



Quod

Environmental Appraisal

Gilestone Farm, Talybont-
on-Usk, Wales

August 2022

Q220622

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1 Introduction

- 1.1 This report has been prepared by Quod's Environmental Planning team and presents the results of a desk based environmental appraisal of land at Gilestone Farm, Talybont-on-Usk, Powys (the 'Site') and surrounding area. The purpose of the appraisal is to identify environmental constraints and potential risks and impacts associated with future development or temporary events at the Site. The appraisal also includes a high-level review of relevant policy and sets out our initial view on evidence to support a case against future development at the site.

- 1.2 The background to the Site and its future development is provided in the Quod Planning Report and is not repeated here. This report is structured as follows:
 - Section 2: Description of Site and Surroundings
 - Section 3: Environmental Appraisal (including key policy review)
 - Section 4: Key Findings and Recommendations

2 Description of Site and Surroundings

- 2.1 The Site comprises land at Gilestone Farm which includes approximately 97.5 hectares (ha) of arable, pasture and woodland, plus a number of dwellings and buildings/structures. The Site location and indicative boundary are shown in Figures 1 and 2, respectively.
- 2.2 The village of Talybont-on-Usk is located 1km to southwest and the small settlement of Llansantffraed is 0.5 km to the east of the Site.
- 2.3 The Site comprises agricultural fields with hedgerows and sparsely distributed trees. At present, approximately 50ha of the Site is understood to be used for agricultural use, including cereal production, some grassland for silage and grazing land for animals. Gilestone Farm farmhouse, three 'safari'-style tents and four lodges are used for self-catering holiday lets. The remaining farm buildings on the Site are used by small local traders. The farm hosts a small number of events over the year including weddings, school trips, etc.
- 2.4 Gilestone Farm comprises a Grade II listed farmhouse (Gilestone Farm) and garden and other associated farm buildings located towards the south of the Site. An unnamed road provides access to the farm from Station Road in the southeast of the Site. A pond is located with the south of the Site, approximately 90m north of the Gilestone Farm farmhouse. A number of drains also cross the Site.
- 2.5 The River Usk (Afon Wysg) is adjacent to the eastern boundary of the Site and the Monmouthshire and Brecon Canal is close to the western boundary of the Site. A Public Right of Way (29/34/1) follows the length of Brecon Canal. The National Cycle Network Route 8 is located on the B4588 to the west of the Site.
- 2.6 The A40 Trunk Road ('The London to Fishguard Trunk Road') is located approximately 150m from the eastern boundary of the Site. The B4558 Station Road is located approximately 100m west of the Site at its closest point. Both roads can be accessed from Station Road.



3 Environmental Appraisal

- 3.1 The table overleaf presents the results of a desk based environmental appraisal of the Site and surrounding area. It identifies the environmental constraints and potential risks associated with future development or temporary events at the Site and provides a summary of relevant policy and legislation.
- 3.2 Environmental sensitivities at the Site and surrounding area are also shown on Figures 3 to 5 6. Other relevant legislative and policy context is provided in Annex 1 for reference.



Table 1: Environmental Appraisal

Environmental Sensitivities/ Receptors	Relevant Legislative and Policy Considerations
<p data-bbox="174 308 607 336">Brecon Beacons National Park</p> <p data-bbox="174 347 1205 499">Brecon Beacons National Park (BBNP) was established in 1957 and lies on the border between Mid Wales and South Wales, covering an area of 520 square miles. The area includes the Fforest Fawr UNESCO Global Geopark and is an International Dark Sky Reserve</p> <p data-bbox="174 549 1227 700">The National Park includes four ranges of mountains; the Black Mountains, the Central Beacons, Fforest Fawr and the Black Mountain (Mynydd Du). BBNP comprises grassy moorlands, heather-clad escarpments and Old Red Sandstone peaks.</p> <p data-bbox="174 750 1227 943">There is a risk that permanent development and temporary events at the Site could negatively affect the natural beauty, wildlife and cultural heritage of the BBNP as well as the well-being of local communities. There could also be a loss of opportunities to promote public understanding and enjoyment of the park’s special qualities. There is also a risk to the ‘environmental capacity’ of the park.</p> <p data-bbox="174 992 1205 1222">In the absence of firm proposals, it would be difficult to evidence how development could influence environmental capacity, although further narrative could be provided which could non-compliance with the purposes and statutory duty of BBNP as set out in legislation (see Annex 1). However, it should be recognised that the existing Green Man festival site is also located within the BBNP.</p>	<p data-bbox="1283 347 1955 738">Planning Policy Wales (PPW) paragraph 6.3.6 states that “<i>planning authorities should give great weight to the statutory purposes of National Parks, which are to conserve and enhance their natural beauty, wildlife and cultural heritage, and to promote opportunities for public understanding and enjoyment of their special qualities. Planning authorities should also seek to foster the social, economic and cultural well-being of their local communities.</i>”</p> <p data-bbox="1283 788 1955 1265">Policy SP1 of the BBNP Local Development Plan (LDP): “<i>Development in the National Park will be required to comply with the purposes and statutory duty set out in legislation, and will be permitted where it: a) conserves and enhances the Natural Beauty, wildlife and cultural heritage of the Park; and/or b) provides for, or supports, the understanding and enjoyment of the special qualities of the National Park in a way that does not harm those qualities; and c) fulfils the two purposes above and assists the economic and social well being of local communities.</i>”</p> <p data-bbox="1283 1315 1955 1422">BBNP takes an ‘Environmental Capacity’ approach to Sustainable Development which reflects the objective of the Welsh Government for Wales to</p>

Environmental Sensitivities/ Receptors

Relevant Legislative and Policy Considerations



become a sustainable nation. The LDP states:

“Given the importance of the environment to the intrinsic nature of the National Park the concept of understanding, defining and developing within our “environmental capacity” is considered the most appropriate means by which the statutory purposes and duty of the National Park can be translated effectively into the land use planning system.”

Environmental capacity is defined as the *“ability of a place to accept development demands placed upon it without irreversible loss or damage to the environment, natural beauty, infrastructure or community resources, taking into consideration the need to protect against the likely and predicted effects of climate change. Capacity in this understanding is the “threshold” of acceptable change for any given place based upon the definition of capacity.”*



Landscape and Visual

The Site is positioned on the flood plain fields in the River Usk valley, which divides the Brecon Beacons from the Black Mountains, within the BBNP. The Site is located in the 'Eastern Usk Valley' (Area 11) Landscape Character Area (LCA). A description of this landscape is provided under 'Relevant Legislative and Policy Considerations'.

Permanent development and frequent large-scale temporary events at the Site could potentially negatively affect the "special qualities" of the LCA, including:

- Contrasts between the settled, fertile, wooded valley and the open rugged land above it;
- Pockets of tranquillity in tributary valleys, away from the influences of main roads and settlements. Site is also within BBNP core dark skies area;
- One of the best examples in the National Park of a fertile valley in very close proximity to rugged uplands;
- The River Usk (designated SSSI and SAC as a high-quality example of a river flowing over sandstone, with its associated habitats, plant and animal species within a linear ecosystem). The Usk tributaries are also designated SSSI, as are the Usk Bat Sites (see 'Biodiversity' below for more information);
- Numerous Scheduled Monuments, plus other archaeological sites, reflect the area's need for defence in the Iron Age, Roman and Medieval periods. Others represent its surviving built heritage (churches, bridges etc) The Site is also on the Register of Landscapes of Special Historic Interest in Wales. (See 'Cultural Heritage' below for more information); and
- Important industrial archaeology associated with the canal.

