

**Application No:** DM/2019/01921

**Proposal:** Demolition of modern extensions and conversion of original public house building to residential. Erection of 4 new dwellings to the rear with car parking and associated external works

**Address:** Chepstow Castle Inn, 12 Bridge Street, Chepstow, NP16 5EZ

**Applicant:** Mr. & Mrs. D Mayo

**Plans:** Site Plan 2278/1 - , Site Plan 2278/10 D - D, Elevations - Proposed 2278/11B - B, Floor Plans - Existing 2278/2 - , Floor Plans - Existing 2278/3 - , Floor Plans - Existing 2278/4 - , Elevations - Existing 2278/5 - , Floor Plans - Proposed 2278/6 - , Elevations - Proposed 2278/7B - B, Floor Plans - Proposed 2278/8 - , Elevations - Proposed 2278/9B - B, Justification Statement

**RECOMMENDATION: APPROVE subject to a 106 Legal Agreement to provide a financial contribution for affordable housing provision**

Case Officer: Ms. Kate Young  
Date Valid: 27.11.2019

**This application is presented to Planning Committee due to the number of objections received**

## **1.0 APPLICATION DETAILS**

1.1 The Chepstow Castle Inn is a Grade II Listed Building situated in the Chepstow Conservation Area. It is located within the Development Boundary of the town and an Archaeologically Sensitive Area. The site is outside the Central Shopping Area but part of the grounds are within a C1 Flood Zone.

1.2 There is a large beer garden to the rear as well as a car park which is accessed off Church Road. To the south of the site is the former Chepstow Board School which is currently undergoing conversion. There are existing residential properties surrounding the rest of the site. The site curtilage is defined by a 1.8 metre high fence between the development site and the Board School and a low level stone wall to the north of the site which is overgrown by vegetation.

1.3 The application is accompanied by a Flood Consequences Assessment, A Tree Survey and a Heritage Impact Assessment. There is a concurrent Listed Building Application for the conversion of the public house DM/2019/01922

### 1.4 Value Added

The site plan has been amended to show vehicular access to the neighbouring property as well as the provision of a bin store and recycling storage area. The bat mitigation has also been amended.

### 1.5 Proposal Description

The application seeks the conversion of the public house into a single residential unit; this would involve some demolition. The application also seeks the erection of four new residential units, in the beer garden to the rear. These properties would be built in a row, two would be detached and two semi-detached. The existing pub car park which is accessed off Church Road would be utilised and 18 car parking spaces would be provided to serve the overall scheme. The car park would be landscaped with additional planting. The four new dwellings and conversion would all have pedestrian access via a resin bond path. The existing stone boundary walls would be retained. Dwarf stone walls would be built at the front of the 4 new dwellings and these would have railings above. The new dwellings, which would increase in height from 7.9 metres for plot 4 adjacent to the car park in the east to the four storey public house to the west, would be finished in render with stone detailing and would have slate or pantile roofs.

## 2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2019/01922	Demolition of modern extensions and conversion of original pub building to residential. Erection of 4 no dwellings to the rear with car parking and associated external works (listed building consent)	Pending Consideration	
DC/2006/01190	Minor works to change use from retail to residential - removal of signage to front elevation; replacement of fixed window to G.F Front with new sash; roof escape hatch (unglazed) new stabbing to enclose kitchen; replacement of attic door	Approved	05.01.2007
DC/2006/01174	Change of use from retail to residential with minor external alterations	Approved	05.01.2007
DM/2019/00309	Felling trees numbered 8, 9, 10 and 20, 21 and 24, as identified and described in the enclosed Tree Report.	Approved	10.04.2019
DM/2020/00661	Felling of one spruce tree, identified as Tree 1 in the enclosed Tree Survey and Arboricultural Impact Assessment	Pending Consideration	

DC/2007/00404	Block up 2no existing windows in cellar and replace 2no existing first floor metal windows to rear bedroom.	Approved	26.11.2007
DC/2007/00473	Externally illuminated signs for public house.	Approved	22.01.2008
DC/2007/00474	Pub Signs	Approved	22.01.2008
DC/1996/00255	Addition Of Ladies And Gents Toilets To Rear Of Building.	Approved	11.06.1996
00588	Extension APP_TYP 02 = Outline DEV_TYP 03 = Extension MAP_REF = 353560194150		13.05.1974

### **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

#### **Strategic Policies**

S1 LDP The Spatial Distribution of New Housing Provision  
S2 LDP Housing Provision  
S4 LDP Affordable Housing Provision  
S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S16 LDP Transport  
S17 LDP Place Making and Design  
S12 LDP Efficient Resource Use and Flood Risk

#### **Development Management Policies**

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements  
H9 LDP Flat Conversions  
CRF1 LDP Retention of Existing Community Facilities  
SD4 LDP Sustainable Drainage  
SD3 LDP Flood Risk  
NE1 LDP Nature Conservation and Development  
EP1 LDP Amenity and Environmental Protection  
MV1 LDP Proposed Developments and Highway Considerations  
MV2 LDP Sustainable Transport Access  
DES1 LDP General Design Considerations  
HE1 LDP Development in Conservation Areas

### **4.0 NATIONAL PLANNING POLICY**

#### **Planning Policy Wales (PPW) Edition 10**

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 as required by the Planning (Wales) Act 2015, the Well-being of Future

Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well being, creating prosperity for all.

