

Application Number: DM/2022/01507

Proposal: Proposed additional overflow parking and minibus 'drop off' area

Address: Cefn Tilla Court, Cefn Tilla Road, Llandenny, Usk, NP15 1DG

Applicant: Mr Robert Evans

Plans: Site Plan PP01 - , Site Plan PP02 - D, Location Plan PP03 - ,

RECOMMENDATION: Approve

Case Officer: Mr David Wong
Date Valid: 05.11.2022

This application is presented to Planning Committee due to five or more objections being received.

1.0 APPLICATION DETAILS

1.1 Cefn Tilla Court is a Grade II* listed building now used predominantly as a venue for weddings and clay pigeon shooting. This application is for a new overflow parking area and minibus drop-off/parking area associated with Cefn Tilla Court, which is located in the open countryside. The site in question is agricultural land and is surrounded to the north, east and south by agricultural fields, and to the west by the Cefn Tilla Court estate, which is separated by Cefn Tilla Road. A Landscape & Visual Statement, a Transport Statement and a Heritage Setting Statement were submitted in support of this application.

1.2 It is useful to note that this application has been revised to include an enhanced landscaping scheme and confirmed that the largest class of vehicle to utilise this overflow parking area will be 7m minibuses, not coaches as originally proposed. The scheme would provide 20 car parking spaces and a minibus drop off/ parking area which would be large enough for three minibuses. The site is currently occupied by a large agricultural barn and is served by a double gated vehicular agricultural entrance. The two Tree Preservation Order trees will be preserved and integrated into the scheme. The proposal also includes a scheme of biodiversity net gain enhancement.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2018/01717	Erection of a barn.	Acceptable	14.11.2018
DM/2020/00460	Proposed new machinery store (metal sheeting).	Approved	15.10.2020

DM/2020/00525	Proposed change of use of part of Cefn Tilla Court from private residence to a mixed use as private residence and wedding and general function venue.	Approved	24.11.2020
DM/2020/01187	Proposed change of use of part of coach house to holiday and annexe accommodation and associated works.	Approved	24.03.2022
DM/2021/00530	Proposed Change of use of part coach house to holiday accommodation and associated works.	Approved	01.04.2022
DM/2021/00618	Proposed change of use of workman's hut to holiday accommodation and associated works.	Approved	23.03.2022
DM/2021/00619	Proposed change of use of workman's hut to holiday accommodation and associated works	Approved	11.05.2022
DM/2021/01554	Proposed oak framed open fronted garage and outside store	Approved	23.12.2021

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

DES1 LDP General Design Considerations
EP1 LDP Amenity and Environmental Protection
EP3 LDP Lighting
GI1 LDP Green Infrastructure
LC5 LDP Protection and Enhancement of Landscape Character
MV1 LDP Proposed Developments and Highway Considerations
NE1 LDP Nature Conservation and Development

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.

Technical Advice Notes

TAN 12 – Design

5.0 REPRESENTATIONS

5.1 Consultation Replies

Raglan Community Council – No response.

NATS – No objection to the proposal.

Wales and West utilities – No response.

Cadw – No objection to the proposed development.

MCC Heritage Management – No objection. The proposal is in the setting of the registered park and garden, it is worth consulting Cadw on its impact.

MCC Trees – No objection, a tree protection condition is recommended.

MCC Highways – The applicant has provided further information within a transport statement (TS) in response to our concerns and there is no objection to the revised scheme.

MCC Landscape – The applicant has provided a revised proposed site block plan in response to previous observations. The removal of the provision of coach parking is welcome as is the inclusion of additional tree planting. Appropriately worded landscaping conditions are recommended.

5.2 Neighbour Notification

No objections received to the revised scheme, however objections were received from nine households to the initial scheme – see Summery below:

The access road is a single track road with no lighting and limited passing places.

The road is in poor state of repair and the few passing places that do exist are not suited for a coach and/or the extra traffic from the proposed development. The owner has put some tarmac in the large potholes but this is not sufficient.

There are sufficient/suitable grounds within and around the main Cefn Tilla buildings for car parking and coach turning spaces without the further degradation of the countryside.

The music from the Cefn Tilla wedding venue is already audible beyond the site. Additional noise could be generated at the location whilst the visiting guests waiting for onward connections.

There will be an increased light pollution along the road and from the proposed car park at night.

