With the exception of functions and weddings, in the majority of instances, parents are only likely to bring their children to the property if they are ordering food. As a result, outside of the hours above, it is considered likely that use of the equipment and noise generated would be minimised and that periods of excessive noise generation would not be so frequent, intense or prolonged to justify refusing the application on such grounds. In order to minimise opportunities for the use of the equipment beyond 21:00 hours when neighbours could reasonably expect a reduced level of noise, a condition preventing the space from being externally illuminated could be imposed on any grant of consent. Subject to the above and the imposition of conditions, the application is considered compliant with the requirements of Policy EP1 of the LDP.

## **6.2 Active and Social Places**

### Access / Highway Safety

6.2.1 Due to the inn's location, customers accessing the site are most likely to do so via car. An extensive car park to the west of the property provides sufficient off street parking and turning facilities for all visitors. Although visibility leading from the car park is limited this is an existing arrangement with no potential to make any alterations as part of the current application. Being mindful of the ancillary nature of the play equipment relative to the business, it is considered highly unlikely that the play equipment alone would generate an increased number of vehicle movements detrimental to the highway safety and free flow of traffic in the area. The application is therefore compliant with the requirements of policies S16 and MV1 of the LDP.

### Community Facilities

6.2.2 For the purposes of the LDP policies, public houses are included within the definition of a community facility as they provide facilities used by residents for leisure and social purposes. The loss of community facilities is resisted by policies S5, CRF1 and CRF3 of the LDP with development proposals that provide and/or enhance community and recreation facilities supported within or adjoining town and village development boundaries subject to detailed planning considerations.

6.2.3 Most community facilities need the support of the local population to ensure their continued viability and existence. A number of the respondents in support of the application have identified that the equipment is required to diversify and enhance the business's customer base and if the play equipment is removed, they are unlikely to visit the premise. The loss of custom would obviously have a detrimental impact on the vitality and viability of the inn which in turn could have a detrimental impact on job availability in the area and the opportunities for community interaction and cohesion.

6.2.4 On the basis of the above the application is considered compliant with the requirements of policies S5, CRF1 and CRF3 of the LDP

### Recreational Spaces

6.2.5 As part of the public consultation process an objector has identified that the village benefits from a well-equipped play area adjacent to the village hall. Being mindful that the equipment the subject of this application is for purposes ancillary and incidental to the inn, it is considered that its retention would not have a detrimental impact on the vitality and long term retention of the public play space.

6.2.6 One of the objectors raises concerns that the provision of a play area in an environment where adults drink alcohol and where children may have access to soft drinks and sweets is contrary to the aims of the Well-being of Future Generations Act (Wales) 2015. Whilst this statement is acknowledged it is for the parents to decide if they feel it is appropriate for the child to attend the premises and what they should consume. It is considered that the retention of the facilities provide an opportunity for outdoor play, interaction and socialisation of both adults and children which in turn can have a positive impact on both physical and mental health and well-being, in compliance with the above Act.

## **6.3 Productive and Enterprising Places**

### Economic Development, tourism and the rural economy

6.3.1 Policies S8 and S11 of the LDP seek to support development proposals deliver the Council's vision for sustainable economic growth and tourism.

6.3.2 In this instance it is considered that the play facilities allow the business to broaden their customer base by providing facilities that appeal to families with children. The retention of the facility would bolster the viability of the premise to the benefit of economic development, the retention and provision of tourism facilities and the wider rural economy through the provision of

jobs, retention of trade and business opportunities. The application is therefore considered compliant with the requirements of policies S8 and S11 of the LDP.

## **6.4 Distinctive & Natural Places**

### Historic Environment

6.4.1 As specified above, the application site is located with the Caerwent Conservation Area and the Caerwent Roman City Scheduled Ancient Monument. The eastern external walls of the city are positioned approximately 3m to the east of the defined garden area.

6.4.2 Policy HE1 of the LDP seeks to protect and enhance the character appearance, special qualities and distinctive character of each allocated Conservation Area and provides detailed criteria for assessing development proposals in such locations.

6.4.3 Policy HE4 seeks to prevent new development within or adjoining the walls and ditches of the Roman Town of Caerwent, in order to ensure that the remains of the Town are left undisturbed and that its special character and openness is preserved.

6.4.4 The remains of the Roman town of Caerwent are acknowledged to be of European significance and to constitute one of the most important archaeological sites in Wales. As identified above, the visual impact arising as a result of the size, scale and number of pieces of equipment now installed on site in conjunction with the external materials and its failure to assimilate with its setting and the wider landscape does raise significant concerns.