Technical Advice Note (TAN) 15: Development and Flood Risk (2004):  
<http://gov.wales/topics/planning/policy/tans/tan15/?lang=en>

## **Supplementary Planning Guidance**

Affordable Housing SPG July 2019:  
<https://www.monmouthshire.gov.uk/app/uploads/2019/09/Final-Adopted-SPG-July-2019.pdf>

Infill Development SPG November 2019:  
<https://www.monmouthshire.gov.uk/app/uploads/2020/02/Appendix-2-Infill-Development-SPG-Latest-Version-for-Final-Adoption-2020-Dave-adjustments-00000002.pdf>

Chepstow Conservation Area Appraisal (March 2016):  
<http://www.monmouthshire.gov.uk/planning-policy/supplementary-planning-guidance/chepstow-conservation-area-appraisal>

Monmouthshire Parking Standards (January 2013)  
<http://www.monmouthshire.gov.uk/app/uploads/2015/07/Mon-CC-Parking-Standards-SPG-Jan-2013.pdf>

## **5.0 REPRESENTATIONS**

### **5.1 Consultation Replies**

#### **Chepstow Town Council - Refuse**

Over Development; there should be only three new dwellings so there could be more space between them.

Less car parking and more green space

**Glamorgan Gwent Archaeological Trust (GGAT)** - No objection subject to a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource.

#### **MCC Highways** - No objection in principle.

The highway authority acknowledges that the means of access off Church Road is existing and has provided access to the rear of the public house, other properties and parking for the public house and others for a considerable period of time. The maximum number of parking spaces required in accordance with the Council's adopted parking standards is 15, Drawing NO. 2278/10 - Proposed Site Plan indicates 18 spaces resulting in 3 additional spaces. However, no dedicated turning provision has been indicated. The highway authority acknowledges the restrictive nature of the access and the inability for the access to be widened. The alignments and width of the access will affect the size of service and delivery vehicles and influence the day to day servicing of the development, particularly waste collection.

The development will require full SuDS approval.

In addition the Construction Management Plan submitted in support of the application is considered acceptable and reflects the existing highway and environmental constraints.

The highway authority does not consider a development of this size and scale will be detrimental to the safety and capacity of the immediate highway network, however the highway authority has concerns regarding the operational effectiveness of the proposal and would recommend that the applicant and the planning authority consider the following:

1- A dedicated turning area

2- Detailed arrangements of how waste and recyclables will be collected is required, as the site as proposed cannot be accessed by the current waste service vehicle used in Chepstow, alternative arrangements need to be considered.

### **Dwr Cymru-Welsh Water**

The development requires approval of Sustainable Drainage Systems (SuDS).

The proposed development site is crossed by a 225mm public combined sewer, please note that no operational development is to take place within 3 metres either side of the centreline of the sewer.

### **Natural Resources Wales (NRW)**

#### **Flooding**

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if you include the following documents within the condition identifying approved plans and documents on the decision notice:

'Chepstow Castle Inn, Flood Consequences Assessment', prepared by Liddle+Associates Ltd., dated October 2019, reference number: RJL/2278/FCA/16Oct2019

We have reviewed the FCA submitted in support of the above application entitled, 'Chepstow Castle Inn, Flood Consequences Assessment', prepared by Liddle+Associates Ltd., dated October 2019, reference number: RJL/2278/FCA/16Oct2019. The FCA shows that the risks and consequences of flooding could be managed to an acceptable level for the following reasons: The existing finished floor levels (FFLs) of the pub is a minimum of 10.775mAOD and the garden area is a minimum of 11.4mAOD. The proposed FFL of the new build dwellings will be 11.9mAOD. No information has been provided on the rate of rise or speed of inundation as part per A1.15 of TAN15 and the Welsh Government's CPO Letter (Planning Policy on Flood Risk and Insurance Industry Changes) on 9 January 2014. If you are minded to request this information from the Applicant, we would be happy to provide further advice. It is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15.

