

Application Number: DM/2021/00961

Proposal: Construction of agricultural fruit store/eco building, with compost toilet and solar panels

Address: Land near Gwehelog Common, Gwehelog Fawr, Usk, NP15 1RE

Applicant: Mr Tom Newman

Plans: Other SEPTIC TANK - , Location Plan AL(00)01 - , Floor Plans - Proposed AL(01)01 A - , Elevations - Proposed AL(01)02 A - , Elevations - Proposed AL(01)03 - , Site Plan AL(90)01 A - , Other SW(00) 01 A - , Ecology Report Ava Ecological Surveys and Contracting, 22/04/2021 - , Other Drainage Statement V.2 by Gyhston Engineering - 23/03/2022, Design and Access Statement (April 2021)

RECOMMENDATION: Approve

Case Officer: Ms Kate Bingham
Date Valid: 10.06.2021

This application is presented to Planning Committee due to the number of objections and as requested by the (former) Local Member.

1.0 APPLICATION DETAILS

1.1 Site Description

This application relates to an existing fruit farm in the open countryside near the village of Gwehelog. The site is located on land adjacent to Plumtree Cottage some 5 kilometres north of Usk. The site is presently used as agricultural land for fruit growing. The fruit farm extends over an area of 3 acres (1.2 hectares). The site is a working orchard and has around 300 small fruit trees. Each tree is around 1m in height. The applicant wishes to use the fruit to make speciality beer and requires a storage unit on site. Brewing of the beer/cider will be undertaken off site.

The site is generally open and the gradient slopes slightly to the south and the west. There are currently no structures situated within the application site. A small section of woodland lies immediately to the north and to the west of the site, which would not be affected from the proposed development.

Access into the fields, in which the application site is located, is attained via a track which is opposite the property called Merles. This existing access lane leading to the field is narrow, approximately 2.5m to 3.0m wide, with a 90 degree bend in the field. The overall access into the site is generally open and bounded by post and wire fencing and hedgerows, which is consistent with the adjacent boundaries.

The site is not within a flood plain or other designated area but is within the Phosphorous Sensitive Catchment Area of the River Usk SAC.

1.2 Proposal Description

This is a full planning application for the construction of an agricultural fruit store (with an area for small-scale crushing of the fruit) 'eco building', with a composting toilet for staff and associated sustainable drainage systems, linked with improving the irrigation and overall biodiversity of the site. The fruit would be crushed by use of a small-scale hydraulic fruit press. The proposed single

storey building is to provide a storage area for agricultural equipment and fruit crushing and storage tanks and will have a floor area of 6m x 16m. Due to the nature of harvesting, large volumes of fruit will be collected at one time of the year. The building will be split into three areas; 25% will be used to crush the fruit, 25% for the storage of the crushed fruit in a stable condition and 50% for storage of agricultural equipment for the maintenance of the fruit orchard.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2021/00961	Construction of agricultural fruit store/eco building, with septic tank and solar panels.	Pending Determination	

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S10 LDP Rural Enterprise
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design

Development Management Policies

LC1 LDP New Built Development in the Open Countryside
LC5 LDP Protection and Enhancement of Landscape Character
RE4 LDP New Agricultural and Forestry Buildings
DES1 LDP General Design Considerations
EP1 LDP Amenity and Environmental Protection
EP5 LDP Foul Sewage Disposal
NE1 LDP Nature Conservation and Development
MV1 LDP Proposed Developments and Highway Considerations

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Planning Policy Wales (PPW) Edition 11

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Gwehelog Community Council - General Comments:

The proposed building is large and of an inappropriate size in proportion to the size of the site; the design of the building does not appear to reflect a traditional 'agricultural design'.

Concern was expressed that there is reference to fruit processing being undertaken on the site - does the actual orchard size and subsequent level of fruit production, warrant processing on site? Detail of the fruit processing is not shared and therefore, might it be more appropriate to situate on a light industrial site?

The access road to the site is shared and there is concern that the entrance and access road to the site is narrow and given an increase in traffic and heavy vehicles using it would be inevitable, there must be recognition of what the resulting impact might be.

There appears to be no parking provision for vehicles - presumably any deliveries/staff/visitors may require parking.

There appears to be no rest room provision for 'any employees' but a septic tank provision is made.

The Community Council did acknowledge the site may produce the opportunity for gainful employment for local people, which is needed in the area particularly in relation to agricultural work.