'Landscape Character Assessment'¹ published by Natural Resources Wales (NRW) states: "*This settled, luxuriant valley contrasts with the surrounding open and craggy hills. Its wide, flat valley floor with its patchwork of fields is an important transport route, containing main roads and the Monmouthshire and Brecon Canal. A fertile, agricultural landscape, the Usk Valley is also strongly influenced by parkland planting and in places is densely wooded. The valley has a long history of settlement, and contains several villages, numerous farms and country houses with their associated grounds. A series of Iron Age hillforts overlook the valley, and the southern part has industrial links with the Clydach Gorge and Blaenavon Industrial Landscape World Heritage Site.*"

The Landscape Character Assessment states: "*Views across and into the valley from above contribute to the landscape quality and sense of place of adjacent LCAs, including the Central Beacons, Black Mountains, and Skirrid and Sugar Loaf. Framed views within the valley are contained - and often dominated - by the profiles of ridge tops above the valley sides.*"

¹ <https://www.beacons-npa.gov.uk/wp-content/uploads/Enclosure-11b-Appendix-3-Area-Profiles.pdf>



Cultural Heritage (See Figure 5)

Scheduled Monuments (SM)

Gilestone Standing Stone SM is located in the centre of the Site. Two further SMs are located within 1km of the Site; 'Enclosure W of Allt yr Esgair' is located 800m east of the Site and 'Allt yr Esgair Camp' is located 1km to the east.

Gilestone Standing Stone SM comprises the remains of a standing stone, which dates to the Bronze Age (c. 2,300 - 800 BC). The monument is of national importance for its potential to enhance knowledge of prehistoric burial and ritual practices. It is an important relic of a prehistoric funerary and ritual landscape and retains significant archaeological potential. There is a strong probability of the presence of intact burial or ritual deposits, together with environmental and structural evidence.

Enclosure W of Allt yr Esgair Scheduled Monument comprises the remains of an earthwork enclosure. Allt yr Esgair Camp comprises the remains of a hillfort, which probably dates to the Iron Age period (c. 800 BC - AD 74, the Roman conquest of Wales).

Permanent development at the Site could potentially lead to unacceptable harm to the setting of Gilestone Standing Stone and other SMs (if there is intervisibility). Temporary events are unlikely to lead to significant effects.

Para.1.26 of PPW states that "*planning permission will only be granted in exceptional circumstances if development would result in an adverse impact on a scheduled monument or has a demonstrably and unacceptably damaging effect upon its setting. Where archaeological remains are known to exist or there is a potential for them to survive, an application should be accompanied by sufficient information, through desk-based assessment and/or field evaluation, to allow a full understanding of the impact of the proposal on the significance of the remains.*"

Policy SP3 f) of the LDP requires all proposals for development or change of use of land or buildings in the National Park to "*demonstrate that the proposed development does not have an unacceptable impact on, nor detract from, or prevent the enjoyment of ... archaeological features*".

Listed Buildings

Gilestone Farm is a Grade II listed building within the Site and other buildings and features form part of its curtilage (including the former stables). It is believed to be of mid-17th century origin, with substantial late Georgian remodelling in the early 19th century. The historic farmyard is recorded by Clwyd Powys

Para 6.5.9 of PPW states that: "*Where a development affects a Listed Building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses*".



Archaeological Trust as having the potential to contain traditional farm buildings (CPAT 68395). There are a further 40 listed buildings located with 1km of the Site (see Annex 2 for a full list). Notably, these include the 'The Old Rectory', 'Chilson Bridge (Canal Bridge No.146)' and 'Cross Oak Bridge (Canal Bridge No.147)' which are Grade II listed. There could be intervisibility of the Site with these heritage assets.

Permanent development at the Site could potentially lead to adverse impacts on the setting of listed buildings if there is intervisibility. Temporary events are unlikely to lead to significant effects.

Policy 17 of the LDP states that development proposals which would adversely affect the setting of a listed building will not be permitted.

Buried Archaeology

There is no available information on the archaeological potential of the Site, although important archaeological remains could be present in relation to the Standing Stone. Any application for future development would have to evidence the nature and importance of archaeological remains and their settings and the impact on them.

Para 6.5.1 of PPW outlines the desirability of preserving archaeological remains and their setting is a material consideration in the determination of planning applications. Similar advice in Circular 60/96 requires Authorities to take into account archaeological considerations at the early stages of development and to be fully informed about the nature and importance of archaeological remains and their setting and the likely impact of any proposed development upon them. Policy SP3 f) requires all proposals for development or change of use of land or buildings in the National Park to “*demonstrate that the proposed development does not have an unacceptable impact on, nor detract from, or prevent the enjoyment of ... archaeological features.*”



Registered Historic Parks and Gardens & Registered Historic Landscape

The Site lies within the Middle Usk Valley: Brecon and Llangorse Registered Historic Landscape².

'Buckland House' Grade II listed Registered Historic Park and Garden is located approximately 500m south of the Site and Treberfydd Historic Park and Garden is located approximately 2km to the north.

Permanent development and frequent large-scale temporary events at the Site could potentially have an unacceptable adverse impact on the character and enjoyment of the Registered Historic Landscape and setting of the Grade II listed Registered Park and Garden. This would require further evaluation once proposals are known.

Middle Usk Valley: Brecon and Llangorse Registered Historic Landscape³: *"The visual impression of the whole area is dominated by small hedged fields enclosing the rich agricultural land of the valley bottom, and it is in many ways a typical Mid Wales vista. This rich pattern of land use is a product of its complex farming and settlement history, from early Neolithic farmers, through Roman and Norman 'invaders', via the Celtic saints, to the remains of medieval and later agriculture and commerce. Each period of land use has moulded the landscape and each in turn has been overlain and partly obscured by its successors. Almost in contradiction to this continuity, the Middle Usk Valley is also a classic example of a Welsh landscape of domination, conquest and political change, and many of the archaeological and historic elements visible today result from man's imposition of his control on the landscape, not only in the Roman and medieval and later periods, but also in the prehistoric period."*

Policy 20 of the LDP states: *"Development which directly or indirectly, either alone or in combination affects those areas listed within Part 1 of the 'Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales' will be permitted where the essential integrity and coherence of the park or garden and its setting, as defined in the Register, is preserved or enhanced."*

² Full criteria are set out in Part 2 of the Register, copies of which are available for viewing at the National Park Offices

³ <https://www.cpat.org.uk/projects/longer/histland/usk/usk.htm>



Development should be of a high standard and minimise disturbance to heritage features”

Policy 21 of the LDP states *“Development which directly or indirectly either alone or in combination affects those areas listed within Part 2 of the 'Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales' will only be permitted if the essential integrity and coherence of the area, as defined in the Register, is preserved or enhanced.”*

Ecology & Nature Conservation (Figure 4)

Designated sites – European

The River Usk (Tributaries) / Afon Wysg (Isafonydd) Special Area of Conservation (SAC) is located adjacent immediately east of the Site. The river has been designated as it supports sea lamprey, brook lamprey, river lamprey, twaite shad (one of only four sites in the UK), Atlantic salmon, bullhead and otter. A number of other SACs are within 10km of the Site including:

- Llangorse Lake / Llyn Syfaddan SAC (2.3km northeast);
- Usk Bat Sites / Safleodd Ystlumod Wysg SAC (8.2km southeast); and
- Brecon Beacons SAC and Droste Bank SAC (6.7km north).

