

Application Number: DM/2022/01831

Proposal: Improvements to the existing pedestrian and cycle connectivity across Castle Meadows by providing Active Travel compliant routes. Including the upgrade of existing routes, access points and the replacement of the existing footbridge over the River Gavenny

Address: Land At Castle Meadows, Abergavenny, Monmouthshire

Applicant: Monmouthshire County Council

Plans: All Proposed Plans 70086673-104-P01 - , All Proposed Plans 70086673-105-P01 - , All Proposed Plans 70086673-1801-P01 - , All Proposed Plans 70086673-1802-P01 - , All Proposed Plans 70086673-401-P01 - , All Proposed Plans 70086673-402-P01 - , All Proposed Plans 70086673-403-P01 - , GI Masterplan 70086673-WSP-EV-DR-LA-0100 - , GI Masterplan 70086673-WSP-EV-DR-LA-0100 - , All Drawings/Plans 70086673-WSP-EV-DR-LA-0102 - , All Drawings/Plans 70086673-WSP-EV-DR-LA-0103 - , All Drawings/Plans 70086673-WSP-EV-DR-LA-0105 - , All Drawings/Plans 70086673-WSP-EV-DR-LA-0106 - , All Drawings/Plans 70086673-WSP-EV-DR-LA-0107 - , Landscaping Plan 70086673-WSP-LMP-LA-RP-0001 - , Location Plan 70086673-106-P01 - , All Drawings/Plans 70086673-101-P01 - , All Drawings/Plans 70086673-102-P01 - , All Drawings/Plans 70086673-103-P01 - , All Drawings/Plans 70086673-WSP-EV-DR-LA-0108 - , Other ARBORICULTURAL STATEMENT - Part 1, Other ARBORICULTURAL STATEMENT - Part 2, FCA - FCAV2.0, Ecology Report BAT SURVEY REPORT - V1, Other ECIA - V2, Other GCN - V1, Other HRA STAGE 1 AND 2 - V1, Other NATIVE SPECIES - , Other OTTER REPORT - V1 (Part 1), Other OTTER REPORT - V1 (Part 2), Other OTTER REPORT - V1 (Part 3), Other PEA - V2,

RECOMMENDATION: Approve (subject to agreement of updated Habitats Regulations (HRA) Appropriate Assessment)

Case Officer: Ms Kate Bingham

Date Valid: 22.12.2022

This application is presented to Planning Committee due to the number of representations made and the fact that the applicant is Monmouthshire County Council

1.0 APPLICATION DETAILS

1.1 Site Description

1.1.1 The application site is located within Castle Meadows, an area of public open space owned by Monmouthshire County Council. The development site has an area of 0.99 hectares (9,927m²). The site area includes 0.49 hectares (4,915m²) of Public Rights of Way (PRoW). The Town and Country Planning (General Permitted Development) Order 1995 (as amended), provides that works to a PRoW are deemed Permitted Development. However, to ensure completeness the PRoW have been included within the total site area, as shown within the red line boundary on the location plan submitted with the application.

1.1.2 The application site is located within a river flood plain and is comprised of improved grassland, amenity grassland and semi-natural broadleaved woodland, with small areas of hard standing, bare ground, scrub, scattered trees and running water, ponds including tributaries and streams feeding into the River Usk. The surrounding land use is a combination of residential and retail/ commercial within Abergavenny Town Centre.

1.1.3 There are a number of existing Public Rights of Way (PRoW) and unofficial footpaths within the Site. Notably, this includes the National Sustrans Route 46 (NR46) which transverses Castle Meadows and connects to NCN Route 49 in Llanfoist. However, there is a gap in the route across Abergavenny Bridge, including a short section of Merthyr Road to the south of the bridge. Additionally, footpaths 351/2/1 and 352/6/1 run through the site, along the northern bank of the River Usk and east-west across the site, respectively.

1.1.4 Castle Meadows is designated as an Area of Amenity Importance under Local Development Plan (LDP) Policy DES2 and falls within the Abergavenny Conservation Area. It is also located in close proximity to Scheduled Ancient Monuments at Abergavenny Castle (MM056), Abergavenny Roman Fort (MM193) and Abergavenny Bridge (MM010).

1.1.5 The area is within the Phosphorous Sensitive Catchment Area of the River Usk Special Area of Conservation (SAC) and is also located predominantly within a Zone 3 (Rivers) flood plain with other parts also within Zone 2 (Rivers and Zones 2 and 3 (Surface Water)).