Location is in an elevated position. This parking proposal is out of character in the area, which is agriculture, and it is separate and not located adjacent to the Cefn Tilla venue it is designed to serve.

The additional parking provision will discourage "car sharing" as suggested in the application.

There is concern that this may be another step towards further development and future change of use of the site and storage building.

The site is a conservation area.

The road between Llandenny and Cefn Tilla is a heavy trafficked such as horse riders, cyclists, dog walkers and pedestrians. The use of large buses will be a dangerous to the users.

The proposal may lead to adverse environmental impact such as noise and light pollution and litter.

1 Observation comment received:

It is a narrow single track lane with many blind bends and few passing places. It is poorly maintained by the Council and those passing places that should be available are totally unsuitable for non-farm vehicles, and therefore hardly suitable for coaches.

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

6.1.1 This application for a new overflow parking area and minibus drop-off/parking area associated with Cefn Tilla Court. There is no specific Development Management policy within the LDP that relates to overflow car parking provision for existing businesses in the open countryside. However, Policy S10 of the Monmouthshire Local Development Plan (LDP) relates to Rural Enterprises, highlighting 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. Therefore, there is no objection to this application in principle, subject to detailed planning material considerations.

6.2 Landscape

6.2.1 The site is served by an existing, double gated vehicular entrance with no structures, except for the recently approved agricultural barn, which is commonly associated within such landscapes. The Council's Landscape Officer advised that the site is located on a locally prominent ridge of field, hedge, copse, woodland linked by a narrow rural lane from the B4235 in the south to Llandenny road in the north. The un-lit lane is rural in nature and affords panoramic unspoilt views across the Monmouthshire countryside and two distinct landscape character areas in all directions including towards the CADW registered park and essential setting of Cefn Tilla Court. Concerns were raised by Officers with the original submission and the applicant was advised to consider a revised scheme or an alternative location that has less visual intrusion and could complement the offer already provided, subject to heritage and landscape considerations.

6.2.2 A revised scheme on the same location was subsequently submitted for consideration. In visual terms, the revised scheme is further supported by a Landscape and Visual Assessment and a Heritage Setting Assessment. In addition, it has been confirmed that the largest class of vehicle to utilise the site will be 7m minibuses, not coaches as originally proposed.

6.2.3 From a Landscape and GI perspective, the removal of the provision of coach parking is welcomed as is the inclusion of additional tree planting to afford increased integration of the occasional minibus pick up / drop off parking and added value of integrating adjacent structure more effectively into the wider landscape. However, a full landscape planting plan inclusive of establishment and aftercare prescription is required detailing the native species planting of trees and hedges as well as the proposed native species grasses and wildflower mix as indicated in the proposed mitigation measures of the landscape and visual statement, which can be managed by appropriately worded condition. Therefore, there is no objection to this element as the proposal is in accordance with Policy DES1, GI1, LC5, NE1 and S13.

6.2.4 Some neighbours anticipate that the proposal will increase light pollution along the road and from the proposed car park at night. The proposal does not create a new use nor the expansion of the existing; it is for overflow parking generated by existing commercial activities. It is understood that the location as proposed is aiming to preserve the setting of the listed building and the registered garden. The proposed location has already been developed for the construction of an agricultural storage barn for use on the site and with an enhanced landscaping scheme, there is no objection from the Council's Landscape Officer from a Landscape perspective. The site is in the open countryside so a standard lighting condition will be imposed to ensure any new lighting is managed appropriately.

6.3 Historic Environment

6.3.1 A Heritage Setting Statement was submitted by a qualified heritage specialist who concluded that the proposed location would have a neutral impact to the setting of the house and gardens, highlighting that this location does not unbalance the existing status quo of built and natural environment. Also, the proposed works include mitigation in the form of screening via enhanced hedgerows and trees to ensure that intervisibility between the site and the setting of the court is minimal, according with the advice given by the Council's Landscape & Heritage Management Department Officer and Cadw.

6.4 Biodiversity

6.4.1 No tree or hedgerow will be removed. The proposal utilises much of the existing hardstanding area and the two Tree Preservation Order trees will be preserved and integrated into the overflow car parking area. The Council's Tree Officer has no objection to the proposal and recommended that a Root Protection Condition to ensure appropriate measures are in place prior to commencement. The land has always been used for agricultural activities. Therefore, it is considered unlikely that protected and priority species will be present within the area of the proposal.