National Air Traffic Systems (NATS) - The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

Natural Resources Wales (NRW) - No objection subject to attaching the following conditions to any planning permission granted:

Condition 1: Foul Drainage

Condition 2: Document to be conditioned - Section 6.2 of Preliminary Ecological Appraisal written by Ava Ecological Surveys and Contracting, 22/04/2021.

We note from the information submitted that a private sewage treatment system discharging domestic wastewater to ground is proposed. The information set out in the section titled 'What does this mean for development proposals involving private sewerage treatment systems' has been submitted with the application.

It should also be noted that our Planning Advice states: "Also, to ensure that there is no significant in combination effect, the discharge to ground should be at least 200m from any other discharge to ground. The density of discharges to ground should also not be greater than 1 for every 4ha (or 25 per km²)." We note from the information submitted (Drainage Statement v2, dated 23rd March 2022, subject Gwehelog Fruit Production Barn) states, 'The drainage field is then proposed to be further into the site such are not to disrupt access routes, and to be located a minimum of 50m from the spring source and a suitable distance away from neighbours and buildings generally' and it also states, 'Conversations between the applicant and neighbours have confirmed that the surrounding properties enjoy a connection to Welsh Water's supply network and there are no operational Wells / boreholes supplying drinking water in the area.' Based on these statements, our advice is that you should be satisfied that this information is correct, and that the proposal is unlikely to have negative impacts on the local potable water supply.

We would also ask that your authority includes a suitably worded condition to ensure that urine only is discharged, and that no other chemicals or liquids are discharged to/from the compost

toilet. Please note, if chemicals were to be routinely discharged, this would be seen as an activity under EPA 2016, Schedule 22, Groundwater, and would be an offence.

In light of the above information, we advise that your Authority should screen the proposal through a HRA. Should you determine that an Appropriate Assessment is required, the Applicant will then need to submit whatever evidence they deem appropriate (seeking advice from consultants as may be necessary) to demonstrate no adverse effect on site integrity. You should then consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

We note the Preliminary Ecological Appraisal (PEA) submitted in support of the above application (Ava Ecological Surveys and Contracting, 22/04/2021) has identified that mature trees on site provide high potential for roosting, foraging and commuting bats. We also note and support the recommendations in section 6.2 of the PEA. Therefore, if you are minded to grant planning permission, you should include the above PEA within the condition identifying approved plans and documents on the decision notice.

MCC SAB - Site is under 100m² and therefore will not require SAB consent. From reviewing (on 08.07.2021) the documents included in the application the proposed site layout and drainage system would not increase the flood risk to or from the site.

MCC Highways - The highway authority does not object to the proposal but would recommend that the following condition is attached to any decision notice;
The access shall be hard surfaced for a minimum distance of 10m behind the edge of highway in materials which shall be subject to the prior written approval of the Local Planning Authority. The hard surfacing shall be fully carried out prior to any part of the development approved being brought into use.

Dwr Cymru- Welsh Water - It appears the application does not propose to connect to the public sewer, and therefore Dwr Cymru Welsh Water has no further comments. However, should circumstances change and a connection to the public sewerage system/public sewage treatment works is preferred we must be re-consulted on this application.

SEWBRc Search Results - No significant ecological record identified

5.2 Neighbour Notification

Thirteen objections received:

1. The size of the proposed building is a light industrial unit and not a fruit store.
2. There is no provision in the application for parking of vehicles for Staff, or Visitors.
3. There is no hard standing or road to the Unit for deliveries of equipment or raw materials, or room for transportation of finished products.
4. The access to the unit is inadequate for the narrow Country lanes, and would cause safety issues to the local cyclists, ramblers, horse riders, dog walkers etc.
5. Damage to the local lanes, which are already suffering from lack of maintenance, would be severely increased.
6. I am not aware of any electricity or water supply to this field, so a storage barn/unit would be fine but a light industrial unit, would need these Utilities.
7. A good business plan, properly costed is required.
8. This appearance seems more akin to a house than an 'agricultural fruit store'.
9. The fruit trees are few and young. It will take many years to offer yields to sustain such a large development, which means the majority of fruit would need to be brought into the site.
10. If the applicant requires a processing building of this scale is the intention to import other fruit by road? If so, the current surrounding road network is inadequate for this to be done safely.
11. Does the letter of support from the local authority's Rural Projects Procurement Manager, dated over 12 months ago, actually refer to this application?

12. I suspect that if this application is approved within 2-3 years there will be a request for a change of use to a house. Ask the applicant to resubmit with a steel framed agricultural building, then I would welcome this application

13. I understand that there are facilities at the Raglan and Llancayo industrial units where they provide for such family businesses as brewing and apple pressing. Electricity, water and drainage on site. Easy access for employees, visitors and safe and lock up compound.