1.2 Value Added

1.2.1 Further information relating to drainage, ecology and landscaping have provided:

- Details of final proposed surface material and colour.
- The applicant has provided clarity with regard to the difference between Stage 1 and Stage 2 activity as well as the provision of the temporary access process and methodology during construction phase (NB these works will be undertaken under Permitted Development Rights)
- The confirmation by the applicant that inner radii will conform to active travel design guidance is acceptable.
- Further clarity in terms of the management of the surface following river flood and silt deposit to ensure surface maintains porosity.
- Additional Otter and Water Vole Survey Reports submitted to inform an updated Appropriate Assessment under the Habitats Regulations.

1.3 Proposal Description

1.3.1 As required by the Active Travel (Wales) Act 2013, MCC has prepared the Integrated Network Map (INM) of walking and cycling routes across six areas of the County, including Abergavenny. Following the publishing of the new Active Travel Act Guidance (2021) and the requirement imposed by Welsh Government on all local authorities in Wales to produce Active Travel Network Maps (ATNM), MCC consulted the public on the existing and proposed walking and cycling routes across the County. The consultation was undertaken between June and October 2021.

1.3.2 The A4143 Merthyr Road connects the two communities of Abergavenny and Llanfoist via the existing Abergavenny Bridge crossing over the River Usk. Castle Meadows and Ysbyty Fields are important leisure areas for the community and are crossed by Public Rights of Way (PRoW) and National Cycle Network routes 42 and 46.

1.3.3 Study findings to date, suggest that many people who would otherwise walk or cycle between Llanfoist and Abergavenny are deterred. This is due to the poor pedestrian and cycling connections provided via the existing Abergavenny Bridge crossing over the River Usk, as well as through Castle Meadows. Those with impaired mobility are particularly disadvantaged by the current poor connections. Key issues relevant to the scheme's area have been identified during the early stages of the study and are summarised below:

- The existing Abergavenny Bridge crossing over the River Usk provides a very narrow footway on one side and does not cater for cyclists.
- Local surrounding roads (Abergavenny Bridge and A40) are heavily trafficked and do not lend themselves to active travel use. Additionally, owing to the high volumes of vehicles using existing these routes, there is a perceived safety risk which further deters pedestrians and cyclists from using existing routes.
- Existing routes across Castle Meadows do not comply with current active travel standards, and do not cater for all users, especially those with mobility impairment.
- The potential growth in the number of residents in Llanfoist may further impact on local highway performance, in turn making existing routes less attractive for future pedestrian and cyclist trips.
- 15% of drivers in the local area travel less than 2km, and 8% between 2km and 5km. These trips could be accommodated by improved active travel modes if adequate infrastructure was provided.

1.3.4 The objectives of the proposed new Active Travel scheme have been derived through identification of key issues (as summarised above), and also according to the objectives set by the MCC and Welsh Government (WG) transport policies. The objectives are as follows:

- Ensure connection from the town centre through Castle Meadows to Llanfoist are fit for purpose and accessible to all, and provide an alternative to private car use.
- Increase the number of pedestrians and cyclists using Castle Meadows for commuting and leisure purposes;
- Make a positive contribution to air quality by promoting active travel and supporting the reduction of Carbon Dioxide around the Abergavenny / Llanfoist area.
- No significant adverse impacts on environmental sensitive receptors during construction and operation, protect and enhance the historic, built and natural environmental including landscape and settlement character of the area.
- Introduce safe and accessible active travel links and remove conflicts between users on Abergavenny Bridge.

1.3.5 The object of the scheme proposals is to encourage the public to adopt walking and cycling as preferred modes of travel. In addition, the scheme is intended to benefit the local environment by reducing carbon emissions.

1.3.6 The proposed scheme as a whole comprises three stages. This application relates to Stage 1 which seeks to create new and improved paths within Castle Meadows to an active travel act compliant cycle track standard shared with pedestrians at 3m widths tapering to 2m at transition locations as indicated on the general layout linking with existing paths and surfaces.

1.3.7 Stage 2 is proposed to link Abergavenny via Castle Meadows to Llanfoist including Merthyr Road. This is not the subject of the application except for two entrance access improvements points included in stage 1 information.

1.3.8 Stage 3 proposes to link to the A40 from Stage 1 including a southern section of the route to Glyndwr Gardens which is not the subject of the application.

1.3.9 It should also be noted that the proposed bridge across the River Usk linking Castle Meadows to Llanfoist has already been granted consent and therefore does not form part of this application.

1.3.10 In this application it is proposed that the existing main route that runs parallel to the River Usk (also National Cycle Route 46), will be upgraded to provide an Active Travel route consisting of a shared pedestrian and cycle route. The upgrades are comprised of widening the 2m - 2.3m existing route to a width of 3m to create a shared surface to enable pedestrians, cyclists and people with reduced mobility to access the route. The routes will be surfaced with permeable resin bonding in a buff colour. The proposed surfacing material is intrinsic to the Drainage Strategy.