#### **Protected Species**

We recommend you seek the advice of your in-house ecologist to determine if there is a reasonable likelihood of bats, a European Protected Species, being present within the application site. If so, in accordance with Technical Advice Note 5: Nature Conservation & Planning (paragraph 6.2.2) a bat survey may be required.

**MCC Tree Officer** - Thank you for the updated tree protection information which is most satisfactory. I would suggest the tree protection condition be applied to the decision notice.

**MCC Ecology** -The landscape plan provides appropriate compensation for the tree loss proposed. The ecological assessment includes bat activity survey of the Inn building and appraisal of the land to be developed. It is noted that the building had moderate potential and activity survey was carried out in accordance with best practice guidelines. Whilst there was some low level bat foraging activity, no bats were identified using the building.

The land proposed for development was identified as having potential for nesting birds, hedgehogs and reptiles. It is noted that habitats identified as being suitable on the first visit were subsequently cleared. The sensitive working methods provided in the report are acceptable and should be secured by condition to safeguard these species during construction. Clarity is needed on who will manage the GI Assets.

The development has been considered under a Habitats Regulations Assessment by MCC.

Biodiversity enhancements are required.

### **MCC Heritage**

The detached property Plot 4 will have a break of 53m between elevations of the public house and plot. Whilst the proposed would have a direct impact upon the setting of the Listed Building, it is not considered the new development shall have an overbearing impact upon the setting. The proposed design is traditional vernacular which lends itself to a cottage gothic style with decorated barge board fronted gable dormers.

Some design amendments were requested.

The proposed development is focussed to the rear of 12 Bridge Street; it is considered the proposal by means of enclosure and height would not impact upon the setting of the scheduled ancient monument (SAM) or surrounding listed buildings.

### **5.2 Neighbour Notification**

Letters of objection received from 12 addresses included the following reasons:

Increase in traffic in the area and along the access road

Inadequate access and parking

Loss of privacy for neighbouring properties

Out of keeping with character of area

Over development of the site/garden grabbing; more open space required

Effect on biodiversity and wildlife

New properties are too big/height

Noise nuisance during and after construction

Strain on existing community facilities

Information missing from plans or insufficient details

Loss of trees

Impact on the conservation area and listed building including demolition

Required proper management of the parking area

The amended plan show the bin store too close to existing residential properties; it will cause an environmental hazard, especially during the summer.

Letters of Support

Car park is currently rough ground and will hopefully stop people fly tipping there.

Adjoining wall will need to be secured as it is currently in a bad state of repair and may fall onto parked cars.

Will be good to see this disused property and rough ground being used for housing to give people homes.

More homes are needed in the area although a by-pass for Chepstow is too.

The building noise will be disruptive for me, but it will be worth it to see the plot used.

In general we feel the design is considerate to its surroundings and a nice use of the space.

## **6.0 EVALUATION**

### **6.1 Principle of Development**

6.1.1 The conversion of the public house into a residential property is subject to Policy CRF1 of the LDP which states that the conversion of community facilities including public houses will only be permitted where the local community will continue to be adequately served by other such facilities in the locality. If that is not the case, the policy criteria then considers whether there is evidence that the facility is not or could not be reasonably expected to become financially viable, including evidence that the facility has been genuinely marketed. In this case, the local community is adequately served by alternative facilities, there being at least 24 public houses and licensed restaurants within Chepstow, the vast majority of which are within 250m of the Castle Inn. Although the pub trade and its market is contracting there are still plenty of public houses operating in the centre of Chepstow and there would be no detrimental impact on the local community.

6.1.2 As criterion a) of Policy CRF1 has been satisfied the need to meet the other criteria within that policy is not necessary. The change of use is therefore policy compliant.

6.1.3 With regards to the new residential properties, the site is located within the Chepstow Development Boundary. Thus in line with Policy H1 of the LDP there is a presumption in favour of development within these boundaries, subject to normal detailed planning considerations. Policies S1 of the LDP says that the main focus for new housing development is within or adjoining Main Towns; Chepstow is one of the three main towns. The principle of new residential development in this location is therefore acceptable in policy terms. PPW 10 recognises the need to provide sufficient housing in sustainable locations to meet housing need.

## **6.2 Sustainability**

The Local Development Plan and PPW encourage sustainable development and promote the most efficient use of brownfield land. This is a very sustainable location for new housing development being located within the town centre within easy walking distance to a large range of facilities including shops, places of entertainment and medical facilities. The site is also within walking distance of a train and bus station. In addition this proposal makes good use of a brownfield site. The proposal accords with a key objective of PPW10, providing residential accommodation in a sustainable location.

