

DC/2015/00973

TEMPORARY CHANGE OF USE OF THE LAND KNOWN AS CASTLE MEADOWS, ABERGAVENNY FROM AMENITY LAND /AGRICULTURAL GRAZING TO OUTDOOR LEISURE USE AS A VENUE TO HOST THE 2016 NATIONAL EISTEDDFOD

CASTLE MEADOWS, ABERGAVENNY

RECOMMENDATION: APPROVE

Case Officer: Kate Bingham

Date Registered: 18/09/2015

1.0 APPLICATION DETAILS

- 1.1 This application has been submitted by Monmouthshire County Council for the change of use of an area of land, approximately 16 hectares, to accommodate the 2016 National Eisteddfod. The change of use is for a temporary basis for a period of between 4-5 months between the months of May-September. The Eisteddfod itself is open to the public for a period of eight days but due to the scale of the event significant time is required before and after for the set-up and clearance of the site. It is also proposed that there will be some permanent changes made to access points and some levels on the site.
- 1.2 Since being awarded the 2016 National Eisteddfod, Monmouthshire County Council has been working hard to identify a suitable site to hold the event. Consideration has been given to a number of sites but due to the Eisteddfod's specific requirements, Castle Meadows has been identified as the preferred site predominantly because it meets the critical requirements of size, availability, good transport links and close proximity to the town centre and other essential facilities and services. Daily average attendance could be in excess of 20,000 people and with such a large number of people in attendance it is critical that the layout meets the needs of the operators and those watching the events and attending other attractions on the site.
- 1.3 Castle Meadows is an area of traditional floodplain meadow between the town of Abergavenny and the River Usk, which is used as a mix of agricultural and amenity land and is in the main, within a Conservation Area. The site is also within a designated Development and Flood Risk Zone C2. The land/site is owned and managed by the County Council and is currently subject to a grazing licence. The license will be terminated on 30 April 2016 to allow access to the Eisteddfod from the 1 May.
- 1.4 The site will house a number of temporary structures and works during the period of the event. The size of the structures range from the large main tent (Maes A) to the smaller hospitality tents and temporary site offices. The following are examples of other uses:

- The main tent houses a large stage, associated lighting and sound along with seating for an audience. The current tent houses approximately 2,500 people, however the size and layout of the tent is subject to change. Connected corridors lead to smaller tents housing changing, welfare facilities and VIP areas.
- 'Small' tents housing stage areas used for associated competitions and performances.
- A number of different sized tents used by sponsors, exhibitions, expos and restaurants.
- Temporary mobile office buildings and storage containers used by site and construction staff for a variety of different uses.
- The creation of temporary roadways and informal paths.
- Open areas used for circulation, amenity and overspill for audiences and queues at some tents.

1.5 The event itself is the most significant cultural annual festival celebrating Welsh culture and language. The event generates significant media coverage and provides Monmouthshire with a huge opportunity to show case its natural beauty, heritage and culture as a desirable place to visit and live.

2.0 RELEVANT PLANNING HISTORY

None

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S5 – Community and Recreational Facilities

S11 – Visitor Economy

S12 – Efficient resource Use and Flood Risk

S13 – Landscape, Green Infrastructure and the Natural Environment

S16 – Transport

S17 – Place Making and Design

Development Management Policies

DES1 – General Design Considerations

DES2 – Areas of Amenity Importance

EP1 – Amenity and Environmental Protection

EP2 – Protection of Water Sources and the Water Environment

EP3 - Lighting

HE1 – Development in Conservation Areas

NE1 – Nature Conservation and Development

SD3 – Flood Risk

MV1 – Development and Highway Considerations

MV2 – Sustainable Transport Access

MV3 – Public Rights of Way

MV4 - Cycleways

4.0 REPRESENTATIONS

4.1 Consultations Replies

4.1.1 Abergavenny Town Council – recommends approval subject to satisfactory reinstatement and concerns about access over Llanfoist Bridge being met.

4.1.2 Natural Resources Wales (NRW) – No objection subject to conditions; comments below:

Flood Risk

The proposed site lies entirely within Zone C2, as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Our Flood Map information, which is updated on a quarterly basis, confirm these sites to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Usk, a designated main river.

Our historic records also show that both sites have previously flooded from the River Usk during the December 1979 floods and also in recent events over the last decade (albeit not as extensive as the 1979 flood event).

The Flood Consequences Assessment (FCA) produced by Chris Dartnell dated 20th August 2015 submitted in support of the application confirms:

1. There is no flood modelling available for the River Usk and River Gavenny at this location. To establish flood levels for this site, data has been obtained under licence (ATI-03148a – dated 27th November 2013) from NRW. This data has provided the annual maxima historical gauged records to establish the highest flood levels during the period May to September inclusive since the gauge at Llanfoist was implemented in 1994. This gauge is approximately 0.65 kilometres downstream of the eastern limit of the proposed site.

2. The maximum flood level established during the May to September period up to 2015 was recorded on 17th July 2009 which corresponds to a level of 44.83m AOD. To enable a robust assessment of how these 2009 levels correspond to actual flooding of the site, the 15th January 2015 flood event was used (flood level of 45.60m AOD) and definitive levels of wrack marks obtained from the site.

3. The outcomes of (3) above indicate that the flood event of July 2009 was 0.77 metres lower than the January 2015 event. Using the interpolated levels from the above data and comparing this to topographic survey data of the whole site, the flood levels within the River Usk at the following locations have been estimated:

- 90 metres downstream of Llanfoist Bridge (old bridge) = 46.38m AOD
- 550 metres downstream of Llanfoist Bridge (old bridge) = 45.90m AOD
- At the confluence of the River Gavenny with the River Usk = 45.51m AOD

4. The topographic survey and the levels assessed in (3) above have indicated that the only area that would have flooded during the July 2009 event (highest recorded summer flood 1994 to 2015) is that area around the confluence with the River Gavenny and the River Usk within the eastern area of the site.