1.3.11 It is proposed that the track is a shared surface, to avoid the need of intrusive segregation (raised kerb, contracting materials, etc.) and to allow all users to equally enjoy the surroundings. The proposed construction largely follows the existing Public Rights of Way layout. The existing routes that connect to Byefield Lane Car Park and Mill Street will also be upgraded to a width of 3m to be Active Travel compliant.

1.3.12 The existing route that runs around Abergavenny Castle (also National Cycle Route 42), will be upgraded to provide an Active Travel route linking from Castle Meadows to Abergavenny town centre. However, it should be noted that the width of this route will vary from 2m - 3m due to the existing profile. It should be noted that the existing constraints within this location, including large trees, a culvert and a stone wall will be protected during the works. This route will also be constructed with permeable resin bonded surfacing.

1.3.13 It is also proposed to provide a replacement bridge that will span over the River Gavenny and will follow the footprint of the existing structure. The span of 18m will be maintained, together with the soffit level. Due to the increased width of the structure, the abutments will have to be marginally increased, however the proposed deck thickness is less than the existing, which will allow reduction in the access ramp steepness and length.

1.3.14 The proposed bridge deck will have a 3m clear width to offer an improved user experience (currently one person can cross at a time). A steel deck fitted with anti-slip surfacing and waterproofing systems is proposed to mitigate against the effects of surface water, with a 1:40 crossfall to assist in shedding off the surface water. The handrails are proposed to be at 1.4m height to ensure cyclists' safety, together with handrails at a lower level to accommodate all other users. It should be noted that the replacement bridge proposal has been specifically developed to be accessible by all users. The geometry and proposed materials / finishes reflect the recommendations offered by the Active Travel Act, BS 8300 - Design for an accessible and inclusive built environment and CD 353 Design criteria for footbridges, and the proposed appearance is deemed to complement the surrounding environment.

1.3.15 The proposed new access ramps will be located in the same location as the existing ramps, however they will have a clear width of 3m to maintain Active Travel compliance. The proposed ramps will measure approximately 15m long each and will slope at a gradient of 1 to 25. The proposed ramps will have a lower gradient than the existing ramps to improve accessibility for all users. Side slopes of approximately 1 in 2 gradients will be provided and will be constructed with Class 1 fill, which is a granular free draining material, and lined with a geosynthetic erosion control reinforcement to provide protection during flood events. The access ramps will also be fitted with handrails to maintain safety and stability for all users.

1.3.16 Re-seeding has been proposed along the edges of the Active Travel routes to aid integration into the landscape and also offer visual mitigation. Part of the proposed

development is also to replace the existing kissing gates with a solution that offers a free flow to all users and compliance with the Active Travel Act. In addition, the cattle currently present within the meadows need to be prevented from escaping. Therefore, a hybrid solution including a cattle grid and a self-closing gate with an easy latch has been proposed.

1.3.17 There are two cattle grids and gates proposed at the key access points leading from Merthyr Road. There is another cattle grid and gate proposed at the access point to Byefield Car Park. The third cattle grid and gate proposed are prior to the approach to Abergavenny Castle. There are two cattle grids and gates proposed on either side of the replacement River Gavenny bridge with the final cattle grid and gate proposed at the key access point to Monmouth Road. The proposed cattle grids will be constructed from rails that will be attached to runners to create a grid. There will be galvanised bolts at four corners of the grid and at the mid-point of each side, they will be greased and protected with tape. Bolts are to be easily accessed for removal during maintenance. The proposed gates are comprised of galvanised steel one-way self-closing gates with an easy latch. The latch and catch operational parts will be painted RAL 1021 Yellow to assist all users when operating the gates.

1.3.18 The proposal aims to incorporate additional signage throughout the Active Travel Scheme to address concerns of way-finding that were raised during the stakeholder engagement events. The scheme proposes to reinstate signs at cattle grids and gates, reinstate pedestrian counters and provide safety signage i.e. 'Cyclists Dismount.' This is to ensure that all users are kept informed throughout the route.

1.3.19 With regard to the costs, the scheme will be subject to following a successful bidding process however the current indicative cost for the paths, gates and replacement of the River Gavenny Bridge is estimated to be in the region of £750,000 - £1.25M. This will be updated and more certainty will be known as the Council work towards their 2023/24 Active Travel Fund bid.

1.4 Environmental Impact Assessment

1.4.1 Environmental Impact Assessment(EIA) legislation requires the Local Planning Authority to determine whether a planning application needs be accompanied by an Environmental Statement. The EIA Regulations set out thresholds for Schedule 1 and Schedule 2 developments, where an EIA is always required for Schedule 1 and potentially required for Schedule 2, dependent on the development's size, location or its potential to cause significant environmental effects.