NRW management requirements for the River Usk SAC⁴ identify that proposals should consider the impact of acoustics (i.e. noise/vibration) and sediment/chemical barriers to fish migration and highlights it may be necessary

PPW Para 6.4.18 that development can only be authorised if *“it will not adversely affect the integrity of the site, if necessary taking into account any additional measures, planning conditions or obligations.”* Para 6.7.18 states: *“Early consideration is required to ascertain whether the location and design of proposed development is acceptable where air pollution or noise generating development is likely to affect a protected species, or is proposed in an area likely to affect a statutorily designated site (such as Natura 2000 sites or SSSIs)”*

Policy 3 of the LDP states:

⁴ https://naturalresources.wales/media/673384/River_Usk%20SAC%20core%20plan.pdf



to restrict the timing of such activities. The SAC is also highly sensitive to water abstraction, changes in flow, water quality etc. Other sensitivities could include traffic, light pollution. This would apply to both permanent and temporary development. Such proposals could also potentially increase the risks of recreational disturbance and air quality effects at other European sites, depending on their scale and nature.

Any application for planning permission (permanent / temporary), or a Premises Licence, which could potentially have an impact on the environment, constitutes a plan or project for the purposes of the Habitats Regulations. Where the proposals may have a significant effect on the SAC, then the competent authority must make an 'appropriate assessment' of the implications for that site in view of its conservation objectives before a decision is made⁵. If a significant effect on the integrity of the SAC cannot be ruled out, the authorisation must not be granted.

Depending on their nature, permanent development and/or temporary events at the Site could potentially lead to 'likely significant effects' on European sites within the zone of influence, most notably the River Usk although other sites have the potential to be affected.

In the absence of firm proposals, it is not possible to conclude whether 'likely significant effects' would occur. The developer would need to provide an appropriate assessment with any application for consideration.

It would be possible to prepare a "shadow" type assessment based on some high level assumptions about the use of the Site to evidence likely significant effects. The merits of this could be explored further with an ecologist.

"Proposals for development which may have significant effect on a European Site or potential European Site, when considered alone or in combination with other plans or projects, will not be permitted unless:

- i. the proposed development is directly connected with or necessary for the protection, enhancement and positive management of the site for conservation purposes;*
- ii. the proposed development will not adversely affect the conservation objectives associated with the site or the integrity of the site;*
- iii. where the site supports interests not identified as a priority habitat or species, there are imperative reasons of overriding public interest why the development should proceed*
- iv. where the site supports priority habitats and/or species, there are reasons of human health, public safety, beneficial consequences of primary importance to the environment or other grounds for overriding public interest that can satisfy the*

⁵ <https://www.instituteoflicensing.org/media/t1xnuj1/jol-20-web-version.pdf>



requirements as to why the development should proceed; and

- v. with respect to iii) & iv) above there is no alternative solution, and compensatory measures are secured to ensure that the overall coherence of the Natura 2000 network is protected.

Sites of National Importance

The River Usk (Tributaries) / Afon Wysg (Isafonydd) SAC is also designated as a SSSI. The Usk is of special interest as river over sandstones and for its associated plant and animal communities. The SSSI supports a wide range of breeding bird species, many of which will be sensitive to disturbance. The citation for the SSSI notes that flooded fields attract a wide variety of wintering bird species which could be affected by development at the Site. The SSSI will also be sensitive to hydrological and water quality effects.

There are a further 9 SSSIs within 10km of the Site (see Figure 3).

Paragraph 6.4.17 of PPW states: *“SSSIs are of national importance. SSSIs can be damaged by developments within or adjacent to their boundaries, and in some cases, by development some distance away. There is a presumption against development likely to damage a SSSI.”*

Policy 4 of the LDP states: *“Proposals for development which may affect a National Nature Reserve or proposed or notified Site of Special Scientific Interest will only be permitted where:*

- i) *the proposal contributes to the protection, enhancement or positive management of the site; or*
- ii) *the developer proves to the satisfaction of the NPA that the proposal has no unacceptable impacts which would directly or indirectly damage the site, detrimentally affect its conservation interest or its value in terms of its designation; or*



	<p>iii) <i>the need and reasons for the proposed development outweigh the value of the site itself; and there are no alternative means of meeting the need for the development.</i></p>
<p><u>Non-statutory designated sites</u></p> <p>Gilestone Farm Wood SINC is located in the southeast of the Site. Development within the SINC is unlikely to be acceptable to the LPA and therefore this is not discussed further.</p>	<p><i>Policy 5 of the LDP states: “Development on non-statutory sites of wildlife, geological or geomorphological importance will only be permitted where:</i></p> <p><i>the need for the development outweighs the nature conservation importance of the site; and</i></p> <p><i>the proposals comply with Policy 6 and/or, where protected and important wild species are concerned, with Policy 7.”</i></p>
<p><u>Ancient Woodland and Veteran Trees</u></p> <p>Ancient woodland and veteran trees are protected by planning policy. In the south and east of the Site is the Gilestone Farm Wood SINC, and much of this is also Ancient Semi-Natural Woodland. No information is available on veteran trees within the Site. Ancient woodland can be adversely affected by air pollution, although with appropriate buffers and access constraints, effects are usually avoidable and therefore this is not considered further.</p>	<p>PPW states in 6.4.26 that Ancient Woodland “<i>should be afforded protection from development which would result in their loss or deterioration unless there are significant and clearly defined public benefits; this protection should prevent potentially damaging operations and their unnecessary loss.</i>”</p> <p>The LDP (Policy 9) aims to protect both Veteran Trees and Ancient Woodland from adverse impact as a result of development.</p>
<p><u>Habitats and Species</u></p>	<p>To comply with Planning Policy Wales (2016), and also Technical Advice Note (TAN) 5, planning</p>



DataMapWales suggest potential presence of protected species and habitats on site including great-crested newt, water vole and purple moor grass and rush pastures (habitats of principal importance). Proposals for permanent habitat loss would have to be subject to appropriate mitigation and compensation measures.

A bat survey at Gilestone Farm, June to September 2012, was submitted in support of a previous planning application at the Site (16/13392/FUL). Lesser horseshoe bats were recorded commuting along hedgerows within the Site. Lesser horseshoe bats are rare, confined to Wales, western England and western Ireland and are one of the qualifying species of the Usk Bat Sites SAC. There are a number of maternity roosts in buildings in the Usk valley area that are not within in the SAC, so connectivity with these and potentially the SAC could be important. Notably NRW provided comments on the 2016 application and raised concerns about the likely (and known) presence of lesser horseshoe bats at the Site. Bats are sensitive to habitat loss and disturbance impacts on this European protected species will require detailed evaluation as part of any application (temporary or permanent).

Information from the Vincent Wildlife Trust provided by the client indicate that the Site is a known commuting route for Lesser Horseshoe Bats and it is located between two known maternity roosts.

The area was declared last winter by Gylfinir Cymru ('Curlew Wales') as part of the southernmost Important Curlew Area (12)⁶ in Wales to aid nationwide recovery of this bird from extinction in the UK. The land is considered suitable for curlew recovery action with a small number of sites still in use in the immediate area. There is also anecdotal evidence of curlew nesting at the Site. Curlew is high conservation priority, ground nesting and therefore highly

permission should be refused if the proposals will result in adverse harm to wildlife that cannot be overcome by adequate mitigation and compensation measures.

Policy 7 of the LDP states:

"Proposals on land or buildings that support protected or important species will only be permitted where:

- i. the need for the development outweighs the nature conservation importance of the site, and in the case of European protected species, the criteria for derogation under the Habitats Regulations are met; and*
- ii. positive measures are provided to contribute to species and habitat conservation targets; and*
- iii. the developer proves to the satisfaction of the NPA that a) the disturbance of the species and habitat in terms of the effect on species survival and reproductive potential or habitat function will be kept to a minimum; or b) alternative areas are provided to sustain at least the current levels of populations or size of habitat affected by the proposal."*

⁶ https://www.curlewwales.org/_files/ugd/c301ad_8aa71dc8ad034ae6866404a297f0db80.pdf



sensitive to disturbance (noise, lighting, access) which could arise from permanent and temporary development, if present.