It has been recommended that the area between the River Gavenny and the existing footpath that runs south-west to north-east is not used for any marquees, tents, etc., during this event.

5. Managing flood risk within the site during the period May to September inclusive will be reliant on a robust Flood Warning and Evacuation Plan. Due to the lead in time (between 5 to 9 hours) for flood warnings from Natural Resources Wales (NRW), it has been considered that there is sufficient response time for all users of the site and vehicles to be evacuated. The organiser will register with NRW to receive such warnings during this period.

6. Existing ground levels within the site will not be materially altered with only shallow filling and/or excavation for plot levelling. This is unlikely to result in any increase in flooding elsewhere.

When considering the outcomes of the FCA listed above, we have no objection to this proposal from a flood risk perspective. The details submitted have been based on historic evidence/data and actual topographical survey data. The outcomes are considered reasonable and proportional to the scale and temporary nature of the proposal.

However, whilst we accept the conclusions of the FCA, we consider there are discrepancies with the FCA when compared to the latest proposed layout we have seen (referred to as "Eisteddfod Site Plan - 2016 V2"). As such, we recommend your Authority clarifies or controls the following issues if you are minded to grant permission:

I. It is acknowledged that the eastern part of the site will be excluded from the festival area, including the erection of structures. However, we note that it may be used as a storage area. We strongly recommend this must be excluded from the plan in accordance with the FCA. In the event of a flood occurring, any items being kept in storage could become mobilised by floodwater which could create flood impacts offsite e.g. blockages of downstream structures. The exclusion of this area should be confirmed prior to determination or controlled through planning condition.

II. To support the outcomes of the FCA the approved layout plan should be annotated using topographical survey and the estimated flood levels as follows:

a) Proposed levels of all temporary facilities i.e. the Maes, other tents, car parking etc., to exclude the area indicated in the FCA to be avoided (below a level of 45.51m AOD).

b) The alignment of the above features should be parallel with and in the direction of any overland flood flow conveyance within this site. This will reduce the impacts of these being mobilised during a flood and allow floodwaters to disperse freely within the floodplain.

c) Indicate the flood outlines on the layout plan using the topographical survey data (contours) and the estimated flood levels for the July 2009 and January 2015 events. This will be useful to establish the areas that have historically flooded compared to the proposed layout of the site. It may also influence relocating certain facilities to other areas within the site as a whole.

Further Recommendations

We note that there is a Vehicular Service Road located within the western/southern perimeter of the site. This follows the current alignment of the River Usk channel/ banktop, albeit set back by approximately 10 metres off the existing footpath. This may result in transferring floodwaters elsewhere that otherwise would have entered this site as flood conveyance/storage. Therefore we recommend you seek confirmation from the applicant prior to determination that this road does not result in any increase to the existing bank levels along its length.

During a recent site visit to compare the "V1" site layout plan with the existing topographical features within the site, we had concerns with the location of proposed plots (101-126) to the rear of the "Maes D/ Neuadd Arddangos" (shown on the V1 site plan). Plots 101-126 on V1 were located within a localised depression next to a known breach point into this area from the River Usk. There are existing indications of historic flooding close by i.e. wrack marks, from previous flood events which we recognise may be higher than those used in the FCA.

We note that V2 (2016 Main Maes Draft 4) no longer has plots 101-126 at this location. However, we recommend that **no development** is located within this depression as a precaution.

Conservation of Habitats and Species Regulations 2010

As the competent authority under the above Regulations, before giving consent for this development you must check whether the proposal is likely to have a significant effect on a European Site, in this instance the River Usk Special Area of Conservation (SAC).

We note there was a Habitat Regulations Assessment Record prepared by Just Mammals Consultancy dated 11 September 2013. This concluded that with the inclusion of appropriate avoidance measures, it is not anticipated that there will be any significant adverse effects on the River Usk SAC. However it states that more in-depth comments were reserved until a later stage of the proposals when detailed information on the scale and nature of the proposals were available.

However if the nature, scale, design or location (siting) of the proposal changes before it is finalised for consent, it should be rechecked as to the need for appropriate assessment under the Habitats Regulations. Our view is

there are remaining uncertainties in terms of the nature, extent, location and timings of activities affecting the protection of the SAC.

Our advice is you should re-check the proposal taking account of any additional information to determine whether to proceed to appropriate assessment stage. Should it be found that an appropriate assessment is needed then we can help you complete one (and formally be consulted) in order that all issues are addressed. Our view from the information we have seen is that an appropriate assessment should be completed. It is likely that planning conditions, as set out below, will avoid the potential adverse effects on the River Usk.

Condition;

No development approved by this permission shall be commenced until a Method Statement detailing all necessary pollution prevention measures for the construction phase of the development is submitted to and approved in writing by the Local Planning Authority.

Reasons;

To protect the water environment (SSSI and SAC)

The Method Statement shall identify as a minimum;

- storage facilities for all fuels, oils and chemicals and spillage response plan;
- details of surface water drainage arrangements to be installed to intercept and treat contaminated surface water run-off;
- details of measures to ensure no polluting discharge from disturbed areas;
- management of soil and silt run-off to watercourses;
- identification of any buried services, such as foul sewers, so that they are protected
- details of emergency contacts, for example Natural Resources Wales' Pollution hotline 0800 807 060.