### **6.2.1 Good Design**

The front elevation of the public house, which is a key element in the Chepstow Conservation Area, is addressed in detail in the associated application for listed building consent. The proposed new dwellings would be sited in the beer garden at the rear of the pub, this will not be visually prominent in the streetscene. The proposal is to construct a row of four dwellings, two detached and two semi-detached units. The design has taken into account the setting of the listed building and the wider conservation area, in order to ensure that the character of both are preserved and where possible, enhanced. Design constraints dictate that the development is located towards the southern boundary of the beer garden in order to protect the trees and their roots to the north. The dwellings therefore face to the northern boundary with some open green space in front. A traditional cottage gothic style has been followed with pitched dormers and multi-pane sash windows. The height of the dwellings generally descends from the proposed 3 storey dwelling on plot 1 which is closest to the existing pub, with a ridge height of 9.5 metres, to a 7.9 metre high dwelling on plot 4 which faces into the car park and has dormer windows. Plots 2 and 3 are semi-detached with plot 2 being slightly lower than plot 3. All of the dwellings will be finished in render and will have either grey blue natural slates or red pantiles, these materials reflect those of other buildings around the site and are in keeping with the character of the area. The design of the dwellings are respectful of the prevailing character of the area and contribute towards a sense of place. The proposal therefore accords with the objectives of Policy DES1 of the LDP.

### **6.2.2 Place Making**

PPW 10 says that good design is fundamental to creating sustainable places where people want to live, work and socialise. The special character of an area should be central to its design. In this case the layout, form scale, visual appearance of the development does engage with its surroundings. The proposed new dwellings are not visually prominent within the Chepstow Conservation area but will be viewed from surrounding properties to some degree. It can be seen from the site plan that the proposals allow for a communal amenity area to the north of the dwellings, with access to the front doors from the car park along a path through this area. This will contribute towards creating a sense of space, and will ensure that the amount of development and its intensity is compatible with development in the adjacent area. The design, massing and scale of the proposed dwellings reflects the character of the adjacent pub and the properties along Bridge Street. The design of the dwellings and their layout will contribute to a sense of place thus complying with one of the key objectives of PPW10.

### **6.2.3 Green Infrastructure**

This is a former beer garden within an existing built up area, there is little scope for large scale Green Infrastructure proposals. The car parking area which is currently gravel will be formally laid out and planted up with shrubs, thereby providing biodiversity enhancements and a permeable surface. Of importance is the retention of the trees on the northern part of the site as per the report of the Tree Survey which maintain an appropriate soft landscaping and visual break within the site.

## **6.3 Landscape**

6.3.1 The site is located within an urban setting, and is not visually prominent from any main public vantage point. It is located at the rear of existing domestic and commercial development. The main focus of the soft landscaping will be in the existing car parking area. At present the existing car parking area for the public house is an area of hardstanding which has not been formally laid out. Not all of this car parking area will be required for the proposed 5 dwellings and a significant part of this area will be planted with shrubs. This will visually break up the area of hardstanding and enhance the aesthetics of what is now a harsh and barren space. The soft landscaping in the car parking area will also increase the permeability of the surface for water penetration and thereby reduce flow rates for surface water in the car parking area. The 4 new dwellings will all have small, enclosed rear gardens, with close boarded timber fences between them. It is envisaged that a large proportion of these gardens will be left as grassed lawn. To the front of the 4 new dwellings will be an area of communal space. Existing mature trees will be retained on this part of the site. Much of the site is surrounded by natural stone walls, these walls will be retained and incorporated into the new development. The proposed landscaping of this site is considered acceptable and complies with criterion h) of Policy DES1 of the LDP which requires that landscape proposals for new development integrated into their surroundings take account of the existing landscape and its intrinsic character. The proposed landscaping for this proposal is appropriate for this site.

6.3.2 A Tree Survey, Arboricultural Impact Assessment & Method Statement was submitted as part of the application. There are a number of trees located both within the pub garden and within the adjacent property along the northern boundary of the site. These trees consist of mature sycamore and ash (mostly self-seeded) together with a number of outgrown bay and hazel stems. These trees are of generally low value arboricultural value (category 'C') and do not impose a significant constraint to development, but do provide a degree of screening to the adjacent property.

6.3.3 The trees within the car park area consist of self-seeded ash which are also of limited arboricultural value. Two trees which include a spruce and pear have been removed as part of a separate application since the original tree survey was undertaken and a further tree, a sycamore, which is causing shading issues to the adjacent property, is due to be removed again as part of a separate application. A young self-seeded sycamore, a chusan palm, weeping pear and elder have also been cleared since the original survey was undertaken. The Method Statement sets out how the pre-commencement tree works associated with this scheme are to be carried out minimising the damage caused to the trees. It includes details on how the works will be managed and how the retained trees will be protected during the works. The MCC Tree Officer has reviewed the report and found it to be satisfactory provided that a tree protection condition be applied.