In the absence of habitat and protected species survey information, it is not possible to conclude whether effects would be unacceptable. However, disturbance effects on curlew, other wintering birds and bats could potentially be unacceptable dependent on the nature of the proposals.

It would be beneficial for an ecologist to be instructed to further review the available desk-based evidence and prepare a report to highlight these issues.

Bats, along with their breeding sites and resting places, are protected under the Conservation of Habitats and Species Regulations 2010 (as amended). Where bats are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by NRW, having satisfied the three requirements set out in the legislation. A licence may only be authorised if: “*i. The development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment; ii. There is no satisfactory alternative; and, iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.*”

Paragraph 6.3.7 of TAN 5: Nature Conservation and Planning (TAN5), explains that the Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any bats on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

Water and Flood Risk (Figure 6)



The majority of the Site lies within Flood Zone C2 (Areas of the floodplain without significant flood defence infrastructure) and Zone B (Areas known to have been flooded in the past evidenced by sedimentary deposits) as defined in the Development Advice Maps of TAN15⁷. There are also known historical flood events at the Site. Highly vulnerable development in Zone C2 should not be permitted and therefore the flood risk at the Site presents a potentially significant limitation to future permanent development and safe temporary event use.

The existing Site is likely to rely on non-mains foul sewage (i.e. septic tanks). Therefore the applicant for any future development would need to evidence that additional foul flows resulting from the proposals (permanent / temporary) can be accommodated by the existing system and would have no adverse effect on surface water and ground water. Package treatment plants and portable facilities could potentially be acceptable, however The proximity of the River Usk SAC/SSSI makes this a highly sensitive issue.

It may be beneficial to commission a flood/drainage consultant to explore these development constraints issues further.

TAN15 states that highly vulnerable development⁸ and Emergency Services in Flood Zone 3 should not be permitted. Less vulnerable⁹ development may be acceptable in Flood Zone 3 subject to a justification test and acceptability of flood consequences.

Paragraph 6.6.25 of the PPW states: *“Development should reduce, and must not increase, flood risk arising from river and/or coastal flooding on and off the development site itself. The priority should be to protect the undeveloped or unobstructed floodplain from development and to prevent the cumulative effects of incremental development.”*

With regards to water quality Policy 10 of the LDP states: *“Development Proposals will only be permitted where: a) They do not have unacceptable adverse impact upon the water environment, and b) Where they would not pose an unacceptable risk to the quality and quantity of controlled waters (including groundwater and surface water).”*

Noise

There are a number of local residents, pedestrians and protected habitats and species within and surrounding the Site that would be sensitive to noise.

PPW states in paragraph 6.7.17:

⁷ <https://gov.wales/sites/default/files/publications/2022-03/technical-advice-note-15-development-flooding-and-coastal-erosion.pdf>

⁸ All residential premises (including hotels and caravan parks), public buildings (e.g. schools, libraries, leisure centres), especially vulnerable industrial development (e.g. power stations, chemical plants, incinerators), and waste disposal sites

⁹ General industrial, employment, commercial and retail development, transport and utilities infrastructure, car parks, mineral extraction sites and associated processing facilities, excluding waste disposal sites



The NRW management requirements for the River Usk SAC¹⁰ identify that the qualifying species are sensitive to acoustic impacts (noise and vibration) and as such, it may be necessary to restrict the timing of activities. Bats (including lesser horseshoe) and other protected species would also be sensitive to noise disturbance. However, it is not possible to draw conclusions on acceptability of effects in the absence of survey information.

Frequent/significant noise impacts could impact the tranquillity of the BBNP, 'Eastern Usk Valley' LCA and enjoyment of heritage assets, although notably the existing Green Man festival is within the BBNP. Temporary event noise can usually be reduced as far as possible through Event Noise Management Plans and is therefore unlikely to be a strong case against use of the Site.

It is understood that noise pollution has already been considered to some degree, with some sound testing undertaken as part of the due diligence undertaken by the Welsh Government and Green Man.

"The location of potentially polluting development adjacent to sensitive receptors will be unacceptable where health and amenity impacts cannot be minimised through appropriate design and mitigation measures. It is the overall expectation that levels of pollution should be reduced as far as possible."

Light Pollution

The Site is located in a part of BBNP that is designated as an International Dark Sky Reserve¹¹. This is an area with exceptional or distinguished quality of starry nights and nocturnal environment that is specifically protected for its scientific, natural, educational, cultural, heritage and/or public enjoyment.

Night-time events are likely generate light pollution that could potentially affect light sensitive receptors including 'dark skies', the landscape character, local residents and 'dark corridors' for bats. However, infrequent, temporary events

Paragraph 6.8.1 states there is a need to *"protect the natural and historic environment including wildlife and features of the natural environment such as tranquillity"* and *"retain dark skies where appropriate"*.

Policy 12 of the LDP states:

"Light Pollution - Proposals where lighting is required shall include a full lighting scheme and will be permitted:- a) where the lighting proposed is

¹⁰ https://naturalresources.wales/media/673384/River_Usk%20SAC%20core%20plan.pdf

¹¹ <https://www.darksky.org/our-work/conservation/idsp/reserves/>



and associated light pollution are unlikely to be deemed unacceptable as the existing Green Man site is also sited within the reserve. Permanent development of any scale and frequent effects could lead to adverse effects which could be deemed unacceptable.

It may be useful to engage with Friends of Brecon Beacons in the context of the proposals.

appropriate to its purpose; and, b) where the lighting proposed is appropriate to its purpose; and, where there is not a significant adverse effect individually or cumulatively on the character of the area;

- i. local residents;*
- ii. Vehicle users*
- iii. Pedestrians*
- iv. Biodiversity*
- v. The visibility of the night sky; and*
- vi. 'dark corridors' for bats and light sensitive receptors."*

Minerals, Agriculture and Soils

The majority of the site is Grade 3b (moderate quality) agricultural land with a small section of the Site classified as Grade 3a (good to moderate quality) agricultural land. Permanent and temporary development would be required to evidence that it would not have an unacceptable adverse impact on soil quality. This is usually achievable with good practice, although large scale temporary events have the potential to adversely affect soil quality, structure and function, which could in-turn affect farming viability, water quality and biodiversity and land drainage.

Large parts of the Site, if not all, are recorded as sand & gravel reserves. Permanent development on the Site could potentially sterilise this mineral resource, although this is unlikely to be a constraint to proposals.

Policy 13 of the LDP states:
"Development proposals must demonstrate that they adhere to good practice on the sustainable use and management of soil in development and construction through adherence to DEFRA's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites. Developments which have an unacceptable adverse impact on soil quality will not be permitted."

Policy 65 of the LDP refers to Minerals Safeguarding:



“Reserves of sand and gravel, limestone and sandstone will be safeguarded as shown on the Proposals Map. Extraction of minerals before development that would otherwise sterilise mineral resources of current or likely future economic importance will be required, provided there is no suitable alternative location and an overriding need for the development (in line with Policy SP2), and extraction can be achieved: a) without prejudicing the proposed development; b) by completing the extraction within a reasonable timescale; c) without unacceptable environmental impacts.”