6.4.2 Planning Policy Wales (PPW) 11 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions." It is noted that a mix of both bat and bird boxes are proposed to be installed onto existing TPO trees on the site as a biodiversity enhancement. These are illustrated on the drawing and a standard compliance condition will be imposed accordingly. Therefore, the proposal is in accordance with Policy NE1 of the LDP.

6.5 Highways

6.5.1 There are local concerns in relation to the fact that the access road (Cefn Tilla Road) is single track with no lighting and limited passing places. The road is currently in a poor state of repair with the few passing places that do exist not suited for a coach and/or the extra traffic from the proposed development. Some neighbours noted that the owner of Cefn Tilla Court does repair the large potholes with tarmac but that is not sufficient. In addition, they point out that the road between Llandenny and Cefn Tilla is heavily trafficked with horse riders, cyclists, dog walkers and pedestrians. Therefore, the use of large buses on this road would be a dangerous to the users.

6.5.2 This application has been revised so that the largest class of vehicle to utilise this overflow parking area will be 7m minibuses, not coaches as originally proposed. The Council's Highways Department advised that the applicant has provided further information within a Transport Statement (TS) in response to their initial concerns; the largest class of vehicle to utilise the site will be 7m minibuses, not coaches as originally inferred, thereby lessening their initial concern. An Automatic Traffic Count Survey (ATC) was completed as part of the TS, which shows that on average there are 120 vehicles travelling Cefn Tilla Road per day with 85th percentile speeds of around 30mph, showing the road is lightly trafficked. Evidence also shows that HGVs use Cefn Tilla Road and that there is no history of recorded collisions in relation to the road.

6.5.3 The proposal is for overflow parking generated by existing commercial activities. Any visitors using this area will be shuttled to the main building by way of minibus, and visitors are not expected to walk. They also accept that based on the evidence provided by the ATC that any pedestrians within the short section of public highway between the main site and overflow parking area would not represent an unprecedented impact. Based on the new data and evidence

provided, they no longer raise an objection to the proposal. Therefore, the proposal is in accordance with Policy MV1 of the LDP.

6.6 Impact on Amenity

6.6.1 There is no neighbouring property adjoining the application site. However, there are neighbouring properties approximately 600m north east and 600m south west of the site. Cefn Tilla Court is now used predominantly as a venue for weddings and clay pigeon shooting and this application is for overflow parking generated by existing commercial activities. A neighbour has highlighted that the music from the Cefn Tilla wedding venue is already audible beyond the site. It is suggested that additional noise could be generated at the proposed car parking location whilst the visiting guests wait for onward connections. The land in question is currently used for various agricultural activities and noise from the site and the movement of traffic is to be expected from the existing commercial activities. It is accepted that the proposed overflow car parking provision would generate non-agricultural vehicular traffic movement in and out of the site, including visiting guests waiting for onward connections. However, the proposal is small scale and the proposed use itself (parking provision) is not considered to be a noise generating development. In addition, no concern is raised by the Council's Highways Department in relation to the anticipated traffic movement from the proposal. Therefore, there is no objection in relation to Policy EP1 of the LDP.

6.6.2 In terms of noise pollution from the venue, should the music level from the venue becomes a nuisance, the Council's Environmental Health Department has legal powers to deal with certain noise problems and noise complaints from a variety of activities including commercial sources, which is outside of the planning remit.

6.7 Drainage

6.7.1 This application is related to an overflow car parking provision to serve Cefn Tilla Court. The proposed use would not result in any change to the volume of nutrients from the site and therefore no increase in phosphorus contribution. As such, the proposal is not likely to have a significant effect on the River Usk SAC. Therefore, no further information is requested.

As of 7th January 2019, all construction work in Wales with drainage implications, of 100m² or more, is now required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water (whether they require planning permission or not). These SuDS must be designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage. The proposed development will require a Sustainable Drainage System (SuDS) designed, constructed and maintained in accordance with the Statutory Standards for SuDS in Wales and approved by MCC as SuDS Approving Body (SAB). The requirement to obtain SAB consent sits outside of the planning process. Therefore, the applicant will be advised that in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development.

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

6.8.1 There is no objection from the consultees.

6.8.2 There is no objection received in relation to the latest revised scheme but there were objections from nine households relating to the initial scheme. The relevant objections have been discussed in the Evaluation section of this report and the following section will discuss other objections raised by the neighbours.