14. There is no known history of brewing or apple processing in this quiet rural area with very narrow lanes and no public passing places other than private entranceways.

15. Traffic issues in respect of construction - noise nuisance.

16. It appears that the intention is to store untreated human faeces in a stack of old car tyres. That is disgusting. I object on the grounds that:

- The proposed site of this raw sewage is within a few feet of the boundary with our property.
- I am concerned about the smell.
- It can attract rats which can eat human waste and spread disease.
- It has to be composted for a number of years
- The waste can contain pathogens or parasites and the compost should not be used on, or disposed of, near growing areas (such as an orchard).

17. There are significant omissions in all of this correspondence including the assessment by NRW, in that it deals with toilet facilities for the alleged workers only. No mention is made of the effluent produced by any processes carried on in the 'fruit shed'.

5.3 Other Representations

MCC Rural Programmes Procurements Officer - Letter of support:

This project has the makings of an exemplar and sustainable rural enterprise which has the potential to create and safeguard jobs locally. It aligns well with the Well-being of Future Generations Act together with local/regional economic development policies and the Vale of Usk Local Development Strategy.

The project also looks to be an excellent example of giving due regard to the environment and biodiversity, together with an ethos to be carbon neutral encompassing a number of renewable energy measures, whilst adding to Monmouthshire's reputation for producing quality food and drink.

I am pleased to offer my full support subject to planning and other necessary consents.

Usk Civic Society - Usk Civic Society objects to this application to build a fruit shed with a septic tank and solar panels in a rural location near Gwehelog Common. It considers that the application is lacking in candour about the intended use of the building. Its size and design is not in proportion with the yield of the small orchard which it is intended to serve. This suggests that produce from elsewhere will be trucked in down unsuitable local lanes and puts into question MCC Highways assessment of their suitability.

The plans lack details of access and turning arrangements for vehicles within the site, and the applicant does not control the access lane, so cannot effect the improvements which might make it fit for use. Highways suggested condition requiring at least 10 metres of metalled surface at the junction would therefore not be possible. Those who know the location state that the rest of the track would become unusable by many road vehicles in wet conditions.

The scale of enterprise which would be appropriate to the small orchard cannot reasonably justify a building of the size and with the design features (stone built, slate roof, oak window frames, solar panels, double glazing, bifold doors) which are proposed. A septic tank looks like overprovision for seasonal workers cultivating the orchard and processing the fruit (surely not two full-time jobs worth).

As various local residents have pointed out, there is a clear sense that the applicant's intentions for the building are not what he currently states, and could be anything from a brewery, visitor centre, farm shop or some form of residential use.

In view of the apparent mismatch between the applicant's declared purpose in erecting the shed and other statements which half-admit that he anticipates the role of the building changing over time it is difficult to have confidence that this application is in conformity with LDP policies governing development in the open countryside.

Gwehelog is a very rural location, and as various objectors have pointed out, even the stated uses for the shed could very easily (and probably more cheaply) be carried on in other local premises in more suitable places

5.4 Local Member Representations

Former County Cllr Val Smith - I applaud initiative but this design for the proposed use is inappropriate. I would wish this presented to committee if recommendation is approval.

Please note all representations can be read in full on the Council's website:
<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

6.0 EVALUATION

6.1 Principle of Development

The proposed building falls to be considered under Policies S10 and RE4 of the Local Development Plan (LDP). Policy S10 generally supports rural enterprise and states that: Development to enable the diversification of the rural economy will be permitted outside settlement development boundaries where it is of a scale and type compatible with the surrounding area and will cause no unacceptable harm to the surrounding landscape, historic and cultural heritage, biodiversity or local amenity value. Development must re-use or adapt existing buildings where possible. There are exceptional circumstances in which new buildings may be permitted outside settlement boundaries to assist in the diversification of the rural economy.

More specifically, Policy RE4 relates to new agricultural buildings and allows new buildings as well as any means of access provided that they meet the following requirements:

- a) the building or access is reasonably required for agricultural or forestry purposes;
- b) adequate provision is made for the disposal of foul and surface water and any animal waste without risk to features;
- c) the proposal complies with Policy LC1.