Climate Change

Permanent development and temporary event use at the Site would generate greenhouse gases through energy use, transport emissions associated with visitors travelling to/from the Site. It is not anticipated that such emissions would be significant in terms of national carbon budgets. However, due to the more rural nature of the Site, there may be a measurable increase in emissions of festivals held at this location compared to the existing festival site, for example if there are more visitors throughout the year, they are travelling greater distances or they are more reliant on private cars. The nature of greenhouse emissions associated with use of this Site could potentially be compared to that of the existing Site, although this could only be undertaken at a very high level as data sets are unlikely to be available.

The Site is also located in an area at high risk of flooding which presents a potentially significant risk to future permanent development and temporary event use being resilient and adaptable to the effects of future climate change.

In 2019, the Welsh Government declared a climate emergency in order to coordinate action nationally and locally to help combat the threats of climate change. The Environment (Wales) Act 2016 sets a legal target of reducing greenhouse gas emissions in Wales by at least 80% in 2050. The Act also requires a series of interim targets (for 2020, 2030 and 2040) and carbon budgets. The budgets set a limit on the total amount of greenhouse gas emissions in Wales over a 5-year period to serve as stepping stones and ensure progress is made towards the decadal targets.

Policy SP4 of the LDP relates to climate change:

“All proposals will be required to demonstrate where relevant how the development will; a) be resilient and adaptable to the likely effects of climate change. b) limit and mitigate the causes of

*climate change; and
carbon neutrality.”*

c) contribute to the aim of



4 Key Findings and Recommendations

- 4.1 Our key findings and recommendations following the desk based environmental appraisal are presented in Section 3. Without firm development proposals, it is difficult to draw a definitive conclusion on their likely acceptability in policy on environmental impact terms. However, we have identified a number of potentially substantive areas where we consider further (desk-based) evaluation could be beneficial to building a case against the future use / development of the Site. These are highlighted in bold below.

Environmental Topic	Key Findings and Recommendations
Brecon Beacons National Park	<p>Permanent development at the Site could potentially negatively affect the natural beauty, wildlife and cultural heritage of the BBNP as well as the well-being of local communities. There could also be a loss of opportunities to promote public understanding and enjoyment of the park's special qualities. There is also a risk to the 'environmental capacity' of the park. A case could potentially be made against future permanent development at the Site, however given that the existing Green Man festival site is already located within the BBNP, the proposals would likely need to be of a materially different frequency and scale inform and build a convincing case against.</p>
Landscape and Visual	<p>The area is recognised as being of high landscape value and of high visibility due to its location within the Eastern Usk Valley LCA. Permanent development at the Site could potentially adversely affect the "special qualities" of the LCA. Some further evaluation of the surrounding landscape and its sensitivity to development could be undertaken to evidence the high value of the Site and inform a case against. This is unlikely to be a "showstopper" issue in the context of temporary events, although could be material in relation to permanent development and may warrant further evaluation if this is brought forward.</p>
Cultural Heritage	<p>The Site is located within a Historic Landscape (Middle Usk Valley: Brecon and Llangorse), includes a nationally important Scheduled Monument (Gilestone Standing Stone) and Grade II listed building (Gilestone Farm including curtilage features). The Site could also be important for buried archaeological remains. Permanent development at the Site could potentially lead to adverse impacts on buried archaeology and unacceptable adverse impacts on the setting of designated heritage assets if there is intervisibility.</p> <p>Temporary events/uses could potentially be damaging to buried archaeology and the Gilestone Standing Stone SM without adequate mitigation.</p> <p>An independent desk based heritage assessment of the Site could be undertaken to evidence the value of the Site and potential impact of development proposals (permanent / temporary).</p>

Ecology and Nature Conservation	The Site is of high sensitivity, due to its proximity to the River Usk SAC & SSSI and its potential for protected and notable habitats (ancient woodland), European protected species and wintering birds. An independent desk-based ecological appraisal of the Site and its relationship with the European sites, their sensitivity to development and risks of likely significant effects, could be undertaken to inform a case against. This could include direct engagement with the Vincent Wildlife Trust and include further work on the frequency and distribution of the Lesser Horseshoes.
Water and Flood Risk	The Site is at high risk of flooding. An independent desk-based appraisal of flood risk and drainage could be beneficial to evidence a robust case against in terms of policy.
Noise	There are a number of noise sensitive receptors within and surrounding the Site, notably the adjacent River Usk and bats. Amenity impacts are likely to be managed through management plans and therefore unlikely to be “showstoppers”. Noise information from the Premises Licence at the Crickhowell site could be used to inform a case against development in the context of the impacts on the River Usk (fish) and bats in particular.
Light Pollution	There are a number of light sensitive receptors within and surrounding the Site. Light pollution disturbance on bats and other protected species could be covered in an Ecology Paper (see above). If events are likely to be of a high frequency, evidence could be prepared to highlight the potential risks to BBNP’s designation as an International Dark Sky Reserve which could be beneficial to support a case against development.
Minerals, Agriculture and Soils	The majority of the Site is in a minerals safeguarding area and at least part of the Site is an area of good agricultural quality. Given the extent of the safeguarding area, it is considered unlikely that further work would be beneficial to support a case against development.
Climate Change	Permanent development and temporary event use at the Site would result in the generation of greenhouse although this is unlikely to have a significant effect on national carbon budgets. It could be possible to analyse the magnitude of CO ₂ emissions at this Site compared to events at the existing location of the Green Man festival, however data availability is likely to be a constraint to further work in this regard in the absence of firm proposals. However, this could be taken forward at a later date once the proposals are known.