1.4.2 The proposed development has a site area of 0.99 hectares; therefore it does not meet the criteria/ thresholds within Schedule 1 or Schedule 2 developments of the EIA Regulations. However, the Site is considered to be located within a 'sensitive area' as defined by the EIA Regulations (i.e., Site of Specific Scientific Interest or International Site, National Park, Area of Outstanding Natural Beauty, World Heritage Site or Schedule Monument). Therefore, given the proximity to the internationally and nationally designated sites (River Usk SAC and SSSI), an EIA Screening Opinion Request was submitted to the Local Planning Authority on 11th January 2022 (ref DM/2022/00050). Following consultation, including Biodiversity and Landscape Officers, it was concluded that, subject to the necessary supporting surveys and mitigation, an Environmental Statement would not be required to support a planning application for the proposed development.

1.5 Habitats Regulations Assessment

1.5.1 NRW have reviewed the Authority's initial Habitats Regulations Assessment (HRA). At this stage, NRW cannot agree to the conclusions of the Appropriate Assessment (AA) until further information and assessment has been carried out. As such, further assessment of

potential disturbance impacts from use of the path has been carried out. Additionally, further mitigation measures have been provided including additional planting along the riverbank to provide screening for otter and water vole. Full details of further information needed is included in the response from NRW below.

1.5.2 The additional information requested by NRW will inform an updated HRA and Appropriate Assessment which will be carried out by the Local Planning Authority. The HRA will be sent to NRW for re-consultation once complete. The application cannot be determined until a response from NRW is received. As such, the application is put before Planning Committee for a resolution to approve the proposed development pending agreement of an updated Appropriate Assessment.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DC/2016/01177	Path (150m long x 2m wide) (rolled gravel/stone path) level with existing ground around the orchard and providing access from existing hard surfaced area off Mill Street. Interpretation board - non-illuminated, metal, close to the entrance of the orchard.	Approved	14.12.2016
DM/2018/00408	Provision of a new cycle and pedestrian bridge spanning approximately 60m across the River Usk between Llanfoist and Abergavenny, provision of earthwork ramps to cater for disabled access, provision of a new footpath link and enhancement of an existing footpath.	Approved	04.10.2018

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S12 LDP Efficient Resource Use and Flood Risk
 S13 LDP Landscape, Green Infrastructure and the Natural Environment
 S16 LDP Transport
 S17 LDP Place Making and Design

Development Management Policies

SD3 LDP Flood Risk
 MV3 LDP Public Rights of Way
 MV4 LDP Cycleways
 DES1 LDP General Design Considerations
 DES2 LDP Areas of Amenity Importance

EP1 LDP Amenity and Environmental Protection
G11 LDP Green Infrastructure
NE1 LDP Nature Conservation and Development

Conservation Area Appraisal

Abergavenny Conservation Area Appraisal: Character Area 8: Riverside, Usk Bridge and Linda Vista Gardens.

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Planning Policy Wales (PPW) Edition 11

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

Active Travel (Wales) Act (2013)

The Active Travel (Wales) Act, enshrined in legislation in 2013 and commencing from September 2014, requires the Welsh Government and local authorities in Wales to actively promote and provide for walking and cycling as a mode of transport. The Act creates new duties for highways authorities to consider the needs of pedestrians and cyclists and make better provision for them.

Active Travel Guidance (2021)

The Active Travel Act Guidance published in July 2021 brings together the previous two sets of statutory supporting guidance documents to the Active Travel (Wales) Act 2013 (i.e. the delivery guidance and the design guidance both published in 2014) and updates them. The updates of the document were based on drawing on a wide range of sources, most notably user experiences, public and stakeholder consultation feedback, policy changes, new infrastructure, and technology developments.

Wales Transport Strategy (2021)

The Wales Transport Strategy (WTS) is a statutory document required by the Transport (Wales) Act 2006 (The Act). The Act places a duty on Welsh Ministers to prepare and publish a WTS, setting out its policies and how they will be discharged. The WTS sets out Welsh Government's strategic priorities and desired outcomes; the WTS addresses all transport modes, including walking, cycling, public transport, electric vehicles and the private car.

Clean Air Plan for Wales: Healthy Air, Healthy Wales (2020)

The aim of the Clean Air Plan for Wales is to improve air quality and reduce the impacts of air pollution on human health, biodiversity, the natural environment and our economy. The Plan aims at supporting delivery of selected commitments, including reduction of emissions and delivery of vital improvements in air quality. The Plan considers the impact of COVID-19 on air quality. Clean Air Plan for Wales includes ambitions to meet and where possible exceed requirements set down in UK and international guidance and legislation.