Policy LC1 relates to new built development in the open countryside;

There is a presumption against new built development in the open countryside, unless justified under national planning policy and/or LDP policies S10, RE3, RE4, RE5, RE6, T2 and T3 for the purposes of agriculture, forestry, 'one planet development', rural enterprise, rural / agricultural diversification schemes or recreation, leisure or tourism. In such exceptional circumstances, new built development will only be permitted where all the following criteria are met:

- a) the proposal is satisfactorily assimilated into the landscape and complies with Policy LC5;
- b) new buildings are wherever possible located within or close to existing groups of buildings;
- c) the development design is of a form, bulk, size, layout and scale that respects the character of the surrounding countryside; and
- d) the development will have no unacceptable adverse impact on landscape, historic / cultural or geological heritage, biodiversity or local amenity value.

Policy LC5 requires that;

Development will be permitted provided it would not have an unacceptable adverse effect on the special character or quality of Monmouthshire's landscape in terms of its visual, historic, geological, ecological or cultural aspects by:

- a) Causing significant visual intrusion;
- b) Causing significant adverse change in the character of the built or natural landscape;
- c) Being insensitively and unsympathetically sited within the landscape;
- d) Introducing or intensifying a use which is incompatible with its location;
- e) Failing to harmonise with, or enhance the landform and landscape; and /or
- f) Losing or failing to incorporate important traditional features, patterns, structures and layout of settlements and landscapes of both the built and natural environment

This building is proposed to be used to crush and then store and blend in tanks, the fruit from the surrounding orchard. Should the emphasis move more towards the processing of the fruit rather than simply crushing and storage, then the building would become a mixed use of agriculture and light industry (B1) and a new application would be required which would be determined on its own merits. The crushing would be done using a simple 100L hydraulic press and the scale of this is not considered to be industrial in nature.

It should be noted that the proposed development would have a relatively low impact on the existing ground conditions and would not have significant foundation or infrastructure requirements. As such the integrity of the agricultural fields would not be impacted.

The fruit will generate between 12000L and 20000L of juice and up to 30,000L when blended to make fruit beer. This will generate a sales value of up to £10 per litre if aged as a premium craft beer. The intention is to provide the Monmouthshire area with a new local fruit beer.

6.2 Sustainability

6.2.1 Good Design

The proposed building measures 112m² in area with an eave's height of 3.5m (6m to the ridge) to allow head room to access the fruit 3m vessels safely. The building will comprise an area for fruit collection (4x6m), fruit crushing (4x6m) and fruit storage (8x6m), which can be seen on the submitted plans.

The proposed building will be finished using natural stone and timber building, a slate roof and dark coloured upvc windows. This type of building is considered to be in keeping with the local vernacular and the materials will help the building blend in with the rural surroundings. It is noted that although the materials are of higher quality than the more common steel framed metal clad agricultural sheds, it does retain a functional rather than domestic appearance, mostly due to its scale and large openings. It would not be reasonable to refuse the application based on the assumption that all agricultural buildings should use standardised materials.

The proposed building is therefore considered to meet the requirements of LDP Policy DES1.

6.2.2 Energy

The proposed building will be carbon negative through solar power usage and a very high insulation specification. Solar panels will be installed on the roofing of the building due to the need to maximise solar exposure. The panels will be connected to a national grid connection beyond the site boundary.

6.3 Landscape

The site is located within the open countryside, where residential dwellings consist of predominately individual residential dwellings or farms found across the landscape. The proposed building dimensions is 16m x 7m x 6m and its construction at the entrance to the site will not require the removal of any significant vegetation except bracken, nettles and a small elder tree. The protection, retention and reinforcement of existing landscape features are the key feature of the landscape and visual mitigation. The orchard will be managed sensitively to encourage biodiversity. The use of high quality materials will help the building to assimilate into the landscape and it is also relatively small compared to other agricultural buildings also used for storage. On this basis it is considered that the proposed building meets the requirements of LDP Policies LC1 and LC5.

6.4 Biodiversity

The Preliminary Ecological Assessment (PEA) report submitted with the application concludes that the proposed development would be unlikely to result in any significant loss of wildlife features, or adverse impacts to habitats or species of ecological value. However, it has identified that mature

trees on site provide high potential for roosting, foraging and commuting bats. NRW note and support the recommendations in section 6.2 of the PEA. Therefore, if Members are minded to grant planning permission, the decision notice will include the PEA within the condition identifying approved plans and documents. Subject to implementation of the recommendations of the PEA, the proposed development will accord with LDP Policy NE1.