Figures



Figure 1 Site Location Plan



Figure 2: Aerial Photograph of Site



Figure 3 Environmental Sensitivities within 1km, 5km and 10km

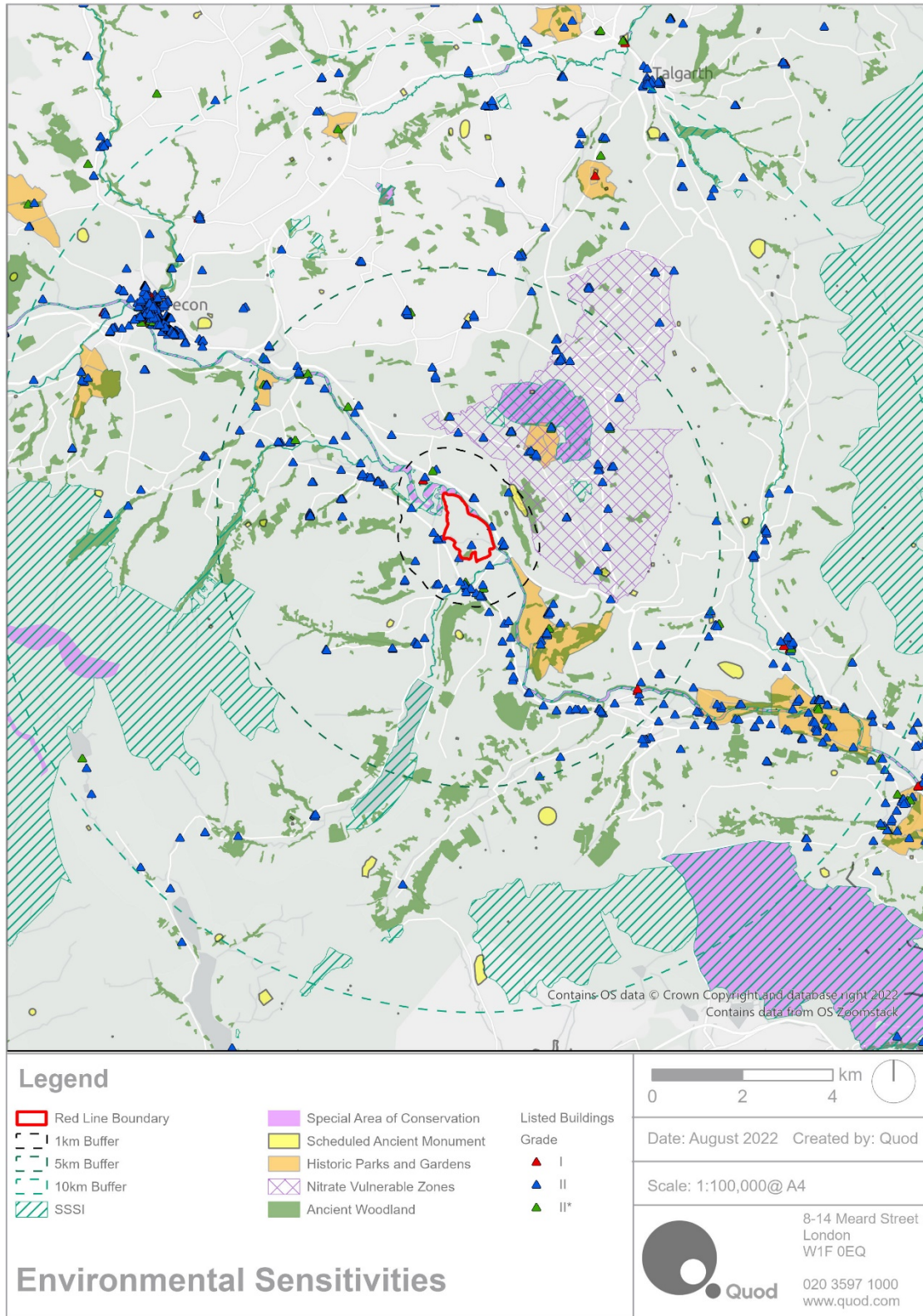




Figure 4 European and Nationally Important Ecological Sites within 5km

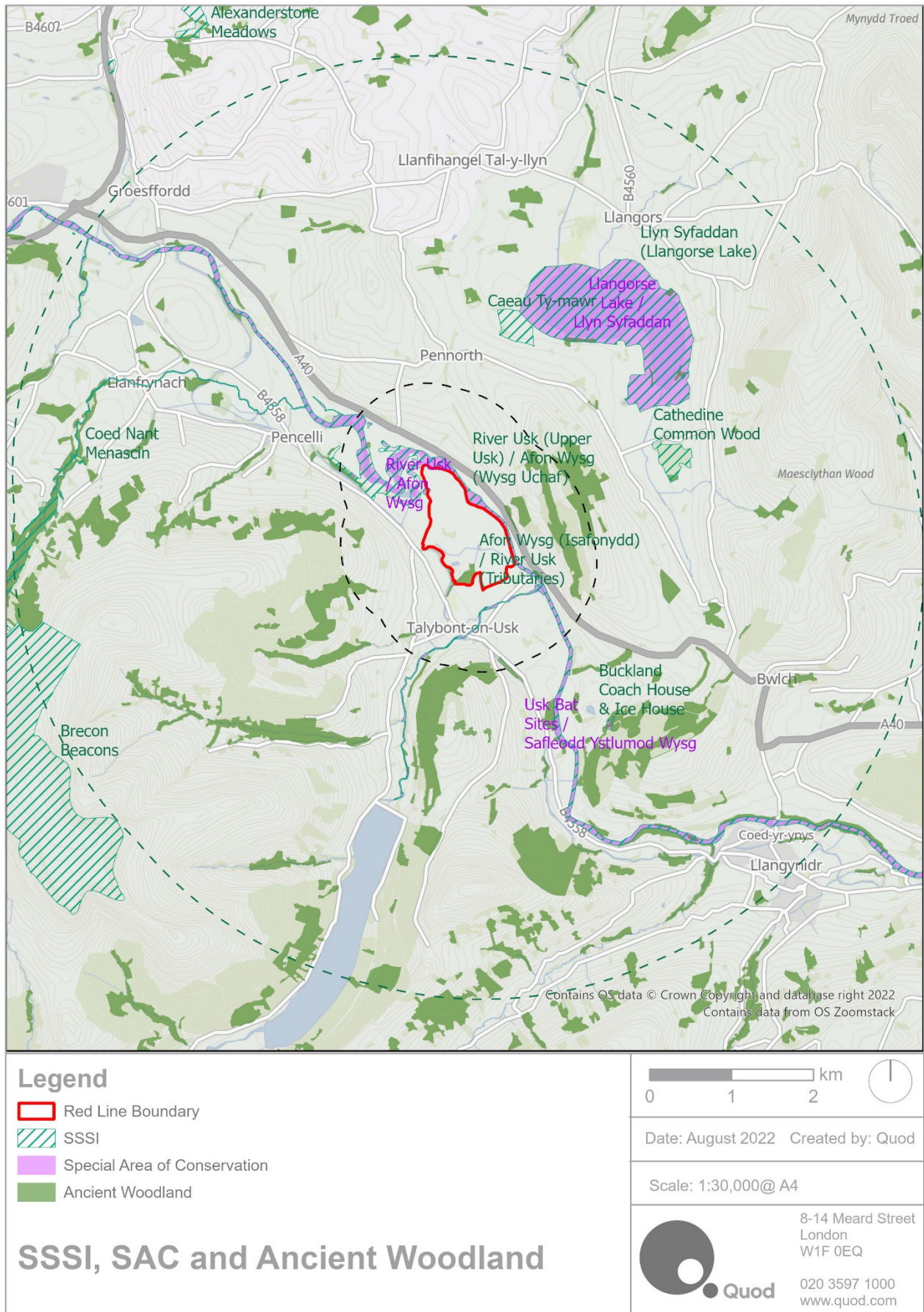
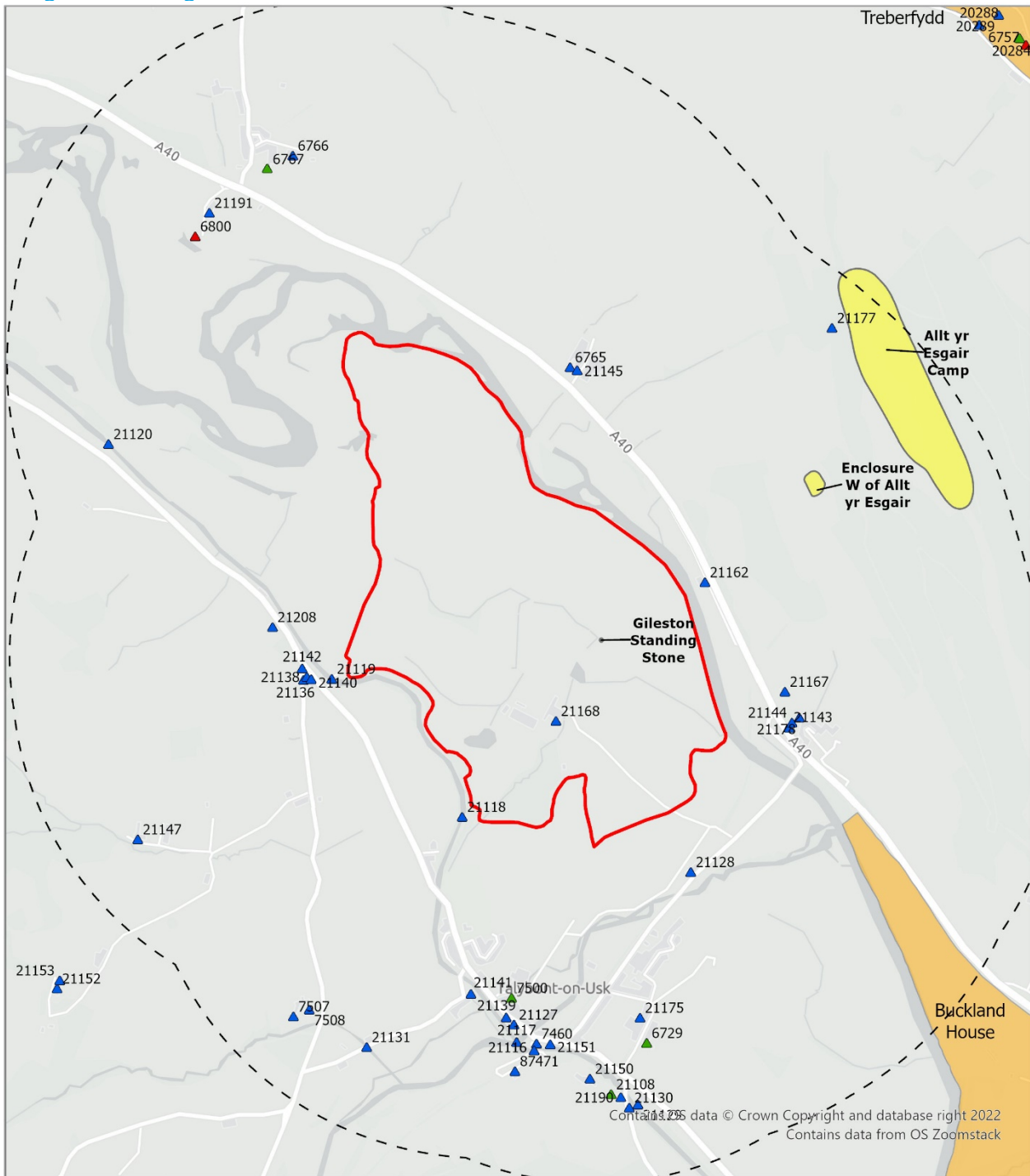




