



Brecon Beacons National Park Authority

Development and Allotments

Supplementary Planning Guidance

Draft September 2016



Contents:

1. Introduction
 - 1.1 aim of the Guidance
 - 1.2 Scope of the guidance
2. Policy Background
 - 2.1 Wales National Policy and Legislation
 - 2.2 Local Planning Policy
3. Planning Considerations and Allotments
 - 3.1 Location
 - 3.2 Access
 - 3.3 Roads and Parking
 - 3.4 Buildings
 - 3.5 Biodiversity
 - 3.6 Water supply
 - 3.7 Security
 - 3.8 Fencing

1. Introduction

1.1 The aim of this Supplementary Planning Guidance is to help applicants through some of the requirements and considerations of the planning process and development associated with community based allotments.

Allotments can be excellent places for members of a community to meet, produce sustainable food, lead healthier lives and support wildlife.

Allotments are considered agricultural. To use an agricultural field as an allotment would not require the benefit of planning permission. However, an allotment is not, and cannot be considered an agricultural enterprise and, therefore, buildings, raised beds or engineering works to provide access tracks or parking areas or provision of buildings would require planning permission.

The only instance when development may be permitted development is if the land the allotment is on belongs or is maintained by a local authority, community councils can be considered a local authority. These permitted development rights are the benefit of Part 12 of The Town and Country Planning (General Permitted Development) Order 1995 (Amended).

1.2 All planning applications are considered against a number of policies. Some policies are set out nationally by the Welsh Government and others are local policies set out by the Brecon Beacons National Park Authority adopted development plan: the Local Development Plan. The purpose of policies is to ensure development is carried out in the right place and does not result in a detrimental impact on, principally, the landscape of the National Park and other matters such as sustainability, privacy, highway safety, ecology and archaeology.

Pre-application discussions can be particularly useful in helping applicants and agents identify issues and advice on information that will be required to support a planning application. The Authority provides a paid pre-application service, for details please see the website.



2. Policy Context

The first statutory purpose of the National Park Authority planning function is 'to conserve and enhance the natural beauty, wildlife, and cultural heritage of the National Parks (Section 1 of the Environment Act 1995).

The provision of allotments has an increasingly important role to play in achieving sustainable development.

This section sets out the relevant legislation and policies applicants should be aware of when considering applying for planning permission. The relevance of the information below should not be underestimated and it is important that careful consideration is given to the location of allotments and potential impacts, such as impact on existing wildlife, impact on existing dwellings. For example, if an allotment is considered to be unsustainable, planning permission may not be granted for supporting infrastructure.

2.1 Wales National Legislation and Policy

On the 1st April 2016 the Wellbeing of Future Generations Act became law. There are seven Wellbeing goals that all public bodies must work towards which are:

1. A globally responsible Wales - A nation which, when doing anything to improve the economic social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.



2. A prosperous Wales - An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.

3. A resilient Wales - A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).

4. A healthier Wales - A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.
5. A more equal Wales - A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).
6. A Wales of cohesive communities - Attractive, viable, safe and well-connected communities.

7. A Wales of vibrant culture and thriving Welsh language

A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.

Technical Advice Note 16: Sport, Recreation and Open Space (2006)

Paragraphs 3.27 and 3.28 provides the national policy framework for allotments:

“3.27 Allotments are important green spaces in urban and rural areas, and their cultivation can contribute to sustainability, provide opportunities for leisure, exercise and healthy food, improve biodiversity and encourage interaction between different groups in the community. In accordance with the provisions of the Smallholdings and Allotments Act 1908, local authorities and town and community councils are under an obligation to provide sufficient plots for residents where they believe there is a demand for allotments. Authorities should ensure that statutory allotments within their areas are properly protected, promoted and managed and are sufficient to meet the demands of local residents wishing to cultivate them. In particular, all such sites should include a suitable element of wildlife habitat. The importance of combined allotment/compost/wildlife sites is likely to increase, particularly where the density of residential development rises. Policies in the LDP should address the need to provide and protect allotment/compost/wildlife sites where a shortfall has been identified, and to improve the accessibility of such sites for all users. It may be appropriate to use Section 106 Agreements to provide allotments in combination with composting and natural green spaces.