6.5 Impact on Amenity

There are three residential dwellings that are located within close proximity to the proposed project. Although one residential property enjoys existing views of the site, appropriate screening (existing trees on the eastern boundary) and use of sympathetic materials will effectively mitigate against any loss of outlook over the site and consequently ensure that the visual outlook of the neighbouring dwellings is not impaired to an unacceptable degree.

As detailed in section 6.1 of the report, the crushing of the apples would be done via use of a 100L hydraulic press. Officers are of the view that equipment of this scale would not give rise to unacceptable noise, the nearest property (Plum Tree Cottage) is located approximately 30m to the West. Furthermore the building is not open sided and would therefore contain any noise created by the presses when in use.

As such, the proposed development would maintain reasonable levels of privacy and amenity of occupiers of neighbouring properties and therefore meets the requirements of LDP Policies DES1 (d) and EP1.

6.6 Highways

6.6.1 Access / Highway Safety

The application proposes access from the adjacent publicly maintained highway, an unclassified rural lane, route C215.2 via an existing unmade field access. Given the type of this proposal it is considered that limited parking or transport provisions are required.

The Council's Highway Engineers have advised that the vehicle movements generated by the proposed storage building is not considered to be detrimental to the capacity and safety of the immediate highway network, however it would be advisable to improve the access to ensure that transition from and to the public highway is as safe and convenient as possible and the highway authority recommends that the access is hard surfaced for a minimum distance of 10 metres from the edge of the public highway to ensure a safe transition, prevent mud being dragged onto the highway and damage to the edge of the public highway. A condition is recommended to ensure this is provided.

Parking can be accommodated adjacent to the building on the access area/hardstanding.

6.7 Drainage

6.7.1 Foul Drainage

Under the Habitats Regulations, where a plan or project is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, and where it is not directly connected with or necessary to the management of the site previously (designated pursuant to EU retained law) the competent authority must carry out an appropriate assessment of the implication of the plan or project in view of the site's conservation objectives. Natural Resources Wales has set new phosphate standards for the river SACs in Wales. Any proposed development within the SAC catchments that might increase the amount of phosphate within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition.

This application has been screened in accordance with Natural Resources Wales' interim advice for planning applications within the river Special Areas of Conservation (SACs) catchments (issued

on 2nd May 2021). It is considered that this development is unlikely to increase phosphate inputs as it falls within the following criterion in the interim advice:

Private sewage treatment systems discharging domestic wastewater to ground built to the relevant British Standard where:

- the drainage field is located more than 40m from any surface water feature such as a river, stream, ditch or drain, and
- the drainage field is located more than 50m from a SAC boundary, and
- the maximum daily discharge rate is less than 2 cubic metres (m³).

In terms of evidence that Circular 008/2018 has been followed, the first presumption would be to connect to a public sewerage system, however due to the remote location this is not available. The second choice would be for the use of a package treatment plant. This is not suitable in this instance due to the irregular habitation of the building. This will be largely a seasonal activity with concentrated activity around autumn to harvest, store and crush the fruit, with maintenance being carried out throughout the rest of the year. A package treatment plant requires a regular amount of inflow in order to maintain the biological activity which is used to treat the effluent. With such widely varying quantities of effluent it is likely that the treatment plant would fail to maintain a suitable biomass and would be unable to treat the effluent when called to do so. The third choice would be a septic tank which relies upon settlement of solids within the tank itself and the effluent is then discharged over a wide area (drainage field) enabling the natural biology contained within the soil to treat the received effluent without overloading one specific area. However, in this case it was found that there would be a cumulative impact due to the number of other private discharges to ground within the area of the application site.

Correspondence was received from NRW raising concerns regarding the use of a septic tank on this site due to the proximity of other discharges to the ground water from the foul water treatment plants of neighbouring properties creating a combination effect. Therefore, a composting toilet solution is being proposed for this location. This would appear suitable considering its rural location and very low proposed usage (typically occupied for less than 3 days / week) and as only urine would be discharged to the ground, the impact of this solution would be less than a septic tank. The solids will be composted down for 2-3 years. This has been shown by the manufacturers to be sufficient time to break down the harmful processes within the waste such that the resultant compost can be utilised on the saplings within the proposed orchard.

The proposed layout sets out the location for the composting toilet at the front of the building with a carrier pipe transporting the urine to the proposed drainage field. The drainage field is then proposed to be further into the site such as not to disrupt access routes, and to be located a minimum of 50m from the spring source and a suitable distance away from neighbours and buildings generally. The ground has been shown to be suitable for infiltration and not at risk of high ground water, rising ground water or flooding. No evidence has been found that there are active groundwater abstractions within 50m of the proposed drainage field (nearest borehole is at Orchard Cottage, Trostrey, 1.2km away - established from British Geological Survey mapping). Conversations between the applicant and neighbours have confirmed that the surrounding properties enjoy a connection to Welsh Water's supply network and there are no operational wells / boreholes supplying drinking water in the area.

