

**Application Number:** DM/2022/00851

**Proposal:** Hard path around recreation field

**Address:** Recreation Ground, Earlswood Road, Shirenewton

**Applicant:** Clerk Shirenewton CC - Natasha Jones

**RECOMMENDATION: Approve**

Case Officer: Mr Adam Foote  
Date Valid: 07.07.2022

**This application is presented to Planning Committee due to objections received from the public consultation**

**1.0 APPLICATION DETAILS**

1.1 Site Description

The application site comprises the Recreation Ground on Earlswood Road, Shirenewton. The site is at the edge of the village and comprises playing fields, tennis court, Recreation Hall and a children's play park. The Recreation Ground is outside of the defined settlement boundary, is within the Shirenewton Conservation Area and is designated as an Area of Amenity Importance by the Local Development Plan. Part of the site is within a limestone mineral safeguarding area. A number of trees covered by Tree Preservation Orders line the eastern boundary of the Recreation Ground. A Public Right of Way/ Promoted Walking Route runs through the site.

1.2 Proposal Description

This application seeks consent for the construction of an accessible path to allow access for all users constructed of hardcore/cinder using locally sourced waste materials. The scheme would include the addition of exercise/recreation features, a planting scheme and additional tables/benches within the site. The scale, design and position of the development is illustrated in full on the submitted drawings.

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

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2022/00851	Hard path around recreation field.	Pending Consideration	

**3.0 LOCAL DEVELOPMENT PLAN POLICIES**

**Strategic Policies**

S12 LDP Efficient Resource Use and Flood Risk  
S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S17 LDP Place Making and Design  
S5 LDP Community and Recreation Facilities

### **Development Management Policies**

CRF2 LDP Outdoor Recreation/Public Open Space/Allotment Standards and Provision  
CRF3 LDP Safeguarding Existing Recreational Facilities and Public Open Space  
DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
HE1 LDP Development in Conservation Areas  
LC1 LDP New Built Development in the Open Countryside  
LC4 LDP Wye Valley AONB  
LC5 LDP Protection and Enhancement of Landscape Character  
SD4 LDP Sustainable Drainage  
NE1 LDP Nature Conservation and Development  
GI1 LDP Green Infrastructure

### **Supplementary Planning Guidance**

Green Infrastructure April 2015

### **Conservation Area Appraisal**

Shirenewton Conservation Area Appraisal

## **4.0 NATIONAL PLANNING POLICY**

Future Wales - the national plan 2040  
Planning Policy Wales (PPW) Edition 11  
Environment (Wales) Act 2016  
Technical advice note (TAN) 16: sport, recreation and open space  
Technical advice note (TAN) 24: the historic environment

## **5.0 REPRESENTATIONS**

### 5.1 Consultation Replies

**Shirenewton Community Council:** No comment as the CC are the applicants.

**MCC Landscape / GI:** Provisional holding objection, conditions recommended to overcome this.

**MCC Trees:** No reply.

**MCC Heritage:** No objection.

**MCC Public Rights of Way:** No objection.

### 5.2 Neighbour Notification

This application was advertised by means of site notices and direct neighbour consultation. At the point of writing 27 replies have been received. One in support and 26 in opposition.

Support for the improved access for all and to support a facility that supports the well-being of the community

Objections based on:

Harms views into and out of the area/conservation area

Overlooking into neighbouring property  
Restricts use of the field  
Changes the character of open fields to a park like setting  
Limits opportunities for sport  
No consultation with residents  
Waste of money  
Safeguarding issues for adjacent playgroup  
Issues with rights of access  
Too many trees and potential for tree litter.  
Ownership and lease issues.

### 5.3 Local Member Representations

None.

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**

As the site is outside of the defined settlement boundary the land is classified as open countryside where development is strictly controlled and only appropriate forms of development for such locations will be considered acceptable. The application site comprises an existing recreation field directly adjacent to the settlement. Therefore no objection is raised to the principle of enhancing the offering of the existing community facility.

LDP Policy CRF3 is applicable in establishing the principle of the development as it relates explicitly to safeguarding existing recreational facilities and public open space, and states;

"Development proposals that involve the loss of land and facilities with open space, recreational and allotment garden uses, will only be permitted where:

- a) alternative provision of at least equivalent community benefit is made available in the locality by the developer on a site acceptable to the local planning authority; or
- b) there is, and would be, an excess of accessible recreational facilities and public open space in the locality, having regard to the standards set out in Policy CRF2".

In this instance, the proposed path would provide accessible access to the recreation ground and offer an enhanced offering to its users. There would be no conflict with the requirements of Policy CRF2.