The Method Statement should then be efficiently communicated to all contractors and sub-contractors (for example, via toolbox talks) and any deficiencies rectified immediately. The applicant can refer to our Pollution Prevention Guidance.

Condition;

No development shall take place until a scheme for the provision and management of a 7 metre wide buffer zone along the watercourse shall be submitted to and agreed in writing by the local planning authority. The buffer zone scheme shall be free from built development including lighting.

Reason:

To protect the water environment.

Development that encroaches on watercourses has a potentially severe impact on their ecological value. e.g. artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected.

Foul drainage

The application form and the Design and Access Statement indicate that portable toilets will be used for the event, which “will be emptied and removed from site on a regular basis by a competent person via an approved appointed contractor”. The waste should be taken to a site that is permitted to accept it and by a registered waste carrier.

It is important that the foul drainage provision for such an event does not adversely affect the River Usk SAC. The site plan indicates three toilet blocks, two of which are situated in close proximity to the River Usk. We advise that the toilet blocks are not located within 10 metres of any watercourse and also not located on the areas considered to be at high risk of flooding. This should also be considered as part of the Habitat Regulations.

European Protected Species

We have reviewed the supporting ecological documents including ecological management scheme, phase I habitat and species assessment, survey for great crested newts, assessment of bat activity prepared by Just Mammals Consultancy.

We note that no great crested newts were found during the survey. A number of bat species were observed using the site for commuting and foraging. Otters are also known to disperse and feed along this stretch of the river; however, the Phase I survey report states that the high level of disturbance makes maternity use of the site unlikely.

We support the recommendations made in relation to European Protected Sites (EPS). In particular, we note the need for a lighting plan in order to minimise light spill on the river corridor, hedgerows, trees and pond habitats.

In this instance, we do not consider it likely that the proposal will result in a detriment to the maintenance of Favourable Conservation Status of EPS, provided that a suitably worded condition addressing the following is added to any permission your authority may be minded to grant:

A full, detailed lighting plan, focusing particularly on minimising light spill on the river and stream corridors, ponds, hedgerows and wooded areas, to be submitted to the Local Planning Authority for approval.

Local Biodiversity

Castle Meadows site sits on the floodplain adjacent to the north bank of the River Usk and qualifies as an area of priority habitat according to the Section 42 list of habitats of principal importance for conservation of biological diversity in Wales, and includes the following priority habitat types: floodplain grazing marsh, lowland meadow, wet woodland.

Under the Natural Environment and Rural Communities Act 2006 your authority must show regard for conserving biodiversity including through its planning decisions and all its actions on land managed by the authority. Conserving biodiversity includes maintaining, restoring or enhancing habitats. The variation in topography/levels on the Castle Meadows area is considered to be predominantly the result of past natural erosion and deposition of sediments by the river, and it is important for the conservation of the habitats

that this natural topography is not altered or disrupted by activities on the site. Features include the remnants of former stream and river courses, interspersed with ridges of slightly higher ground. The exception is land at the western end of Castle Meadows which evidence from old maps shows has been infilled during the 19th Century.

We recommend that you discuss this with your in-house ecologist and ensure the Section 42 priority habitats are maintained. The Council's existing Management Plan for Castle Meadows recognises the importance of the habitats on the site and provides a framework for their ongoing management.

Additional comments

In view of the presence of priority habitats on the floodplain at Castle Meadows and their potential for damage as described above, it is preferable that no soil or hardcore is imported to the site and any instance where this, or any disruption to local topography, is thought necessary, should be consulted on and agreed with the Council in advance. It is important that any soil or hardcore that is imported onto the site is free of the seeds / roots / stem of the invasive plant Japanese Knotweed, the spread of which is prohibited under the Wildlife and Countryside Act 1981.

In order to avoid adverse disruption to shad migration upstream and spawning along the River Usk, no piling likely to cause noise/vibration disturbance should be allowed close to the river during the April to June (inclusive) period.

This site may contain Japanese Knotweed, Himalayan Balsam invasive plants, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Care should be taken to prevent its spread during any operations relating to this proposal.

- 4.1.3 Glamorgan Gwent Archaeological Trust – No objections. Unlikely that archaeological material would be encountered during the development.
- 4.1.4 Brecon Beacons National Park Authority – Offers no objection subject to conditions securing the use as temporary and requiring any necessary restoration of the site.
Consider the proposal will not be detrimental to the special qualities of the National Park, subject to appropriate conditions.
- 4.1.5 Gwent Police Designing Out Crime Unit – No objections.
- 4.1.6 WG Transport Division – The closure of the A4143 County road where diverted traffic uses the A456 and A40 Trunk Road may result in congestion issues, particularly in Llanfoist interchange. Mitigation should therefore be included within a detailed Traffic Management Plan (TMP) to avoid potential queuing and stationary traffic onto the A465 mainline carriageway. The following condition is therefore directed to be applied to any consent the Authority may grant;

Three months prior to the proposed opening of the Eisteddfod, a detailed Traffic Management Plan (TMP) shall be submitted for the written approval of the Local Planning Authority in consultation with the Welsh Government (Transport). The TMP shall detail proposals for the management and movement of all transport modes associated with the proposed development and provide any necessary mitigation to maintain the free-flow of traffic on the surrounding A465 (to include Section 2), the A40 and A4042 trunk roads for the event duration.