There are precedents of discharge to groundwater from the local residents which suggest that there is no reason that this proposal would be unacceptable, and quantities of discharge would be less than 2m³ per day considering that the use would be for toilet only. Calculations to evidence this have been provided by the applicant within their Drainage Statement Version 2. It is therefore concluded, and agreed by NRW, that the proposed composting toilet installation is a suitable and appropriate solution to treating effluent discharged from this development and will not adversely affect the River Usk SAC.

6.7.2 Surface Water Drainage

The Council's SAB Officer has advised that the proposed drainage system will ensure any increased runoff created by the structure will be managed and infiltrated into the ground in

accordance with standards. The site has no existing overland surface water flow routes (NRW Flood Maps) that would be impacted by the proposed development.

6.8 Response to the Representations of Third Parties and/or Community Council

6.8.1 The use is required as there is currently no building on the site for servicing fruit.

6.8.2 The future use of this building is not considered to be part of this application, but there would be a general presumption against the approval of a subsequent application to convert the building to residential use. The fact that the building is of higher quality is not a reasonable reason for refusal given that the future use of the building as anything other than what is applied for in this application can be controlled.

6.8.3 With respect to highways /traffic concerns, the use of the building (even with regular staff visits) will be less than the use of adjacent households due to the nature of slow processed fruit juices. It is noted that the Highway Authority have not raised any objections to the proposed building subject to a condition requiring hard surface by the junction of the access track and the public highway.

6.8.4 The proposed compost toilet has been considered by NRW to be acceptable. The storage and decomposition of the solid waste is covered in the Drainage Statement Version 2 submitted as part of this application, compliance with which can be conditioned. This type of foul drainage is tried and tested and when managed correctly, does not present any risk to human health.

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

6.9.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.10 Conclusion

6.10.1 The provision of a high quality building for the storage and crushing of fruit in association with a fruit farm meets the requirements of LDP Policies LC1, LC5 and RE4.

6.10.2 The Eco credentials of the development and the underlying environmental sustainability benefits this scheme in the context of Planning Policy Wales, Technical Advice Notes and Monmouthshire County Council's Local Development Plan. Planning Policy Wales has set out clear objectives which seek to achieve a low carbon economy so as to be commensurate with UK guidelines on climate change. This site is set out to support the principle of renewable energy schemes and sustainable development as shown in Planning Policy Wales.

6.10.3 The use of the building for any other purpose except those referred to in this submission would require the benefit of further planning consent.

7.0 RECOMMENDATION: APPROVE

Conditions:

1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

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

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

3 The building hereby approved shall be used for fruit collection, fruit storage and fruit crushing in accordance with the zoned areas only as detailed in Figure 2 of The Design and Access Statement (April 2021). All fruit used shall be harvested from the site only, as edged in blue on drawing AL(00)01, and no fruit shall be imported to site.

REASON: To ensure compliance with the approved plans and so that the building is not used for processing or industrial uses.

4 The access shall be hard surfaced for a minimum distance of 10m behind the edge of highway in materials which shall be subject to the prior written approval of the Local Planning Authority. The hard surfacing shall be fully carried out prior to any part of the development approved being brought into use.

REASON: To ensure the access is constructed in the interests of highway safety and to ensure compliance with LDP Policy MV1.

5 The compost toilet shall be managed in accordance with the Drainage Statement V.2 by Ghyston Engineering dated 23rd March 2022. Urine only is discharged shall be to/from the compost toilet and no other chemicals or liquids shall be discharged to/from the compost toilet.

REASON: In the interests of local amenity and to protect the River Usk SAC in compliance with LDP Policies EP1 and EP5.

6 Prior to commencement of any development details of all hard landscaping (including all vehicle and pedestrian access and circulation areas and all hard-surfacing materials) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such in perpetuity.

REASON: To safeguard the visual amenity of the area and to ensure compliance with LDP Policy DES1.

INFORMATIVES

1 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

2 Please note that urine only should be discharged to ground from the compost toilet. No other chemicals or liquids should be discharged to/from the compost toilet. If chemicals were to be routinely discharged, this would be seen as an activity under EPR 2016, Schedule 22, Groundwater, and would be an offence.