2.2 Local Planning Policy

Brecon Beacons National Park Authority Adopted Local Development Plan (December 2013 - 2022)

The first statutory purpose of the National Park Authority planning function is 'to conserve and enhance the natural beauty, wildlife, and cultural heritage of the National Parks (Section 1 of the Environment Act 1995).

The Local Development Plan (December 2013 - 2022) (LDP) encourages the provision of allotments through strategic goals and a number of policies.

The purpose of this section is to explain the National Park spatial strategy, settlement strategy and the policies that support the principle of allotments.



Spatial Strategy: Sustainable living in a National Park Landscape

The majority of the land within the National Park boundary is considered countryside and is the subject of strict planning controls. Land that is not countryside is considered settlement. The National Park's Settlement Strategy seeks to ensure that the majority of development takes place in sustainable locations such as settlements, but this does not mean that appropriately located allotments in countryside locations would not be encouraged.

The National Park Authority will ensure that all the communities in the National Park are assured of a vital and sustainable future and are able to meet their day to day needs within each local community. The National Park want to ensure that all development in the Park is able to adapt to the likely effects of climate change beyond the plan period. In order to

do this we will ensure that all development takes account of future risks of flooding, is intelligently sited, climate responsive, built with sustainable materials, resource efficient and accessible to all for the lifetime of the development.

The Settlement Strategy

The National Park vision is to enable and help settlements identified in the Local Development Plan to enhance their level of sustainability, by providing opportunities for community woodland, community allotments, and community energy generation schemes, to improve levels of self-sufficiency. The National Park will encourage development within and adjacent to defined settlements thereby increasing community sustainability, lowering ecological and carbon footprints and ensuring a more vibrant future for National Park Settlements. ((LDP) paragraphs 4.6.2.5 and 4.6.3.2, 4.7.3, 4.7.3.2).

The Settlement Strategy of the Local Development Plan uses a settlement hierarchy to identify five types of settlement. Depending on where the settlement is in the hierarchy the settlement is defined by either a Settlement Boundary or a Settlement Extent. Below is an explanation of the Settlement Strategy, however, refer to the Local Development Plan for full details of the National Park settlement strategy.

Edge of Settlements

There is a specific policy for development that is in the countryside but is considered to be on the Edge of a Settlement. Due to the strict controls applied to development in the countryside only exceptional development is enabled on the edge of a settlement and this is reflected in the relevant LDP policy: 'E LPI Community Sustainability Edge of Settlement Exceptions'.

Policy E LPI enables development proposals that are essential to community sustainability and/or have limited environmental impact will be enabled at edge of Settlement locations. Acceptable exceptions are limited to a number of uses that are listed in the Policy and Criterion 2 relates to allotments: 'Proposals relating to the provision of local food production serving the Settlement and its wider community'

Countryside

One of the primary purposes of the planning system is to promote environmentally sustainable development and certain types of development are enabled in the countryside by policy CYD LPI Enabling Appropriate Development. Criterion 7 of CYD LPI enables 'proposals relating to the provision of local food production of a scale and character in keeping with the countryside location, including the provision of new farm buildings where agricultural need can be proven as essential'.

Allotments and New Residential Development

Policy 6I Dwelling Density relates to residential development. The policy requires all residential development will be required to be developed at a minimum density of 30 dwellings to the hectare, where this is compatible with the existing character of the area.

Only where it is proven that this density cannot be achieved due to the incorporation of measures to improve the sustainability of the scheme which cannot be located on land

outside of the allocation, will levels less than the minimum target be permissible. (Local Development Plan Policy 61).

Paragraph 8.12.4 contains a list of possible exceptions to this density and the list includes the provision of allotment space.



3. Planning Considerations and Allotments

This section provides some guidance regarding the most common aspects of allotments and supporting infrastructure, the list is not exhaustive.