## **6.4 Historic Environment**

6.4.1 The site is located within the Chepstow Conservation Area, in the Grounds of a Listed Building but the site of the 4 new dwellings in the beer garden to the rear do not form part of the public realm and the site is not prominent within the Conservation Area, with no public vantage points towards it. Consideration has been paid to the setting of the listed building seeking to preserve the building's special character. Following the demolition of the later extensions to the listed building, this provides more breathing space within the rear garden and so it is not considered that the new build will have an overbearing impact on the host listed building. The scale of the buildings, in particular plot 1, which is the closest to the listed building is considered to be of an appropriate scale for 'backland' development and so does not have a sufficiently detrimental impact on the setting of the listed building in this urban environment.

6.4.2 A separate Listed Building Application DM/2019/01922 considers the impact of the proposal upon the listed building and the local historic environment.

## **6.5 Biodiversity**

6.5.1 A Preliminary Ecological Survey was carried out on the site which found no evidence of bats using the Chepstow Castle Inn Building as a bat roost, however there is potential for bat roost(s) in the trees in the beer garden. There is a reasonable likelihood that habitats at the rear of the



building could support populations of common reptile species (protected under the Wildlife & Countryside Act and Environment Wales Act 2016). Subsequently a Bat Survey and Ecological Survey was submitted. No evidence of roosting bats was found. The site was initially considered to have some limited reptile potential, although marginal vegetation was cleared during summer 2019 following which this potential was reduced. The ecology assessment has identified some potential low level, local impacts to foraging and commuting bats, nesting birds, hedgehogs and reptiles. Protection and mitigation measures are proposed for the scheme including the clearance and construction phases. In line with planning policy and best practice, biodiversity enhancement measures are to be provided, these include bird and bat boxes, planting and habitat management for wildlife including reptiles. These enhancements have been altered in line with MCC Ecologists' requests.

## **6.6 Impact on Amenity**

6.6.1 The site is surrounded by commercial and residential properties. To the south of the site is the Old Board School which has been converted into a day centre. That building does have ground floor windows facing into the site, but the Board School is set at a slightly higher level than the proposed dwellings. There is approximately 13 metres between the rear elevations of the proposed dwellings and the side elevation of the Board School building. Given that the Board School is not a residential property and the position of an intervening wall and fence along the common boundary this distance is considered to be acceptable. To the north west of plot 1 is the rear elevation of the public house that is to be converted into a single residential property. The converted public house would have patio doors on the ground floor facing towards the rear garden of plot 1 and would be almost 7 metres from the boundary fence. The proposed conversion would also have two first floor windows, serving a bedroom facing the garden of plot 1.

6.6.2 To the north of the site is the beer garden of the Castle View Hotel within which is a modern residential property that is set at a lower level than the development site. This property has ground and first floor windows facing towards the site. There is a low level wall along the common boundary. There is approximately 16 metres between the elevation of the existing property in the rear of the Castle View pub and the side elevation of proposed plot 4. At first floor level plot 4 has a small bedroom window and a window serving a bathroom on the side elevation facing towards the dwelling in the rear of Castle View Pub. Given the intervening distance this is considered acceptable.

6.6.3 To the north east of the site is a row of properties in Orchard Gardens. These properties have their rear elevations facing into the site and their rear gardens adjacent to the car parking area. There is a high stone wall surrounding the car park. There will not be an increase in noise and disturbance from the proposed car park over and above that which would be caused from it operating it as a public house's car park; in fact there is a potential for a significant reduction in parking manoeuvres from the proposed use. The front elevation of plot 4 will face the rear gardens of no 11 and 12 Orchard Close. There is a distance of approximately 21 metres between the rear elevation of these properties and the front elevation of plot 4 which is sufficient to protect amenity.

6.6.4 There are residential properties on either side of the access track into the car park these are 2, 5 and 5A Church Road and 15 to 20 Hollins Close. Although the vehicles entering the new housing development will pass very close to these properties the number of vehicles accessing the proposed housing development will be less than the traffic that could potentially use it in association with the public house, especially if the public house was to host functions. Therefore the impact here is considered to be acceptable.

6.6.5 The layout of the proposed development accords with the objectives of policies DES1 and EP1 in terms of respecting the amenity of the occupiers of existing neighbouring residential properties. The proposal also accords with the specific privacy distances outlined in the adopted SPG on Infill Development.

## **6.7 Highways**

### **6.7.1 Sustainable Transport Hierarchy**

PPW10 refers to the Sustainable Transport Hierarchy where walking and cycling are the highest

priority with public transport second and then use of private motor vehicles being the least desirable. In this case the site is located in the centre of Chepstow within easy walking distance to all the amenities and facilities in the Town Centre. The site is also within easy walking distance of good public transport links including the bus and railway stations. This site occupies one of the most sustainable locations in the county and the occupiers of these dwellings will be less reliant on the car to go about their daily business. The site is therefore considered to be of a suitably sustainable location for residential use.