4.1.7 Sustrans - We are very disappointed that there appears to be no consideration of the fact that the path through the Meadows is part of the National Cycle Route 46. We are also surprised that there is no mention of National Cycle Route 46 in the design and access statement. We are very supportive of this event being held at a wonderful site but provision must be made for walkers and cyclists either by keeping this route open (preferred) or by providing a high quality alternative that is clearly signed for all users”

4.1.8 MCC Environmental Health - No objection in principle.

In order to minimise the potential for disturbance to residents living in the area of the proposed site I recommend that any grant of planning permission is subject to the following conditions:

The site construction and dismantling hours are restricted to reasonable working hours e.g. 8am to 6pm Mondays to Fridays, 8.30am to 1pm Saturdays with no work on Sundays and Bank Holidays.

A noise management plan for the control of amplified voices and music including hours of use to be agreed with the Planning Authority a minimum of 28 days before the opening day.

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

Ecological Considerations

Ecological assessment of the site has been undertaken by Just Mammals Consultancy, in the form of an Extended Phase 1 habitat and species assessment, September 2013 and an Ecological management scheme, September 2013. Further surveys were then undertaken in July and August 2014 which informed the reports: An assessment of Bat Activity, January 2015 and A Survey for Great Crested Newts, July 2014. Whilst some of the information given in the initial reports is no longer relevant, we have been able to draw upon other updated sources to inform our decision including personal communication with relevant MCC officers. As such the information provided is sufficient to determine the planning application whilst considering our duties under the Habitats Regulations and TAN 5.

Protected Sites - River Usk SSSI and SAC

A Habitats Regulations Assessment of the proposal submitted for planning has been undertaken by the Just Mammals Consultancy on behalf of

Monmouthshire County Council and updated by Monmouthshire County Council. This assessment is required by Regulation 61 of the Conservation of Habitats and Species Regulations 2010, in accordance with the EC Habitats Directive (Council Directive 92/43/EDC) before the Council as the 'Competent Authority' under the Regulations can grant permission for the project.

Risks to be addressed include:

During construction / site set-up: disturbance to invertebrate communities, fish species and otters through noise and some localised vibration, as well as night-lighting; Potential further spread of invasive plants; siltation as result of site preparation.

During the event: physical disturbance to otter, pollution incidents as the result of inappropriate drainage, disturbance due to lighting and noise; Potential further spread of invasive plants; siltation as result of erosion from site use.

Site clearance and restoration: physical disturbance to otter, pollution incidents as the result of inappropriate drainage, disturbance due to light and noise; potential spread of invasive non-native species.

Due to uncertainties around the full detail of the Eisteddfod and the site preparation we cannot beyond all reasonable doubt be sure that there will not be a significant effect in relation to pollution without imposing additional mitigation not currently presented as part of the scheme. Therefore an Appropriate Assessment has been undertaken to inform our decision. With a set of robust planning conditions to control certain aspects of the event, it is not considered that the event will affect the integrity of the European Site. The Appropriate Assessment has not yet been reviewed by Natural Resources Wales who are a statutory consultee to this process.

Conditions are summarised below although the exact wording will need to be finalised – note the REASON for these conditions will need to reference the Habitats Regulations Assessment.

One of the most important controls will be that the HRA is reviewed as soon as details are finalised before the site preparation is started as aspects may change and need consideration.

European Protected Species

Otters – otters are regularly seen using the river adjacent to Castle Meadows primarily for travelling purposes. There are no holts in the vicinity although occasional resting up cannot be ruled out. The event may cause physical disturbance to the otter due to the increased light, noise and activity levels. There is also the risk of pollution to habitat due inappropriate drainage following levelling works. An appropriate lighting strategy and working method statements will limit any negative impacts to the species. This species is also considered as an interest feature of the River Usk SSSI / SAC.

Bats – An assessment of Bat Activity was conducted by Just Mammals in July/August 2014. The site was identified as forming part of a

foraging/commuting route for 9 species of bats. The increased noise and light levels may disrupt connectivity for these species and result in foraging areas being unavailable during the event. The reduction in grazing over the period of site occupation will reduce the foraging opportunities at the site. An appropriate lighting strategy will limit the impacts on the bats foraging/commuting routes. Reinstatement of grazing as soon after the event as possible, subject to restoration works, will result in improved foraging opportunities.

Amphibians – A Great Crested Newt Survey was conducted by Just Mammals in July 2014, the report identified that the site supported a small population of palmate newts. No Great Crested Newts were recorded. The event will result in temporary destruction of terrestrial habitat, disturbance through increased light levels, noise and human activity and the risk of pollution to watercourses as a result of levelling works. Appropriate working method statements, protection zones and a lighting design strategy will mitigate any negative impacts to amphibian species.

Other Species Considerations

Birds – The site is likely to be utilised by a number of species as a breeding location. The increased level of activity on the site in terms of the noise, light levels and human disturbance is likely to affect breeding success. Appropriate working method statements, biodiversity protection zones and a lighting design strategy will be adopted during the event. Any tree or hedgerow removal necessary to facilitate the event is to take place outside of the nesting season, or strictly under supervision from a competent ecologist.

Hornet Robber Fly – There are a number of records of Hornet Robber Fly, a section 42 species, on the site. The reduction in grazing over the site occupation period will hinder the success of the species as it lays its larvae in dung. Larvae can survive in dung or surrounding soil for 2-3 years. To reduce the impact on this species no topsoil is to be taken away from site, levelling should be minimal and the grassland will be restored as per the details set out in the Green Infrastructure Restoration and Enhancement Plan.

Habitats

Grassland – The majority of the site is B2.2 Semi-improved neutral grassland. The site is subject to a high level of disturbance and there are a number of footpaths. A tenant grazer occupies the site with a low number of cattle between July and April. The event will require occupation 3 months prior to the actual event which will restrict the grazing period and will have a knock on effect on species as detailed above. Localised levelling and the installation of a vehicular service road will also affect the quality of the site. Appropriate working method statements will avoid erosion of the grassland. The Green Infrastructure Restoration and Enhancement Plan will detail the methods and timescales for reinstatement.