Figure 5 Heritage Assets within 1km



Legend

- Red Line Boundary
- 1km Buffer
- 5km Buffer
- 10km Buffer

- Scheduled Ancient Monument
- Historic Parks and Gardens

- Listed Buildings Grade
- ▲ I
 - ▲ II
 - ▲ II*



Date: August 2022 Created by: Quod

Scale: 1:15,000@ A4

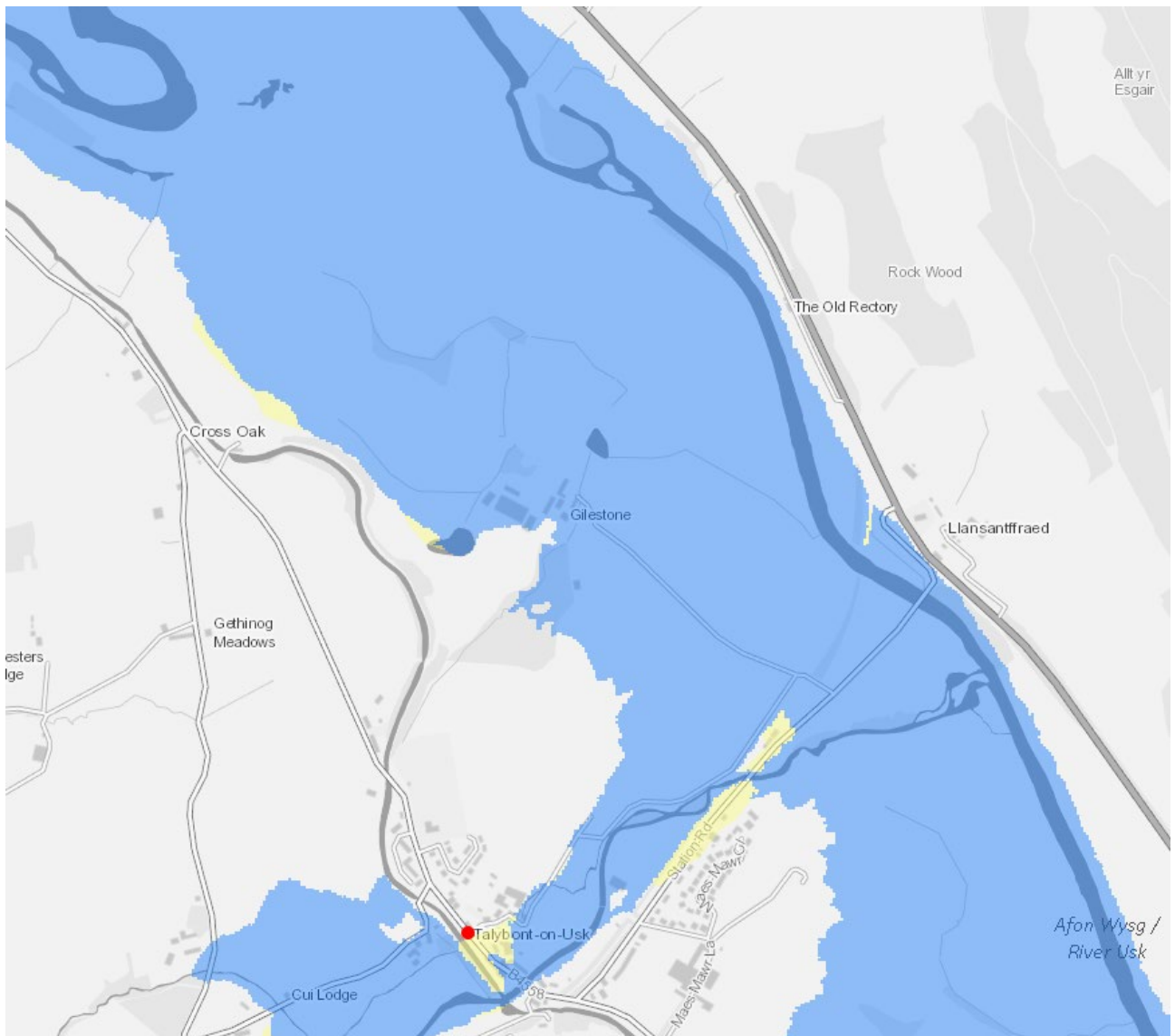


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Cultural Heritage

Figure 6 Extract from TAN15 Development Advice Map (Flood Risk)



Annex 1: Legislative and Policy Context

Legislative Context

The Environment Act 1995¹² states that *“the first Statutory Purpose of the National Park is to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park”*.

The Environment Act 2021¹³ operates as the UK’s new framework of environmental protection. The Environment Act allows the UK to enshrine some environmental protection into law offers and new powers to set new binding targets, including for air quality, water, biodiversity, and waste reduction.

The Environment (Wales) Act¹⁴ came into effect in March 2016, Section 6 requires public authorities to seek to maintain and enhance biodiversity. A list of species and habitats of principal importance in Wales is issued under Section 7. The presence of a species protected under European or UK legislation, or under Section 7 of the Environment (Wales) Act 2016 is a material consideration when a planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its habitat and to ensure that the range and population of the species is sustained.