### 6.7.2 Access / Highway Safety

The highway authority does not consider that a development of this size and scale would be detrimental to the safety and capacity of the immediate highway network. Access to the site is through the town of Chepstow along St Anne's Street, Lower Church Street and Church Road. This route was the former A48 before the town by-pass was constructed. These streets are characterised by narrow single track roads and sharp bends, particularly adjacent to the access to the site, where the road bends around the open space belonging to St Mary's Church. The route is one way, and this is the only access route to the site. The current car park has provision for 38 car parking spaces. This car park can be used now in association with the public house and could generate a much higher volume of traffic than would be associated with the development of 5 residential dwellings. The highway authority acknowledges the restrictive nature of the access and the inability for the access to be widened. Access to the site from the highway is via a private lane, off Church Road. The lane is generally in the order of 3.8m wide, and is 3.35m wide at its narrowest part. This access has been utilised satisfactorily within the past year by construction vehicles working on the Old Board School, which have included 8cu m concrete wagons, wider than a standard car. Given the current position, the access is considered acceptable to accommodate the proposed new use for 5 dwellings.

Some neighbours have said that their properties are being damaged as a result of large vehicles entering and leaving the site. The submitted Construction Traffic Management Plan states that:

"Given the access route through the town, and the access lane to the site, construction vehicles delivering to the site will be restricted to 4 axle rigid lorries, 30 tonnes max gross weight. No articulated vehicles would be allowed. Prior to commencement of operations, the contractor will contact all dwellings and commercial properties backing on to the site and the access lane in order to inform the residents and occupiers of the start of operations and to provide contact details of the site representative who will be the main point of contact for concerns or complaints regarding the site."

The access lane is wide enough to take construction traffic and construction activities will be carefully monitored as outlined on the Construction Traffic Management Plan. The construction phase is expected to last for 18 months. Once developed, the access road will not be adopted and will be the responsibility of occupiers of the new properties. There is no expectation that a refuse vehicle would enter into the site; refuse would be collected in a communal bin store and then carried up to Church Road to be collected. Any damage to neighbouring properties would be a private legal matter between the two parties.

### 6.7.3 Parking

The adopted Monmouthshire Parking standards require one off street parking space per bedroom up to a maximum of three for each dwelling. In this case the new dwellings will require three parking spaces each as will the converted public house, this gives a requirement of 15 spaces. The layout plan shows that 18 off road car parking spaces will be provided which is above that required by the adopted Monmouthshire Parking Standards. One of the parking spaces could be used as a dedicated turning area of cars within the site. A vehicular access to the property to the rear of the Castle Inn, would be maintained through the development site. The proposal accords with Policy MV1 of the LDP which requires that development proposal to satisfy the adopted highway design guide and adopted parking standards.

## 6.8 **Affordable Housing**

6.8.1 Policy S4 of the LDP requires that all new housing developments contribute to affordable housing within the County. Where five or more dwellings are proposed a percentage of these dwellings should be classed as affordable. In Chepstow the requirement is for 35% of dwellings to be affordable. Where capacity is below this, a financial contribution will be sought towards off-site affordable housing. The dwelling created in the former public house, as per the Affordable Housing SPG, is exempt as it is a conversion of a listed building, therefore the eligible development is for four units. As this is under the five mentioned above, the amount of affordable housing proposed will be based on a viability assessment. In this case the contribution for the four new dwellings will be £35,076.00 in accordance with Policy S4.

The break down required for each unit is as follows:

Plot 1- £10,300

Plot 2- £8,352

Plot 3- £7,516

Plot 4- £8,908

## 6.9 Flooding

6.9.1 The northern extremity of this site, including some of the parking area is within a C1 Flood Zone. No part of the proposed dwellings or their private garden areas will be located within a flood zone. A Flood Consequences Assessment (FCA) has been submitted as part of the application. The Report has been prepared as a consequence of the current flood map prepared by Natural Resources Wales (v201908) showing that a small part of the site will be affected by flooding. It looks at the detail of TAN15, Development and Flood Risk, which sets out criteria for assessing the flood risk and considers those criteria and found that:

"Part of the beer garden where it is proposed to locate residential development has an existing ground level which varies in height from 11.4 to 11.77m AOD. It is estimated that the floor level of the dwellings would be in the order of 11.9m AOD. The Flood Risk Mapping Study shows that a 1:200 year event, defended, excluding upper confidence, does not affect the site in any way and that the depth and hazard grids for upper confidence intervals on 1:200 year events do not impinge on the site in any way. The Study shows that the site does not flood."