Hedgerow – The main pedestrian entrance to the site is likely require clearance of sections of hedgerow as is indicated by Eisteddfod Site Plan 2016 – V2. Any tree or hedgerow removal necessary to facilitate the event

should take place outside of the nesting season, or must be checked by an ecologist immediately prior to works. The Green Infrastructure Restoration and Enhancement Plan will detail the methods and timescales for reinstatement.

Green Infrastructure

Overall the site will require a degree of restoration when the event finishes including restoration of the grassland, hedgerow planting and potentially tree planting. There is an opportunity to make the grassland floristically more diverse by re-seeding with a native wildflower mix at certain parts of the site and provide native trees to create a legacy for the site. A condition for a Green Infrastructure Restoration and Enhancement Plan is recommended.

Conditions - conditions will be required to cover the following

- 1) Nesting Bird condition - clearance of vegetation associated with access. Reason – Protection of nests and nesting birds
- 2) Lighting design strategy and plan. Reason – Protection of River Usk SAC and commuting and foraging routes of bats
- 3) Environmental Action Plan to build upon the principles of the Ecological Management Scheme. Reason – Protection of River Usk SAC and other ecological and environmental considerations
 - a. Control on localised levelling
 - b. Pollution controls as outlined in NRW consultation
 - c. Measures to protect otters during works
 - d. Details of surface and foul water management
- 4) Review of the Habitats Regulations assessment when full details are available before site preparation and the event commencing.
- 5) Green Infrastructure Restoration and Enhancement Plan. Reason – to restore and enhance the Green Infrastructure assets of the site and restore areas to safeguard the River Usk SAC post event.
- 6) Control of distance of portable toilets from the River Usk SAC (>10m). reason – Protection of River Usk SAC and other ecological and environmental considerations
- 7) Details of protective fencing for River Usk, other watercourses and sensitive ecological areas during the site preparation, event and post event. Reason - Protection of River Usk SAC and other ecological and environmental considerations.

Informatives are also recommended.

4.1.11 MCC Heritage Officer - No adverse comments.

4.1.12 MCC Rights of Way – No objection in principle; awaiting formal comments.

4.1.13 Open Spaces Society – No comments received.

4.1.14 Ramblers – No comments received.

4.1.15 MCC Highways - I would offer no objections to the proposed change of use and the holding of the 2016 National Eisteddfod on the land known as Castle Meadows, Abergavenny.

The applicant has taken account of the specific road safety and transport provisions that a proposal of this kind generates, the transport assessment in support of the application demonstrates that the measures to be implemented will where practical and appropriate mitigate for any adverse impact during both the establishment of the Maes (3months), the eisteddfod and de-commissioning of the Maes (3 months).

I note the comments made by the Welsh Government and I would support the recommendation that a detailed Transport Management Plan should be submitted in support of the application.

I would also wish to see the development of the Event Management Plan as soon as is reasonably practical and submitted for consideration in advance of the eisteddfod.

I agree with the consultants that the proposed means of access to the Maes and Eisteddfod Field (Castle Meadows) is acceptable subject to substantial improvements to the existing access of Merthyr Road It is necessary that the access arrangements are finalised and controlled in advance of the actual commencement of the establishing works in May 2016. I would therefore wish to instruct the following condition;

No work associated with the establishment of the Eisteddfod shall commence on site until detailed design, safety audits and traffic management proposals for the proposed means of access have been submitted to and approved by the Local Planning Authority

Reason – In the interest of highway safety and to minimise congestion.

4.1.16 SEWBREC Search Results – Various species of bat recorded foraging/commuting within the vicinity of the site. Various species of fish present in River Usk.

4.2 Neighbour Notification

Two general observations received;

- Requested guarantees for residents to park outside the dwellings at Usk View
- Request for clarification of post event site enhancement measures.

4.3 Other Representations

4.3.1 Abergavenny and District Civic Society – welcomes the proposals.

Offer the following comments;

- reinstatement of the site must take place as soon as possible after the event;
- the wear and tear to paths at and approaching the pedestrian entrances to the site (e.g. Mill Street) will require particular attention;
- we understand that NRW will be commenting on the effects on the Usk River SAC; we note that areas of local ecological importance will be used as little as possible;
- the consequences of the southbound closure of A4143 may need more measures than those proposed by the consultants; for example at the junction of Station Road and Monmouth Road especially if, as we believe is necessary, there is a shuttle bus service from the station to the site.
- there is a reference at the end of the D and A Statement to post-event enhancement measures; we would like to know what these are to be.

4.3.2 Friends of Castle Meadows – Statements in the Design and Access Statement (DAS) are vague and require clarification;

- We would wish for details of how the “Friends of Castle Meadows” will be involved in the site design and set up.
- Paragraph 4 of the DAS “There are ecological areas of greater value.” There are no details as to how the use of these areas will be minimised to reduce impact on the environment.
- In relation to “The creation of informal paths”. How will these temporary paths be constructed and how will they be remedied?
- Where is the soil coming from “elsewhere on site”? Is this deemed necessary as the area which will house the Maes needs levelling? This process will result in the destruction of two habitats, the one receiving the soil and the other the habitat from which the soil is removed. What are the plans for the reinstatement of the “levelled” habitat post event?
- In addition the area in question is one where excavation has resulted in archaeological finds. These are currently housed in the Museum, what measures are to be put in place to ensure the area of archaeological interest is not damaged?
- “The temporary gravel roadways”. There is no indication as to how this “gravel” will be removed post-event. Certain gravels cause a lowering of the pH of soil; this will have a detrimental effect on the indigenous vegetation. The soil will be in contact with the gravel for an estimated period of 5 months, during the maximum growing time for plants. How is this detrimental effect to be neutralised?
- Strenuous and vigilant efforts, by the “Friends” have resulted in a reduction of NNIS (in excess of 5,000 person hours over 4 years) on the meadows and in the copses within the Meadows. Lack of access to the site will negate much of the work done by this group. They should be permitted access to continue this work.
- The construction of an earth bund to facilitate access from Byfield Lane Car Park will necessitate the destruction of a length of hedgerow; how will the organisers ensure the re-instatement of this piece of established (100 years+) hedgerow?