The Environment (Wales) Act 2016 also introduces the Sustainable Management of Natural Resources¹⁵ (SNMR) and sets out a framework to achieve this as part of decision-making. The objective of the SMNR is to maintain and enhance the resilience of ecosystems and the benefits they provide. The key features of the SMNR approach to which the planning system can contribute are:

- *“improving the resilience of ecosystems and ecological networks;*
- *halting and reversing the loss of biodiversity;*
- *maintaining and enhancing green infrastructure based on seeking multiple ecosystem benefits and solutions;*
- *ensuring resilient locational choices for infrastructure and built development, taking into account water supplies, water quality and reducing, wherever possible, air and noise pollution and environmental risks, such as those posed by flood risk, coastal change, land contamination and instability;*
- *taking actions to move towards a more circular economy in Wales; and*
- *facilitating the move towards decarbonisation of the economy”*

¹² <https://www.legislation.gov.uk/ukpga/1995/25/contents>

¹³ <https://www.legislation.gov.uk/ukpga/2021/30/contents/enacted>

¹⁴ <https://www.legislation.gov.uk/anaw/2016/3/contents/enacted>

¹⁵ <https://whiasu.publichealthnetwork.cymru/en>

The Conservation of Habitats & Species Regulations 2017¹⁶ requires in Regulation 9 that local authorities take account of the presence of European Protected Habitats and Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether the three tests have been met, prior to determining the application. The three tests that must be satisfied are

- i. *That the development is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.*
- ii. *That there is no satisfactory alternative*
- iii. *That the derogation is not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range*

The Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act 2000, places a duty on all public bodies, including planning authorities, to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the features by reason of which a SSSI is of special interest.

The Hedgerow Regulations 1997 afford protection to most countryside hedgerows. Anyone wishing to remove a hedgerow should first notify the BNNP Authority in writing of their intention to do so; the Authority will then assess whether the hedgerow is important or not under defined criteria and decide whether the hedgerow may be removed or should be retained. The Authority will also consider these criteria when assessing planning applications that may affect hedgerows.

The Ancient Monuments and Archaeological Areas Act 1979, Planning (Listed Buildings and Conservation Areas) Act 1990 and Historic Environment (Wales) Act 2016 provide the legislative framework for the protection and sustainable management of the historic environment in Wales.

Planning Policy Wales (2021)

Planning Policy Wales (PPW)¹⁷ sets out the land use planning policies of the Welsh Government. It is supplemented by a series of Technical Advice Notes (TANs), Welsh Government Circulars, and policy clarification letters, which together with PPW provide the national planning policy framework for Wales. PPW, the TANs¹⁸, MTANs¹⁹ and policy clarification letters comprise national planning policy.

Brecon Beacons National Park Local Development Plan (2013)

¹⁶ <https://www.legislation.gov.uk/ukxi/2017/1012/contents/made>

¹⁷ https://gov.wales/sites/default/files/publications/2021-02/planning-policy-wales-edition-11_0.pdf

¹⁸ <https://gov.wales/technical-advice-notes>

¹⁹ <https://gov.wales/minerals-technical-advice-notes-mtans>

The development plan for the area is the Brecon Beacons National Park Local Development Plan 2007-2022²⁰ (hereafter LDP) which was adopted by resolution of the National Park Authority on the 17th December 2013.

The production of a replacement Local Development Plan which is referred as Local Development Plan 2 is currently in progress however the current LDP remains in force and will do until such a time as Local Development Plan 2 is adopted.

The site is located in an area of open countryside as defined by the LDP Proposals Map. The LDP defines countryside locations as areas unsuitable to accommodate future development in accordance with the Environmental Capacity of the National Park. In these areas there is a presumption against development with the exception given to those development forms where there is a defined essential need for a countryside location.

The LDP includes the following policies relevant to the site:

- SPI Policy 1 - Appropriate Development in the National Park
- SP3 Environmental Protection - Strategic Policy
- Policy 3 - Sites of European Importance
- Policy 4 - Sites of National Importance
- Policy 5 - Sites of Importance for Nature Conservation
- Policy 6 - Biodiversity and Development
- Policy 7- Protected and Important Wild Species
- Policy 8 - Trees and Development
- Policy 9 - Ancient Woodland and Veteran Trees
- Policy 10 – Water Quality
- Policy 12 – Light Pollution
- Policy 13 – Soil Quality
- Policy 15 – Listed Buildings
- Policy 17: The Settings of Listed Buildings
- Policy 20 – Historic Parks and Gardens

²⁰ <https://www.beacons-npa.gov.uk/wp-content/uploads/Brecon-Written-Statement.pdf>

- Policy 21 Historic Landscapes
- Policy 22 Areas of Archaeological Evaluation

Brecon Beacons National Park Supplementary Planning Guidance

The Brecon Beacons NPA has produced the following Supplementary Planning Guidance (SPG) documents relevant to the site:

- Biodiversity and Development SPG (September 2016)²¹
- Biodiversity in the Towns of the Brecon Beacons National Park SPG (March 2014)²²
- Landscape and Development SPG²³
- Sustainable Development in the National Parks of Wales SPG²⁴

²¹ <https://www.beacons-npa.gov.uk/wp-content/uploads/Final-Biodiversity-SPG-160907.pdf>

²² <https://www.beacons-npa.gov.uk/wp-content/uploads/Biodiversity-Audit-SPG-adopted-ENGLISH.pdf>

²³ <https://www.beacons-npa.gov.uk/wp-content/uploads/Landscape-and-Development-SPG-Adopted-October-2014.pdf>

²⁴ <https://www.beacons-npa.gov.uk/wp-content/uploads/Biodiversity-Audit-SPG-adopted-ENGLISH.pdf>

Annex 2: Listed Buildings

Listed Buildings with 1km

Record Number	Grade	Name	Distance from Site
6800	I	The Tower	550m NW
21191	II	Barn to N of The Tower	557m NW
6767	II*	Scethrog House	550m NW
6766	II	Yr Hen Bersondy (also known as The Old Rectory)	550m NW
6765	II	Newton Farmhouse	230m E
21145	II	Barn and stable range at Newton	240m E
21177	II	Paragon Tower	940m E
21162	II	The Old Rectory	66m E
21167	II	Llansantffraed House	205m E
21178	II	Tomb to Henry Vaughan to E of Church of St Ffraed	240m E
21143	II	Gwynne Holford Monument in the churchyard to SW of Church of St Ffraed	200m E
21144	II	Church of St Ffraed	195m E
21128	II	Former Talybont Railway Station	210m S
21175	II	Barn range at Maes Mawr	565m S
6729	II	Maes Mawr	635m S
21129	II	Yr Aildy	760m S

21130	II	Former Counting House	810m S
21190	II	Glynderi	760m S
21108	II*	Limekilns at Brynhyfryd	745m S
21150	II	Brynhyfryd	720m S
87471	II	Weighbridge Cottage	750m S
21116	II	White Hart Bridge (Canal Bridge No.143) including attached retaining wall	650m S
21151	II	Pair of railway bridges over road and canal at Talybont	625m S
7460	II	White Hart Inn	635m S
21117	II	Talybont Aqueduct (Monmouthshire and Brecon Canal)	655m S
21127	II	The Star Inn	615m S
21139	II	Former skittle alley and tea-room	615m S
7500	II*	Gileston Mill aka Talybont Mill	535m S
21141	II	Bank House	640m SW
21131	II	Bridge over Nant Cui	760m SW
7507	II	Cui Parc	870m SW
7508	II	Barn range at Cui Parc	800m SW
21118	II	Chilson Bridge (Canal Bridge No.146)	50m W
21147	II	Former house and attached barn at Coity Bach	995m W
21119	II	Cross Oak Bridge (Canal Bridge No.147)	54m W

21140	II	5 Lower Cross Oak Cottages	120m W
21136	II	1 Lower Cross Oak Cottages	140m W
21138	II	3 Lower Cross Oak Cottages	120m W
21142	II	War memorial at Lower Cross Oak	120m W
21208	II	Greenhill	260m W
21120	II	Penawr Bridge (Canal Bridge No.151)	775m W