6.4.5 However, as also specified above, following consultation Cadw have raised no objection to the works on the basis that the equipment will require replacing which will then be regulated and controlled by Scheduled Ancient Monument Consent. Although the proliferation of equipment on site, in conjunction with the external materials is considered to have a detrimental impact on the visual amenity of the setting, as the majority of the equipment does not have any form of footing or foundation (with the exception of the newest timber climbing frame, which has been granted Scheduled Monument Consent with all excavations monitored) the apparatus could be removed from site and the impact would be reversed without any long term impact on the setting or historical significance of the site. Therefore, whilst concerns regarding the impact on the character and appearance remain, the impact is considered to be reversible and on balance the proposal is compliant with the requirements of policies S17, HE1 and HE4 of the LDP.

## **6.5 Response to the Representations of Third Parties and/or Community/Town Council**

6.5.1 Following consultation the Community Council have recommended approval of the application.

6.5.2 The following comments are provided in response to the public objections raised:

6.5.3 Noise and lighting - it is acknowledged that the increased amount of equipment on site will have generated an increased level of noise and disturbance to those living closest to the site relative to that previously experienced. However, given that the majority of the children visiting the facility are likely to be having a meal with their family, rather than visiting just to use the play facilities, it is considered likely that noise generated would be minimised to certain times of the day and that periods of excessive noise generation would not be so frequent, intense or prolonged to justify refusing the application on such grounds. However, it is considered necessary to impose a condition preventing the apparatus from being illuminated to reduce opportunities for use at a time of night when residents could reasonably expect less noise disruption.

6.5.4 Well-Being of Future Generations - Whilst concerns have been raised with regards to the provision of children's play equipment in an area where adults drink alcohol, contrary to the vision of the Well-Being of Future Generations (Wales) Act 2015, it must also be acknowledged that the facilities provide opportunities for outdoor play, socialisation and interaction to the benefit of physical and mental health.

6.5.5 Existing provision - Although there are extensive play facilities within the village, the provision of such ancillary apparatus for use by customers is not uncommon in such circumstances and would not have a detrimental impact on the vitality and long term retention of the public play space.

6.5.6 Visual Impact - The amount and visual impact of the apparatus on the Conservation Area and Scheduled Monument does raise concerns. However, the current installations are largely reversible; the applicant is now aware that such works require consent and future installations would also be regulated and controlled by the need to seek Scheduled Ancient Monument Consent. The impact is considered transitory in nature and not so detrimental to the long-term character and appearance of the area to warrant refusal of the application.

6.5.7 The appropriate use of the equipment by customers and therefore the associated health and safety requirements is a matter outside of and beyond planning control. It is for the applicant to ensure that they have appropriate public liability insurance that covers use of the facilities.

6.5.8 Although litter arising as a result of the use of the garden and facilities is disheartening it is the landowner's responsibility to ensure that sufficient facilities are made available for the safe and appropriate disposal of waste generated. The level of litter generated and its impact on the area is not a sufficient reason to refuse the application.

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

6.6.1 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 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 WCFG Act.

## **6.7 Conclusion**

6.7.1 Based on the above report it is considered that the retention of the play equipment would not have a significantly detrimental impact on the long-term character or appearance of the application site, wider Conservation Area or Scheduled Monument.

6.7.2 Whilst the increased equipment on site has generated increased noise and disturbance, it is considered that this is limited to certain times of the day, during spells of good weather and that periods of excessive noise generation would not be so frequent, intense or prolonged to justify refusing the application on its detrimental impact on the residential amenity of those living closest to the site.

6.7.3 It is considered that the retention of the facilities on site would not have a detrimental impact on the highway safety and free flow of traffic, nor the vitality or long term retention of other public play facilities and would have a positive impact on the viability of the business and in turn its community facility status. Its retention would have a positive effect on economic development, tourism and the economy of the wider area.

6.7.4 On the basis of the above, the application is considered compliant with the requirements of the Local Development Plan and is recommended for approval subject to conditions.

## **7.0 RECOMMENDATION: APPROVE**

### **Conditions:**

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

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

2 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 attached to or be positioned in the curtilage so as to illuminate the children's play equipment.

REASON: To limit opportunities for use after dark in the interests of the residential amenity of those living closest to the site to compliance with LDP Policy EP1.

3 Within two months of the date of this consent, details of a 2 metre high means of enclosure to be erected along the full length of the western boundary of the car park shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved plans and shall be fully implemented within six months of the date of this consent and retained in perpetuity.

REASON: In the interests of the residential amenity of those living closest to the site and in compliance with the requirements of LDP policy EP1.