- There is no mention as to how the integrity of the SSSI status of the Usk river bank will be maintained given the increased number of visitors to the site.

5.0 EVALUATION

In response to consultation responses received the following changes have been made to the proposal since the original submission:

- The main tent has moved to a central location which is a flat area of land which will not require any levelling.
- The eastern part of the site marked in orange will be excluded from the festival area.
- The eastern path connecting the Mill Street entrance and the Riverside Footpath/cycle path will remain open (to overcome the objection from Sustrans).
- The area to the north of the site (marked Green) will be used as a Picnic and Story-telling area; no structures will be erected on this area.
- The secondary pedestrian access will not cover the access (as it will remain open) so has been relocated to an approximate location.

5.1 Principle of Development

5.1.1 The Eisteddfod is a celebration of Welsh culture, of the concept of belonging to a community and of priding itself on Wales and its achievements. The festival is the highlight of a two year community project, described as Wales' leading mobile regeneration project by the Arts Council of Wales. The festival is the public face of the local work, work which remains unseen by the press and media, but has a real impact on the lives and aspirations of people of all ages and backgrounds, across the region. The Eisteddfod itself takes place over 8 days between 29th July to 6th August and would not therefore exceed the permitted development period of 28 days per year. However, the associated infrastructure construction and site reinstatement will exceed this period and therefore planning consent is required.

5.1.2 The Eisteddfod is the highpoint of the Welsh cultural calendar. It travels from place to place, alternating between north and south Wales giving communities across the country a chance to welcome up to 160,000 visitors over an eight day period. By locating the festival on Castle Meadows in such close proximity to the town of Abergavenny it is hoped that the economic benefit to the town will be maximised as opposed to being located in more remote locations. Estimates of the benefits to the local economy are in the region of £4.3 million (based on the STEAM methodology).

5.1.3 There are a wide variety of groups involved in the development of the Eisteddfod festival. The product itself culminates from a period of community fundraising activities to help finance the production of performances to be presented and performed throughout the festival.

5.1.4 Given the benefits of hosting such an event, the planning application is supported in principle. As well as the general considerations of visual impact and residential amenity, the three main areas of concern in holding the event at Castle Meadows is the impact of traffic on the existing network, the impact on the site's biodiversity and implications of the site being in C2 floodplain. In all cases technical surveys have been commissioned and undertaken by experts and the findings have helped to inform the transport plan and the site layout. The issues are considered below.

5.2. Access, Parking and Traffic

5.2.1 It is recognised that the increased number of visitors (estimated in the region of 160,000 over the duration of the event) will cause issues with the normal day to day traffic and therefore a Traffic Impact Assessment was carried out in conjunction with the MCC Highways Department. A park and ride scheme has been proposed which is designed to alleviate traffic flows. The park and ride car parks will be located at key locations at Llanellen and Govilon. It is anticipated that this method of transporting festival attendees will reduce the volume of traffic travelling in and out of Abergavenny, therefore minimising the impact on the existing network.

5.2.2 Byefield Lane car park will be closed to the public (other than disabled visitors) during the event to allow the proposed park and ride bus service to operate effectively. All other town centre car parks will operate as normal.

5.2.3 It is proposed that there are three access points to the site, these being: -
- Byefield Lane Car Park - This is proposed to provide the main access from the park and ride facility and the town and will be located on the lower section of the Byefield Lane Car Park.
- Mill Street - A secondary access point will be located at the end of Mill Street; it is proposed that this entrance would serve the bus and train stations which are both located to the east of the site.
- Merthyr Road - An existing access from Merthyr Road will be expanded and widened to provide a service access for vehicles. This allows for the separation of vehicles and pedestrians which will be important to ensure the safe operation of the site.

5.2.4 The position of the roadways within the site has been designed to ensure safe movement of vehicles allowing the tents to be serviced safely and in a timely manner. Further access roads will also be designed to ensure the site is accessible to all potential users.

5.2.5 The Welsh Government Transport Division is concerned that the closure of the A4143 County road where diverted traffic uses the A456 and A40 Trunk Road may result in congestion issues, particularly in Llanfoist interchange. They have therefore suggested that mitigation be provided within a detailed Traffic Management Plan. There is to be no parking on the site itself except for a small amount of disabled parking, with visitors being encouraged to use a park and ride service and on this basis it is agreed that subject to a suitable scheme for traffic management during the event, potential queuing and

stationary traffic onto the A465 and other trunk roads in the area can be managed acceptably. A condition has been added to require such a Traffic Management Plan.