Policy DES2 is applicable as it relates to areas of amenity importance. DES2 states; "Development proposals on areas of amenity importance will only be permitted if there is no unacceptable adverse effect on any of the following:

- a) the visual and environmental amenity of the area, including important strategic gaps, vistas, frontages and open spaces;
- b) the relationship of the area of amenity importance to adjacent or linked areas of green infrastructure in terms of its contribution to the character of the locality and / or its ability to relieve the monotony of the built form;
- c) the role of the area as a venue for formal and informal sport, general recreation and as community space, expressed in terms of actual usage and facilities available, as well as its relationship to general open space requirements as set out in policy CRF2;
- d) the cultural amenity of the area, including places and features of archaeological, historic, geological and landscape importance; and
- e) the nature conservation interest of the area, through damage to, or the loss of, important habitats or natural features (policy NE1 applies)

In this instance, the proposal is not considered to result in any unacceptable adverse visual impact or in relation to its impact upon the character of the area. The development of the path around an existing designated recreation area is not considered to result in any unacceptable landscape impact. The proposal would not encroach on the sports pitch or restrict its future use and would provide additional access/connectivity to currently unused and less accessible areas of the site. Additional information would be needed in relation to the proposed recreation equipment but given the proposed siting and level of screening this is not considered to be of significant concern and such details can be submitted at a later stage and controlled via condition.

Planning Policy Wales Ed.11 identifies community facilities as a key factor in its place making objectives and expands upon the importance of recreation facilities stating, "Recreational spaces are vital for our health, well-being and amenity, and can contribute to an area's green infrastructure. They provide a place for play, sport, healthy physical activity and a place to relax often in the presence of nature, and they contribute to our quality of life. Networks of high quality, accessible green spaces and recreation spaces will also promote nature conservation, biodiversity and provide enjoyable opportunities for residents and visitors to participate in a wide range of physical activities. These activities are important for the well-being of children and adults and for the social, environmental, cultural and economic life of Wales" and that "Planning authorities should encourage the multiple use of open space and facilities, where appropriate, to increase their effective use".

## **6.2 Sustainability**

The application site is easily accessible from the village via sustainable modes of transport. No objection is raised to the enhancement of an existing community facility/recreation ground on sustainability grounds.

### **6.2.1 Place Making/Good Design**

The proposed development would increase the accessibility of the existing recreation ground to a wider range of users for extended periods of time. The proposal would utilise the existing access points and provide a greater amount of permeability though the site for users. PPW11 promotes community facilities as a key factor in its placemaking objective, therefore an enhanced facility with greater accessibility is considered to accord with such objectives. The path follows a logical loop around the field with recreation facilities well placed to minimise disturbance to neighbouring occupiers. The proposed planting scheme is considered to further contribute to the amenity of the area providing a positive addition to this edge of settlement location. The scheme is not considered to harm views into and out of the area and would enhance the character of the space as a multi-use recreation facility. This is not considered to have an adverse impact on the landscape setting. Additional details will be required relating to the proposed materials, planting, and the scale, design and finish of the recreation facilities and street furniture, however, this can be controlled via condition and submitted at a later date.

### **6.2.3 Biodiversity/Green Infrastructure**

Policies GI1 and NE1 seek to ensure that green infrastructure is protected, enhanced and the effects of climate change mitigated, such requirements accord with policy and guidance within Future Wales 2040 and Planning Policy Wales. The proposal raises no significant concerns in this regard given the existing context and extent of development proposed. The scale and siting of the development is such that it would have minimal impact upon green infrastructure or biodiversity interests, nor would it have any significant impact upon climate change. The Local Planning Authority have a duty to take action towards securing the maintenance and enhancement of the afore mentioned features and to mitigate against the effects of climate change. The proposal includes a significant amount of planting on site, this is considered sufficient to meet the objectives of the aforementioned policies and to satisfy the requirements of the Environment Wales Act.

## **6.3 Landscape**

The construction of a path and addition of recreation equipment in an existing recreation ground adjacent to a village is not considered to result in any unacceptable impact upon the wider landscape, nor is additional planting around its perimeter. Additional details are required to be submitted in relation to the scale, design and colour of the proposed furniture and recreation equipment. The siting of such elements is not considered to be harmful to the landscape character of the area in this setting. It is also not considered that the development as proposed would harm the character of the area. It is considered that the additional equipment, pathways and landscaping complement the existing use and respect the context of the landscape setting.

#### **6.4 Historic Environment**

The application site is within the Shirenewton Conservation Area. Due to the existing use and the nature of the development it is not considered that the proposed development would be harmful to the special character of the area or conflict with the requirements of LDP Policy HE1. The Council's Heritage Officer has been consulted and raised no objection to the proposed development although it was suggested that conditions for the details of play equipment and the materials for the path be approved by the LPA at a later date.

#### **6.5 Impact on Amenity**

There are a number of properties to the north of the site separated by the road. Given the scale of the development and the separation of the road, it is not considered that this would have an adverse impact on the amenity of the occupiers.