6.8.3 There is concern that the additional parking provision will discourage car sharing. This proposal does not create a new use nor the expansion of the existing; it is purely for overflow parking generated by existing commercial activities. Therefore, the result of this application is unlikely to alter the method of travel by the visiting guests.

6.8.4 There are local concerns that this may be another step towards further development and future change of use of the site and storage building. Each application must be treated on its own merits. The scheme as submitted is for an overflow car park and is considered acceptable from the planning perspective.

6.8.5 A neighbour pointed out that the site is a conservation area. The site is not within a conservation area and Cadw and the Council's Heritage Management Department raise no concerns.

6.8.6 A neighbour is worried that the proposal may cause pollution by littering by the visiting guests. The proposed use (a car parking provision) in itself does not generate litter waste. It is the responsibility of the venue to ensure that the site is clean and tidy.

6.8.7 Some of the neighbours point out that there are sufficient/suitable grounds within and around the main Cefn Tilla buildings for additional car parking opportunities, which would minimise further degradation of the open countryside. The applicant considers that the proposed location is best for protecting the setting of the listed building and the registered garden. This application is further justified by a Landscape & Visual Statement and a Heritage Setting Statement, and Cadw and the Council's Heritage Management Department and Landscape Officer raise no concerns.

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 Based on the latest revised scheme, it is considered that the development proposed would not have a significant detrimental impact on the visual character and appearance of the area, the residential amenity of those living closest to the site or the highway safety and free flow of traffic along the public highway. The ecological mitigation and enhancement can be managed via appropriately worded conditions. It is considered that the development would not generate any increased foul water or phosphate disposal. Therefore, the application is considered compliant with the relevant policies of the Local Development Plan and is recommended for approval subject to conditions.

7.0 RECOMMENDATION: APPROVE

1 This development shall be begun within 5 years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.
REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 No development shall take place until a scheme of protective fencing to protect the two existing TPO trees between the existing agricultural building and the proposed overspill car parking provision has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved scheme. All underground services shall be routed clear of the trees to avoid root damage. No storage of plant or materials, landfill, excavation, burning of materials, cement mix shall be carried out within the approved protective fencing.
REASON: To protect valuable green infrastructure assets in accordance with Council Policy S13 – Landscape Green Infrastructure and the Natural Environment and Monmouthshire County Council's adopted Climate Emergency.

4 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:

- Detailed scaled plans, showing existing and proposed levels.
- Proposed and existing utilities/services above and below ground.
- 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 of SUDS.
- Hard landscape materials to include surfacing, SUDs, fencing.

REASON: In the interests of visual and landscape amenity; in accordance with Policies DES1, LC1 & LC5 of the Local Development Plan

5 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.

6 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 inclusive of roles and responsibilities. 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.

7 Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be installed within the application site (as edged in red on approved plan PP 03) until an appropriate lighting plan which includes low level PIR lighting, provides detail of lighting type, positioning and specification, and ensures that foraging/commuting habitat for bats is protected from light spill, has been agreed in writing with the Local Planning Authority.

REASON: To safeguard foraging/commuting habitat of Species of Conservation Concern in accordance with Section 6 of the Environment Act (Wales) 2016 and LDP policies EP3 and NE1.

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 Bats are protected under The Conservation of Habitats and Species (Amendment) Regulations 2017 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).

3 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 birds is between March and September.

4 BS 5837:2012 Trees in relation to design, demolition and construction to provide further guidance on tree protection.

5 Planning Policy Wales (PPW) 11 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 11 respond to the Section 6 Duty of the Environment (Wales) Act 2016.

6 We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development.

7 As of 7th January 2019, all construction work in Wales with drainage implications, of 100m² or more, is now required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water (whether they require planning permission or not). These SuDS must be designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage. The SuDS Approving Body (SAB) is a service delivered by the Local Authority to ensure that drainage proposals for all new developments of at least 2 properties OR over 100m² of construction area are fit for purpose, designed and built in accordance with the National Standards for Sustainable Drainage published by Welsh Ministers.

If you are in any doubt as to whether you require SAB approval, please contact:

SAB@monmouthshire.gov.uk

For advice regarding the application process and general enquiries – 01495 768306

For technical advice regarding your SuDS design and meeting the National Standards - 01633 644730