5.3 Biodiversity Considerations

- 5.3.1 The Ecological surveys undertaken included a Phase One, Targeted Bat, Extended Phase One Habitat & Species in addition to a Habitat Regulations Assessment and the creation of an Ecological Management Plan. The Ecological Management Plan provides mitigation and enhancement measures to be taken before, during and after the event. Areas found to be of high ecological value, have been avoided within the site layout ensuring that the ecological value is maintained.
- 5.3.2 The site is immediately adjacent to the River Usk Special Area of Conservation (SAC), an internationally important ecological feature, and avoidance of any impact on the river will be an essential aspect of the proposals to hold the National Eisteddfod at this location. Following initial assessment, appropriate avoidance measures have been identified to protect the ecological integrity of the river and the site itself. A Habitat Regulations Assessment has also been carried out and is available as a separate document. Additionally a scheme of avoidance, mitigation, compensation and enhancement has been developed in order to retain and enhance the status of the site in terms of its ecological value.
- 5.3.3 The most intrusive aspect of the proposals from an ecological point of view will be the levelling of part of the site for the large pavilion, known as 'Maes A'. This will be located on an already exposed and disturbed part of the site and topsoil from within the site will be employed in the landscaping proposal. Survey found a total of 120 common and widespread species on site, and generally the area is considered to have a moderate to high ecological value in its own right due to its size and location. However, the grassland itself is made up of common species and it is considered that despite the proposals it will recover from any impacts in the longer term.
- 5.3.4 Protected species or their potential presence on site, were considered as part of the assessment and were the subject of additional assessment. No great crested newts were found during the survey. A number of bat species were observed using the site for commuting and foraging. Otters are also known to disperse and feed along this stretch of the river; however, the Phase I survey report states that the high level of disturbance makes maternity use of the site unlikely.

It is considered that the recommendations made in relation to European Protected Sites (EPS) in the supporting ecological surveys need to be implemented. In particular, there is a need for adherence to a Lighting Plan in order to minimise light spill on the river corridor, hedgerows, trees and pond habitats.

Subject to a condition addressing the need for a lighting plan, it is not considered likely that the proposal will result in a detriment to the maintenance of Favourable Conservation Status of European Protected Species.

5.4 Flooding

5.4.1 As the site is recognised as a floodplain the applicant has worked with a flooding and drainage specialist and NRW to ensure that the design takes into account the risks posed by flooding. This information has been used to establish the current proposed plan of the site.

5.4.2 The Flood Consequences Assessment identifies some areas of the site have a higher risk than others and therefore it is proposed the said areas will either not be used or in conjunction with a risk assessment will be used in part by structures and activities which are considered less vulnerable to damage and that allows a short timescale to be cleared. The Assessment also suggests that the flood levels are monitored throughout the time of the change of use and that an appropriate evacuation plan is developed. This will be incorporated into the Event Management Plan.

5.4.3 Other considerations included public access to/from and into the site and existing public rights of way (ROW). A key theme when speaking to users of the site and Monmouthshire County Council's Countryside Service was that as much access as possible will need to be maintained in order to minimise disruption to the local community and regular users of the amenity land. It is therefore proposed that the main riverside footpath is excluded from the application allowing access to be maintained, a further network of paths will also be kept in use to allow connections to be made with the town at either end of the site.

5.5 Visual Impact

5.5.1 The site will be developed as sympathetically as possible to minimise the damage to the environment. It is envisaged that a positive legacy will be achieved particularly in terms of the landscape. The Council's Countryside Service and the Friends of Castle Meadows group will be involved in the site design and set-up to ensure that the festival has a positive legacy.

5.5.2 The informal parkland style of layout will follow the contours of the natural features on site including trees, scrub, and the water features around the site. The majority of the layout will be formalised during the set-up of the festival, however there are some features which will be fixed. The main event tent will be located to the west of the centre as it is the logical position given the size of the tent and the opportunity to maximise the landscape as the Bloreng and Llanfoist Bridge will be provide the backdrop to the tent upon approach from the main entrance.

5.5.3 The main tent is designed to be striking and iconic. On the approach from the south, the town is raised above the meadows and therefore the site structures

will not be visually imposing on their surroundings but instead provide an interesting feature, complementing the green backdrop when entering via the Llanfoist Bridge from the north.

- 5.5.4 The western end of the site will be home to the "Food Patio" area. This area is located here as it is the part of the site which will require the most servicing and resides closest to the service entrance. It is also the position of the later evening events during the festival allowing those staying later to exit easily back to the park and ride or into Abergavenny. The eastern end of the site will be occupied by the 'Expo' areas and the Literature, Science and Poetry areas which are popular with performers and their supporters. The central areas will be occupied by Trade stalls primarily with other features such as restaurants and circulation space.
- 5.5.5 The far eastern end of the site is an area identified by the Flood Consequences Assessment as higher risk and the report suggests that areas below the suggested spot height of 45.5m AOD needs to be used with caution and not by any permanent structures.
- 5.5.6 Landscaping will be required following the event to ensure that any damage is reinstated back to its original form or is enhanced. To avoid damage to sensitive areas identified by the ecological surveys protective measures including fencing or landscaping will be undertaken. The reinstatement of the site will be a condition of any planning approval.
- 5.5.7 The area of the National Park closest to the site is an area of high landscape quality and is identified as such in the Landmap information system, where it is identified as having a high landscape and visual sensory value. The site is likely to be visible from points within the National Park and will be particularly prominent in long views from elevated locations. However as the use is for a temporary period it is considered that subject to any necessary restorative work to the site following the event, the proposal will not have an unacceptable visual impact on the National Park.