3.1 Location

The allotment must be located so that it is seen in the context of the village or settlement. The Local Development Plan (December 2013 - 2022) identifies the settlements through the Settlement Strategy. Buildings, roads and other infrastructure that requires planning permission will not be supported where an allotment has been inappropriately located.

Other aspects of location that are important such as impact on nearby dwellings, biodiversity, water features, even archaeology that might be buried under the surface.

3.2 Access

The route to the site must be safe for people walking to the allotment. Any vehicular access must be safe and the removal of large sections of hedgerow to provide an allotment is unlikely to be supported. The removal of hedgerows is damaging to biodiversity and the character and appearance of the area.

3.3 Roads and Parking

The National Park Authority recognises that some people may need to drive to an allotment and any parking area will need to be provided within the allotment area. Permeable paving would be the most suitable to be used for the surface of the parking area.

The most appropriate form of track is likely to be a twin track surface with grass left to grow between the tracks. Permeable paving would also be a suitable surface for the tracks.

Chippings should not be used as the top layer of surface used with permeable paving. The reasons for this is that, should the allotment cease being used chippings are difficult to remove and chippings are likely to spread which makes cutting nearby grass difficult.

3.4 Buildings

It is likely that the allotment society will wish to store some maintenance equipment such as lawnmowers and rotavators.

The design, materials and finished materials of any building will depend on the character of the surrounding area and how visible building will be. The more removed from the village boundary the allotment is, the less likely the erection of a building would be supported.

Sheds for individual allotments are unlikely to be acceptable as high numbers of sheds are likely to be visually detrimental. Unfortunately allotment sheds are often attractive to thieves.

A club house is unlikely to be supported as the erection of buildings to serve different organisations within a community should be avoided. This is to maintain the viability of existing community buildings or ensure no community building is exclusive.

Toilet facilities could be acceptable if there is no access to nearby public facilities. A composting toilet may be acceptable, however contact should be made with Natural Resources Wales to discuss methods of dealing with faecal matter. The location and design of a toilet will need to be carefully considered.

3.5 Biodiversity

Section 6 of the Environment (Wales) Act 2016 requires Local Authorities when carrying out their functions, to seek to “maintain and enhance biodiversity” and also seek to “promote the resilience of ecosystems”.

The National Park Authority will be seeking to maintain and enhance biodiversity through the planning system. When submitting a planning application associated with an allotment it will be necessary to provide, within the allotment grounds, an area where wild flowers can grow. A wildlife pond would be welcome if it is possible to maintain one and ensure the safety of children.

Seek retention of existing field boundaries and hedgerows.

The provision of bee hives is also useful as numbers of bees are falling and the bees are pollinators. Small numbers of bee hives or any supporting structures that are not attached to the ground are unlikely to require planning permission.



3.6 Water Supply

The location of a water supply is an important consideration. It is recommended that contact is made with Dwr Cymru to establish the cost of connection to an existing water supply. In some cases it may be more useful to provide an alternative source of water such as a borehole. It is possible to power pumps associated with a borehole with photovoltaic panels. Boreholes and associated infrastructure would require planning permission.

Where permits, consents or licences for the abstraction of water are required from Natural Resources Wales (NRW) it is important to engage in pre-application discussions with NRW.

Methods of water storage, such as water cubes, may be necessary. The number and location of any cubes will need to be considered prior to submitting a planning application.

3.7 Security

Security is an important issue as allotments can suffer from a degree of vandalism and/or theft. Permanent night time lighting on an allotment would not be supported. However, some movement triggered lighting to deter criminal or antisocial activities may be acceptable. Full details would be required as part of a planning application.

Security fencing is often unattractive and can be overbearing due to its height. The erection of security fencing is unlikely to be supported.

3.8 Fencing

Part 2 of The Town and Country Planning (General Permitted Development) Order 1995 (Amended) does enable the erection of fencing but there are limitations in respect of the height of the proposed fencing, the height of the original fence if a replacement is required and proximately classified roads. The appearance of the fencing will need to be appropriate to its location and, given the rural nature of the Park, post and wire would be appropriate.

Examples of appropriate fencing