Technical Advice Notes

TAN 5, Nature Conservation and Planning (2009)

TAN 12, Design (2016)

TAN 15, Development and Flood Risk (2004)

TAN 18, Transport (2007)

Other Guidance

The Transport Act 2000, as amended by the Transport (Wales) Act 2006, introduced a statutory requirement for local transport authorities to produce a Local Transport Plan (LTP) every five years and to keep it under review. The Monmouthshire Local Transport Plan was approved by Welsh Ministers in May 2015. Table 3.2 of the Monmouthshire LTP shows the prioritised programme for the period 2015-2020 for Non-Metro-related projects. This includes reference to the Abergavenny and Llanfoist Active Travel Network. A key aspect of this scheme is to:

Include new River Usk walking & cycling bridge linking Abergavenny with Llanfoist and further elements as identified through the active travel mapping exercise and consultation. These may include new / improved cycle lanes / paths / contraflows, footpaths, junction/crossing facilities, cycle parking / storage, route signage, dropped kerbs / continuity across side roads.

The plan development may also identify road safety, safe routes and public transport elements which will be taken forward through Road Safety capital schemes, Safe routes in Community Schemes or as PT schemes.

The proposed development seeks to undertake improvements to the existing pedestrian and cycle routes within Castle Meadows to create an Active Travel Scheme that links the area to the town centre. The proposal has also considered the safety of the routes by widening to 3m and re-surfacing to create a smooth connected route.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Abergavenny Town Council - Recommend approval.

We are pleased to see the extensive environmental and biodiversity input for the area, providing a net biodiversity gain. We note the late submission regarding the permeable resin bound surface for the pathways and approve of this decision. The improvements to the pathways will enable the children attending King Henry School from Llanfoist to safely traverse across by foot, bike or scooter utilising the new bridge that is proposed. Abergavenny Town Council are fully supportive of the proposals and continue to support the Active Travel Plans for the area. Abergavenny Town Council would recommend approval of the proposed plans for the area of Castle Meadows.

We hope to see further information on the management and upkeep of the pathways and area as a whole in due course and would like early notification of the installation of any trial gates.

Cadw - Having carefully considered the information provided, we have no objection to the proposed development in regard to the scheduled monuments, registered historic parks and gardens and World Heritage Site.

Glamorgan Gwent Archaeological Trust (GGAT) - The information in the Historic Environment Record (HER) curated by this Trust shows that the proposal is located in an area of high archaeological potential. It is on the flood plain to the south of Abergavenny Castle, a Scheduled Monument (Cadw ref. MM056) and important medieval castle including stone buildings of the 13th to 15th centuries. It is also located close to the Abergavenny Roman Fort, also a Scheduled Monument (Cadw ref. MM193) and the remains of the auxiliary fort of Gobannium. Accordingly we have recommended archaeological mitigation for previous applications in the vicinity, including a desk-based assessment which includes the current development area.

The assessment indicates that the development area has evidence of paleo channels, as well as historic flooding and gravel deposition events. There is also some evidence of potentially archaeological significant earthworks, but these are unlikely to be affected by the proposed works. Overall, it is not likely that significant archaeological remains will be encountered during the course of the works.

We also note Cadw's response indicating there will be no significant effect on the Scheduled Monuments. As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of the work. In this event, please contact this division of the Trust.

Natural Resources Wales (NRW) - (Comments as of 15.03.2023). We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding Protected Sites. If this information is not provided, we would object to this planning application. (Further details of additional information required provided).

We also advise that based on the information submitted to date, conditions regarding Protected Sites and Protected Species should be attached to any planning permission granted. Without the inclusion of these conditions, we would object to this planning application.

We have reviewed your Authority's Habitats Regulations Assessment (HRA), which was sent to us after the planning consultation. As this stage, we cannot agree to the conclusions of the Appropriate Assessment (AA) until further information and assessment has been carried out.

Flood Risk: The planning application proposes less vulnerable development. Our Flood Risk Map confirms the site to be within Zone C2 of the Development Advice Map (DAM) as

contained in TAN15 and the Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls into Flood Zone 3 (Rivers).

Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified. Therefore, we refer you to the tests set out in section 6.2 of TAN15. We have reviewed the FCA undertaken by WSP, document reference 70086673-FCA02, dated December 2022, submitted in support of the above application. The FCA shows that the risks and consequences of flooding are manageable to an acceptable level. Therefore, we have no objection on flood risk grounds to the application as submitted.

Section 6 of the FCA states 'the proposed footpaths will supplement the existing footpaths crossing the floodplain and are to be constructed at existing ground level and designed to be flood resilient. On this basis, the proposed footpaths will have no impact on flood risk elsewhere, as there will be no impedance of flood flows and drainage will mimic the existing regime.' We do not dispute these conclusions and consider them valid in flood risk terms. Flood Risk Activity Permit - Please advise the applicant that the Environmental Permitting Regulations (2016) require them to obtain a bespoke Flood Risk Activity Permit for any works or structures located in, under, over or within 8 metres of the bank top of the River Gavenny, a designed "main river".