5.6 Residential Amenity

- 5.6.1 The site will be enclosed where necessary by the use of 'herras' (or similar) fencing providing a physical boundary between the publicly accessible areas of the meadow. Access and egress will be controlled by event organisers and the provision of a security contractor. It is proposed that there will be 24 hour security of the site as to minimise the risk of theft, vandalism and to maintain safety at all times.
- 5.6.2 All potentially hazardous substances will be stored securely (i.e. in bunded tanks/containers), in appropriate containers and accessed by trained personnel only. Foul sewage from portable toilets will be emptied and removed from site on a regular basis by a competent person via an approved appointed contractor. Waste will be stored appropriately and there will be provision for recyclable materials. Regular (daily) collections are anticipated again by an approved appointed contractor.

5.6.3 Residential housing in close proximity to the event site (primarily housing on Merthyr Road) have been consulted formally as part of the planning application but it is proposed that informal consultation by the event organisers will also take place in advance of the event to provide reassurance of the measures to be taken in maintaining safety including issues related to licensing and noise. No objections to this planning application have been received from any local residents to date. It is considered that the recommendations (including suggested conditions) from Environmental Health will be covered by Environmental Health or licensing regulations relating to public events and noise. It would be impractical to address noise issues via planning controls given the very short duration of the event (eight days) in that a breach of control would first have to be identified once the event starts and then any subsequent breach of condition notice served would need a minimum of twenty-eight days to come into effect.

5.7 Public Rights of Way and Cycle Routes

5.7.1 The meadows are a popular site in the walking and cycling communities, although the majority of the site will be enclosed with fencing and security, it is proposed to maintain as much public access as practically possible. The proposal ensures that key public rights of way remain open to the local community throughout the duration of the event along with the periods of set up and removal.

5.7.2 Footpaths have been left open where possible to minimise disruption to regular users of the site. Access to the main footpath along the river's edge is maintained at all times, however some footpaths off that fall within the site boundary are being proposed to be closed for the duration of the Eisteddfod. It should be noted however that the eastern path connecting the Mill Street entrance and the Riverside Footpath/cycle path which is part of the National Cycle Route 46 will remain open.

6.0 **RECOMMENDATION: APPROVE**

Conditions:

1	This development shall be begun within 5 years from the date of this permission.
2	The development shall be carried out in accordance with the list of approved plans set out in the table below.
3	The use hereby approved shall be ceased and the land restored to its previous form within 3 months of the end of the Eisteddfod event in accordance with a detailed plan to be submitted and approved in writing by the Local Planning Authority prior to works commencing.
4	No development shall take place until a scheme for the provision and management of a 7 metre wide buffer zone along the watercourse shall be submitted to and agreed in writing by the local planning authority. The buffer zone scheme shall be

	free from built development including lighting. Details of protective fencing for River Usk, other watercourses and sensitive ecological areas during the site preparation, event and post event. Reason - Protection of River Usk SAC and other ecological and environmental considerations.
5	No development approved by this permission shall be commenced until a Method Statement detailing all necessary pollution prevention measures for the construction phase of the development is submitted to and approved in writing by the Local Planning Authority.
6	A full, detailed lighting plan, focusing particularly on minimising light spill on the river and stream corridors, ponds, hedgerows and wooded areas, shall be submitted to and approved by the Local Planning Authority before works commence on site; the development shall be carried out in accordance with the approved plan.
7	Prior to the opening of the Eisteddfod, a detailed Traffic Management Plan (TMP) shall be submitted to and approved in writing by the Local Planning Authority. The TMP shall detail proposals for the management and movement of all transport modes associated with the proposed development and provide any necessary mitigation to maintain the free-flow of traffic on the surrounding A465 (to include Section 2), the A40 and A4042 trunk roads for the event duration.
8	No work associated with the establishment of the Eisteddfod shall commence on site until detailed design, safety audits and traffic management proposals for the proposed means of access have been submitted to and approved by the Local Planning Authority.
9	Prior to the opening of the Eisteddfod, a Flood Warning and Evacuation plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved plan in the event of flooding arising during the festival.
10	Nesting Bird condition - clearance of vegetation associated with access. Reason – Protection of nests and nesting birds.
11	Environmental Action Plan to build upon the principles of the Ecological Management Scheme. Reason – Protection of River Usk SAC and other ecological and environmental considerations <ul style="list-style-type: none"> a. Control on localised levelling b. Pollution controls as outlined in NRW consultation c. Measures to protect otters during works d. Details of surface and foul water management
12	Green Infrastructure Restoration and Enhancement Plan. Reason – to restore and enhance the Green Infrastructure assets of the site and restore areas to safeguard the River Usk SAC post event.
13	Control of distance of portable toilets from the River Usk SAC (>10m). reason – Protection of River Usk SAC and other

Informatives:

RIVER USK SAC – a Review of the Habitats Regulations assessment will be required when full details are available before site preparation and the event commencing.

BATS - Please note that Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately. Natural Resources Wales (NRW) (0300 065 3000).

NESTING BIRDS – Please note that all birds are protected by the Wildlife and Countryside Act 1981. The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most bird species is between March and September.

OTTER - Please note that otters are protected under The Conservation of Habitats and Species (Amendment) Regulations 2012 and the Wildlife and Countryside Act 1981 (as amended). This protection includes otters and places used for resting up, breeding, etc. whether an otter is present at the time or not. If otters are disturbed during the course of works, all works must cease and Natural Resources Wales contacted immediately.

GREAT CRESTED NEWT - Please note that Great Crested Newts are protected under The Conservation of Habitats and Species (Amendment) Regulations 2012 and the Wildlife and Countryside Act 1981 (as amended). This includes protection for individual newts from killing, injury, capture or disturbance. It is also an offence to damage or destroying breeding sites or resting places even if the animal is not present. If great crested newts are found during the course of works, all works must cease and Natural Resources Wales contacted immediately.