To the west there are four properties, namely Wentworth, Crestleigh, Church House and Longmeads. Wentworth and Crestleigh are closest to the boundary of the site, at approximately 4.2m at the closest point. The path to the west of the site is set back from the boundary between 8m and 11m given the varied boundary line. In addition it is proposed that the play equipment would be located to the northern and western end of the ground. Additional planting and hedgerow will provide additional green infrastructure to this portion of the site. Given the current use of the site, it is not considered that the pathway as proposed will have an adverse impact on the amenity of the properties to the west of the site.

There are no properties close to the south or east of the site.

The overall development and its relationship with neighbouring occupiers is considered to be acceptable. The proposed path by virtue of its scale and siting is not considered to result in an unacceptable impact upon the living conditions of neighbouring occupiers. The proposed planting, recreation equipment and benches are considered to be well located so as to minimise any disruption to local residents. The proposal is designed to make the recreation ground more useable/accessible which may increase the number of users however given its location and the level of facilities proposed it is not anticipated that there will be a significant increase in users that would result in any unacceptable impact upon the living conditions of neighbouring occupiers. It must be acknowledged that the recreation ground is existing and there is potential for a level of disturbance to arise from users and this application will not provide additional access to the site but will increase its accessibility.

#### **6.6 Highways**

No alterations are proposed to the access or parking provision as part of this application and therefore no concern is raised in this respect.

#### **6.7 Drainage**

Due to the scale of the development site SuDs approval is likely to be required. This is a separate consent from planning controlled under separate legislation outside the remit of the Town and Country Planning Act. The applicants will likely require SAB approval prior to the commencement of the development; a suitably worded informative is suggested.

## **6.8 Mineral Safeguarding**

Part of the site falls within a mineral (limestone) safeguarding area and therefore LDP Policy M2 is applicable. In this instance, the proposed site has a lawful, established use as a recreation facility and is protected as such under policy DES2 of the Monmouthshire LDP therefore the proposed development is not considered to further restrict the access/potential of such extractions in future.

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

6.5.1 No objections have been received from the Community Council. All responses have been from neighbours, these are summarised below.

Harms views into and out of the area/conservation area

This has been addressed in para 6.4 above. There are no adverse comments from the Authority's Heritage Officer.

Overlooking into neighbouring property

This has been addressed in para 6.5 above. The proposal is for a path, associated landscaping and some play equipment within the current designated recreational ground. Therefore the development is not considered to increase overlooking to a harmful extent give the current use of the land.

Restricts use of the field/ limits opportunity for sport

It is not considered that the pathway or equipment would impinge on the extent of the playing field. In fact the proposals will enhance equal access for all, becoming an inclusive facility.

Changes the character of open fields to a park like setting

Given the current use of the field, the proposed landscaping and the location of the development close to the edge of the village, the proposals are not considered to have a detrimental impact on landscape setting or the character of the Conservation Area.

No consultation with residents/ Value for money/ rights of access/ownership or lease issues. These are not material considerations for the planning application.

Safeguarding issues for adjacent playgroup

Given the current use of the field for recreation purposes, it is not considered that the pathway, landscaping and equipment will result in safeguarding issues for the running of the adjacent playgroup.

Too many trees and potential for tree litter.

The Authority's Landscape Officer has considered the application and raises no objection. Further details are requested as per the proposed condition, however there are no objections in principle. It is considered that the trees proposed are within an appropriate setting and are acceptable.

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

6.10.1 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.

## **6.11 Conclusion**

6.11.1 Overall it is considered that the principle of the development is acceptable and in line with current policy. The proposals do not have a detrimental impact on the amenity of residents, the landscape, the character or appearance of the Conservation Area, or create any adverse impact

on traffic. It is considered that the development would improve the recreational offer for the village in a sustainable way providing an increased level of access for all users, for example those using pushchairs or wheelchairs. It is considered that the well-being benefits are considerable and are therefore in line with Planning Policy Wales Ed. 11 and are therefore recommended for approval.

## **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 Prior to the commencement of development full and comprehensive details of soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include: o Detailed scaled plans, showing existing and proposed levels. o Proposed and existing utilities/services above and below ground. o Soft landscape details for landscaping to include planting plans, specifications including species, size, density, number and location, cultivation and other operations associated with planting and seeding establishment, inclusive SUDS green engineering. o Hard landscape materials to include cross sections of path and deck construction, details of play equipment, climbing wall and surfacing, location of proposed minor artefacts and structures (e.g. interpretation and signs).

REASON : In the interests of visual and landscape amenity; in accordance with Policies DES1 & LC1/5 of the Local Development Plan

4 All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and ensure the provision afforded by appropriate Landscape Design and Green Infrastructure LC5, DES 1, S13, and GI 1 and NE1.

5. A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority prior to works commencing and shall include details of the arrangements for its implementation. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features.