MCC Biodiversity – Holding Objection.

It is noted from the NRW response that water vole presence should be assumed at the site due to recent photographic evidence. We agree that measures included within a CEMP for otter will be acceptable for water vole. We welcome the clarification in the response document that protection measures for otter will be included in a CEMP and EcMP to be submitted following approval.

Protected Sites: The River Usk Special Area of Conservation (SAC) and Lower Usk Site of Special Scientific Interest (SSSI) is located within the site. Additionally, River Gavenny Site of Importance for Nature Conservation (SINC) is located within the south-eastern section of the site. As requested, clarity has been provided regarding the temporary/alternative routes to be used during construction. These will be provided post planning permission with further details including potential impacts and management to be provided within the CEMP.

The LPA have undertaken a Habitats Regulation Assessment (HRA) Appropriate Assessment using information submitted by the applicant. In NRW's response dated 15 March 2023, concerns have been raised and they have not agreed with the conclusion of no likely significant effect on the SAC.

NRW have requested further information in order to update the Appropriate Assessment. Further assessment of potential disturbance impacts from use of the path is carried out. Additionally, further mitigation measures have been requested including additional planting along the riverbank to provide screening for otter and water vole. Full details of further information needed is included in the response from NRW and should be considered carefully.

The additional information requested by NRW must be provided before an updated HRA and Appropriate Assessment can be undertaken. The HRA will be sent to NRW for re-consultation once complete. The application must not be determined until a response from NRW is received.

No lighting strategy has been submitted to date. As agreed in the response note any lighting will need to be considered sensitively for bats. A lighting plan for the site will be required to prevent any impacts on nocturnal species. We will need to secure the details of any lighting

proposed, we recommend that a condition for a lighting plan is included on any permission granted.

The proposed biodiversity enhancement measures are broadly acceptable and are illustrated on The Green Infrastructure plan (Drawing number 70086673-WSP-EV-DR-LA-0101 P02) and Landscape Mitigation Plan (Drawing number 70086673-WSP-EV-DR-LA0102 P03).

These plans will need to be updated following addition of extra mitigation and enhancement as a result of the further assessments as requested by NRW in their comments.

MCC SAB - The proposed development will require a Sustainable Drainage System (SuDS) designed, constructed and maintained in accordance with the Statutory Standards for SuDS in Wales and approved by MCC as SuDS Approving Body (SAB). The requirement to obtain SAB consent sits outside of the planning process but is enforceable in a similar manner to planning law. It is a requirement to obtain SAB consent in addition to planning consent. Failure to engage with compliant SuDS design at an early stage may lead to significant unnecessary redesign costs. Details can be found at <https://www.monmouthshire.gov.uk/sab/>.

The applicant has engaged with our pre-application advice service and proposes a permeable surface discharging by infiltration. Evidence has been provided to show that soils are sufficiently permeable to allow infiltration drainage. Detail of the SuDS design will be examined by the SuDS approval process. We therefore have no objection on grounds of surface water drainage.

MCC Lead Local Flood Authority - The location of the scheme is within the flood plain of the River Usk and is likely to be subject to frequent (maybe annual) relatively short lived flooding from the River Usk. The application includes a detailed FCA, the content of which we note. The Usk is a significant Main River with a history of flooding. NRW are the body with most expertise on these flooding mechanisms and hold the permissive powers in relation to management of this watercourse. We expect that detailed analysis and checking of the FCA will be undertaken by NRW and recommend that their future comments are given full consideration.

MCC Landscape / Green Infrastructure – No objections subject to conditions.

MCC Heritage - The site is located within the Abergavenny Conservation Area and has the potential to impact on a number of other heritage assets including registered parks and gardens and scheduled ancient monuments however these are the responsibility of Cadw who we note have provided comment.

The proposed route is located within the Castle Meadows and views into and out of the Conservation Area to the southern end of the character area are especially important given that the Castle Meadows is well used and publicly accessible amenity space for the town. The proposed route is considered to be well considered in terms of avoiding direct impact to more sensitive areas and minimising its impact and will improve the current arrangement.

The proposal is not considered to have an adverse impact on the character of the Conservation Area in principle, subject to conditions to control surface materials (sample to be provided) and the finish of the bridge to ensure the materials are muted and in keeping. Subject to conditions being added no adverse heritage impacts are noted.

SEWBRc Search Results – European Protected Species; Otters and Bats recorded within the vicinity of the site.