NRW considered the FCA and recommend that MCC should only grant planning permission if the submitted FCA is included on the list of approved plans within the decision notice. The application proposes highly vulnerable development (residential development). The Flood Risk Map confirms the site to be partially within Zone C1 of the Development Advice Map (DAM) contained in TAN15 and the 0.1% (1 in 1000 year) annual probability fluvial and tidal flood outlines of the River Wye, a designated main river. Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified with reference to the tests set out in section 6.2 of TAN15. NRW confirm that The FCA shows that the risks and consequences of flooding could be managed to an acceptable level. NRW comments that no information has been provided on the rate of rise or speed of inundation as per part A1.15 of TAN15 and the Welsh Government's CPO Letter (Planning Policy on Flood Risk and Insurance Industry Changes) on 9 January 2014.

Paragraph 6.2 of TAN 15 sets out the tests that must be applied for developments in flood zones. This states:

"New development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue. In zone C the tests outlined in sections 6 and 7 will be applied, recognising, however, that highly vulnerable development and Emergency Services in zone C2 should not be permitted. All other new development should only be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. Development, including transport infrastructure, will only be justified if it can be demonstrated that:-

- i) Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or,
- ii) Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region;
- iii) It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1); and,

- iv) The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.

The site is located within a C1 flood zone and not a C2, which is an area of flooding with flood defences. The site is located within the town centre surrounded by other residential and commercial properties. Without the conversion of the listed pub and the enabling new development the building which has been vacant for some time could fall into disrepair. The proposed development would preserve a listed building which makes a positive contribution to this important part of the Chepstow Conservation Area. In addition the proposal will provide much needed new residential dwellings in a sustainable location. The preservation of the listed building and the proposed new dwellings comply with the council's objectives. The proposal will provide employment opportunities during the construction phase. The site was previously a pub and beer garden and therefore it is not greenfield land but has been previously developed. NRW have confirmed that the submitted FCA shows that the risks and consequences of flooding could be managed to an acceptable level. They advise us that no information has been provided on the rate of rise or speed of inundation however this is because the area where the dwellings would be sited does not flood - so there is no inundation. For these reasons it is considered that the proposal complies with all the tests set out in paragraph 6.2 of TAN 15 for highly vulnerable development within a C1 Flood zone.

## **6.10 Drainage**

### Foul Drainage

6.10.1 There is a 225mm public combined sewer running through the existing car park. Welsh Water have requested that no operational development take place within 3 metres either side of the centreline of the sewer. The new dwellings do not encroach on this easement, in that the area either side of the sewer is proposed to be used for car parking. It is proposed to connect the foul water from the new dwellings into the combined sewer in the car park. This complies with the advice from NRW that in a sewered area the preference is to connect into a main sewer.

### Surface Water Drainage

6.10.2 SuDS techniques will be incorporated into the development. While no percolation tests have been undertaken, a total of five trenches have been excavated across the site for archaeological purposes. The indication from examining the sides of these trenches is that the ground should be able to accommodate soakaways to accommodate rainwater discharge from the new houses. Permeable ground finishes will be incorporated for paths and car parking areas, as will water butts for the dwellings. Demolition of the extensions to the original public house structure will reduce the amount of surface water discharged into the combined drainage system thus reducing total water discharge rates from the site. The Sustainable Drainage System will have to accord with the Welsh Government Standards for sustainable drainage. The scheme will require approval by the SuDS Approving Body and will be fully built out in accordance with this SAB approval.

## **6.16 Planning Obligations**

A financial contribution of £35,076.00 for affordable housing will be required as part of the development.

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

The Town Council has suggested that the proposal is over development and consider that three dwellings on the plot would be more appropriate. In this area of Lower Chepstow, there is a wide range of plot sizes, with some very small properties with pedestrian access only through narrow courtyards. The size and configuration of the proposed dwellings are in keeping with the prevailing and varied character of this part of Chepstow. The proposed dwellings all have adequate private amenity space as well as benefiting from the communal green space within the northern part of the site. Officers have considered the benefits of reducing the number of dwellings on the site, to provide more green space but there is no planning justification for this, given that the proposal does accord with Policy DES1 of the LDP. The applicant has provided assurance that the site will be able

to accommodate adequate SuDS methods.

Many of the issues raised by the neighbours such as traffic generation, residential amenity and ecology have been addressed in the main body of the report. The height of the proposed dwellings is in keeping with the height of surrounding properties; in fact they are a lot lower than many of the properties along Bridge Street. The height, scale and position of the dwellings has been carefully considered to minimise overlooking and ensure that privacy distances are acceptable. Comments are raised over the accuracy of the plans and insufficient details. However the plans are considered sufficient for planning purposes.