5.2 Neighbour Notification

59 representations received objecting on the following grounds. These have been divided into three *broad* categories for ease of reference:

1. Visual Impact and the Environment:

- Lack of clarity over avoiding adverse environmental impacts.
- Introduction of artificial lighting may harm the River Usk SAC. A definitive statement that the scheme must not include any artificial lighting during its operational phase is necessary.
- The amount of meadow that will be covered in some sort of surface will totally ruin the area.
- There is no reason to widen the paths, as people who walk the meadows are more than happy to move to one side for mobility scooters etc.
- Paths do not need to be 3m wide. Surely, there must be a less disfiguring way of providing safer access over the bridge.
- Castle Meadows is one of Abergavenny's most iconic locations, much loved for its idyllic, tranquil atmosphere. This proposed eyesore would be inexcusably detrimental to the appearance and feel of the setting.
- Widening the pathways will result in an imposing run-way style blot that is It is not difficult to step aside or wait for another user to pass if the path is overcrowded with users, surely manners is the solution in these situations irrespective of path size.
- Have walked, run, pushed buggies and cycled along these pathways (and bridge) countless times and never encountered a problem that a wider pathway could eliminate.
- Why are the current pathways simply not being better maintained if the surface is considered too irregular?
- It seems completely pointless to have to put up a new bridge over the Gavenny when the existing bridge is no more than 10 years old.
- No point in replacing the existing footpaths to make them 3m wide. There is just not the amount of people using the meadows to warrant it.
- This proposal would have a negative impact on the countryside and wildlife and become an eyesore and impact on the existing walking routes at Castle Meadows.
- It is not in-keeping with the character of a rural market town.
- Apart from benefitting cyclists going into town or to the station the wide tracks will be an eyesore are superfluous to all other users of the Meadows.
- The proposed large 2m wide cattle grids seem to be totally unnecessary.
- It does not appear that a full environmental impact has been carried out.
- Not only would the new tracks be liable to flooding, they would ruin the natural beauty of the area.
- No public meeting has been called to find out what local residents want. At the moment it does not appear to be a very democratic decision and is based on a policy to implement Active Travel Plans regardless of the impact on the wellbeing of non cyclists and of the cost.
- The existing plans on display will impact the freedom of movement of those currently enjoying the open space. Surely another solution could be found to enable cyclists to cross the Meadows without affecting those using the area for leisure purposes.
- Short term speed for cyclists or long term safety for all users and protection of the scenic and fragile environment?
- The entrances are fit for purpose at the moment. They allow access for walkers, cyclists and mobility scooters and keep the cattle in. There might be a slight delay for cyclists and mobility scooters. The planned alternatives would speed up the entrance

and exits for cyclists, but have the massive disadvantage of allowing access to the Meadow of unauthorised motor vehicles such as motorbikes which would create vast destruction to the Meadow. It would be naive to think that putting up a few signs would deter anti-social people with cars and motorbikes. Also, slow closing gates would not necessarily keep the cows on the Meadow.

- People on their own will not walk through the Meadows alone after dark.
- With 90,000 movements of people through the Meadows every year, I believe there is no need to encourage more.
- The Grasscrete has lasted for 30+ years and could be re-laid.
- After many years of lobbying by a disabled group, bollards in Mill Street were installed to prevent car parking hindering disabled access. They are to be removed. The proposed path up the side of the castle will be too steep for mobility users.
- Should the farmer decide that there is not enough land to sustain the Welsh Blacks, which maintain the Meadows biodiversity, the land will become scrubland.
- The Meadow is not an urban park, rather a wild space which is enjoyed for leisure purposes. These plans are designed to help cyclists get from A to B in the shortest possible time.
- We are all aware that the Welsh Government is pushing for Active Travel. That said, it is important that councils keep responses to this demand in proportion.
- It is one thing to consider building a pedestrian bridge, to avoid the dangers of walking over the Llanfoist bridge. It is an entirely different matter to think of plastering parts of Castle Meadows with wide pathways.(roadways?)
- The pathways are of a nature that would be detrimental to the area as a whole. They would be very intrusive, both in terms of their size (i.e. width) and their material,
- The widening of the paths which will affect the aesthetic of the meadows, making them appear more like an urban park than an area where local people can get closer to nature.
- Very concerned about the environmental impact on the current, very natural beauty, enjoyed for so long by so many people of all ages.
- The proposal to change entry and exit points to provide speedier access to the Meadows goes against what Castle Meadows is - a tranquil, safe haven for those wishing to enjoy the natural beauty of the landscape.
- Cyclists will still have to negotiate all the usual road hazards to get there in the first place, including the busy roundabout by Waitrose.
- Concerned that the additional and very wide paths (and more open access) will come to totally change the character and appearance of Castle Meadows, especially with ever more popular e-bikes etc and (possibly motorised) vehicles coming into increasing contact with regular walkers, dog walkers, prams etc.
- At the moment the meadows are an attraction to locals and visitors for their peace and quiet. Therefore, please keep any changes to a minimum.
- So much change adding to, digging up and replacing all the pathways with all the muddy, noisy disruption that goes with it for years? How will that help the many locals who enjoy the place now, or the visitors attracted to the meadows by the town council's and Monmouthshire's advertising of it as a natural water meadow, not a cycling highway.
- In (almost) the words of the song, 'you don't what you got 'til it's gone, they paved paradise and put up a parking lot'.
- The impact of the run-off from the path covers a far wider area than that shown on the plans.
- This plan has not been given enough thought, Environmental Impact Studies have not been carried out properly, no thought has been given to safety of pedestrians who use the meadows, having a cycle track shared with pedestrians is asking for accidents.
- A three metre wide cycle track across the meadows would be an eyesore generations to come would have to live with.