In relation to the loss of trees, permission was granted in April 2019 to fell trees on the site under application number DM/2019/00309. This was needed as the trees were located within a Conservation Area. The remaining trees on site have been accommodated and protected as part of the green space to the northern boundary.

A development of five additional residential units within Chepstow would not put significant additional strain on public transport or community facilities. Concern from local residents is raised over the adequacy of the access road into the car park – especially regarding its narrow width. This serves the existing use of the site as the public car park. It is considered and confirmed by the council's Highways Officer that the proposed residential use will generate considerably less traffic movements than those generated by a public house car park. The use of the access by traffic during the construction period has been addressed in the Construction Traffic Management Plan (CTMP) which has been approved by the highway authority. Any noise and nuisance from construction will be for a limited time only and so is considered to be addressed and properly managed through the CTMP.

There would be no footway adjacent to the access and there is no requirement for this as a private road serving only six residential properties (including vehicular access for an existing property). The potential for damage to existing properties from vehicles striking the wall is no greater as a result of this proposal. The access into the site is narrow and a single lane, but this is only over a short length with good visibility throughout. While not to usual highway standards, the access is existing and will only be used for a low number of vehicular movements. A traffic assessment is not needed in this case as the increase in traffic movements resulting from five additional dwellings will not be significantly high compared to existing traffic movements in Lower Chepstow or compared to those which could be generated if the property continued to be used as a public house. The vehicular access to the property to the rear of Castle View is being maintained.

Noise and dust are an inevitable part of the construction process and only temporary in nature. The Construction Traffic Management Plan submitted as part of the application outlines how the impact of noise and dust are to be managed. To safeguard the amenities of nearby residents it is proposed that no construction works shall be undertaken on the site on Public Holidays. Construction work will be limited to between the hours of 8 am and 6 pm on Mondays to Fridays and between 9 am and 1pm Saturdays.

Lastly, in relation to the bin store, this will be located in the southern part of the site, adjacent to the gardens of 14, 15 and 16 Hollins Close. There is an existing stone wall between the bin store and the existing properties, this should provide adequate protection against odours/nuisance. The bin store will only contain household rubbish in between collections.

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

6.6.1 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.

## **6.7 Conclusion**

6.7.1 The site is located within the Chepstow Development Boundary in a very sustainable

location. The principle of residential development is acceptable and in accordance with LDP policies. The FCA has demonstrated to the satisfaction of NRW that the consequences of flooding can be acceptably managed. The design of the new dwellings is acceptable and is in keeping with the character of the area. The proposal will preserve the character of the Chepstow Conservation Area and the setting of the listed building. The access into the site is adequate for the proposed use and the highway authority offer no objections. Therefore, the proposal accords with the objectives of PPW10, TAN 15 and the policies of the LDP and is recommended for approval.

## **7.0 RECOMMENDATION: APPROVE**

Subject to a 106 Legal Agreement requiring the following:

### S106 Heads of Terms

A financial contribution for affordable housing in the local area of £ of £35,076.00

The break down required for each unit is as follows:

Plot 1- £10,300

Plot 2- £8,352

Plot 3- £7,516

Plot 4- £8,908

If the S106 Agreement is not signed within 6 months of the Planning Committee's resolution then delegated powers be granted to officers to refuse the application.

### Conditions:

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

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

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

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

3 The development shall be carried out in accordance with the Construction Traffic Management Plan, RJL/5 March 2020/2278 submitted in support of the application.

REASON: To protect the amenity of local residents during the construction phase in accordance with policy EP1 of the LDP

4 Trees shall be protected in strict accordance with the Arboricultural Method Statement found at Section 4 of the Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement dated June 10th 2020. Pre-commencement tree works as detailed in Section 5 and the installation of Tree Protection Barriers as detailed in Section 6 shall be completed, notified to the Council's Tree Officer by the Project Arborist and formally discharged before any plant or materials are brought to site.

Reason: To ensure the health of valuable green infrastructure assets in accordance with Council Policy S13: Landscape, Green Infrastructure and the Natural Environment.

5 No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource

6 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A B C D E F & H of the Town and Country Planning (General Permitted Development)(Amendment)(Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) no enlargements, improvements or other alterations to the dwellinghouse or any outbuildings shall be erected or constructed.

REASON: To protect the amenity of adjoining residents in accordance with Policy EP1 of the LDP.

7 No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul water. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

8 A representative sample of the proposed finishing materials for the dwellings and the boundary treatments shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The roofing slate shall be natural and not man made. The development shall be carried out in accordance with the approved details.

REASON: To safeguard the character and appearance of the listed building and the conservation area in accordance with policies DES1 and HE1 of the LDP