- Disagree that dogs should be kept on the lead in Castle Meadows.
- People come from all over to walk their dogs here off the lead and bring money into the town spending in the shops and restaurants and sometimes staying locally in hotels and other accommodation with their dogs to use this facility .
- It is the roads and its users that need to be adapted and encouraged to change to better facilitate cycling.
- Cyclists pay no road tax, do not have to be insured and yet benefit from more & more from funding in the creation of cycling facilities.
- Public perception is not helped when projects such as these seem driven by the latest target to meet and tick.
- It is vital that provisions are made to ensure that the environmental impact is kept to an absolute minimum.
- Provisions would also need to be made to ensure that other motorised vehicles cannot access the area. The kind of damage caused by motor cyclists on The Blorenge a year or so ago would be disastrous if it happened in Castle Meadows.
- Turning the Meadows into a commuter route is totally unacceptable and under the current plans its unique environmental value will be destroyed.
- Some very well informed and important objections have been raised under this consultation, particularly by the Friends of Castle Meadows who obviously know this area best and understand the issues which need to be taken into account in order to protect its special qualities.
- It is worrying that the farmer whose cows maintain the meadows does not seem to have been sufficiently consulted. If the cows are taken away (which seems a distinct possibility if the area is turned into a commuter route) then a huge burden will fall upon the local Council to find a way to prevent the Meadows becoming an overgrown wilderness.
- Most of the objections to the plans come from local residents, whereas many of those supporting the plan come from outside the Abergavenny/Llanfoist area. Surely it is inappropriate that these should be included.
- The proposal to have a wide, solid surface track would be detrimental to the natural riverside and require expensive maintenance particularly in view of the regular flooding of the area.
- Changing it for more people to use coming from outside Abergavenny will stop the locals using this beautiful space and impacting on wildlife too.
- The fact that these changes are for bike users for the active travel scheme is very disappointing. Think of the environment first.
- Objectives in the planning statement are unlikely to be achieved. The whole application is about spending the active travel grant money from the Welsh Government so it's not lost, making changes that are not needed or wanted by most of the frequent users of the meadow.
- The statement counted the number of in/out points of meadow incorrectly so how can anything else be taken as accurate.
- The meadow is a tranquil place of beauty and one of the only places we have that has no been built on and spoilt.
- Can the avid cyclist not use the £800 million road literally a few hundred feet away.
- Claiming that 15 percent of people will stop using cars and change to bikes and walking that will reduce emissions is a fairy tale. Where is the evidence that other active travel routes have met the objectives and delivered measured benefits?
- Fear for unintended long term consequences which will be detrimental to the community.
- The environmental impact of these works would be devastating. At a time when preservation is at the forefront of conversation globally, we should be looking to protect our local plant and wildlife at every opportunity.

- Abergavenny's waters are truly fortunate to be frequented by Otters, with stories of their sightings being cherished among the locals. Its difficult to convey the level of anger I feel at the thought of them being disturbed and potentially driven away by this unnecessary project. Surely their loss is unforgivable.
- It is hard to understand why this plan should proceed when it clearly De-wilds a lowland flood plain, undermining its biodiversity and at the same time, promotes climate change. Shouldn't the ambition be Re-wilding, increasing biodiversity and reducing climate change?
- The proposals will take way a large part of this precious habitat. Plans to plant replacement trees and plug plants are unrealistic on a flood meadow with public access. Experience has proved that neither will remain.
- Ecological surveys that have been offered in the planning are inaccurate or lack fine detail.
- Alarmed at the fact that the Environmental Impact Assessment has not been deemed necessary.
- Cattle grids are known to be dangerous for both wildlife and dogs. Wildlife fall in & suffer slow painful death as they can't get out.

2. Conflict Between Cyclists and Other Users:

- Don't understand why we need to make the Castle Meadows more accessible for cyclists when it is used so heavily by dog walkers. A lot of dogs are reactive to cyclists and can run free down Castle Meadows. Cyclists can use the road to get into town so why do they require more access at dog owners expense?
- Castle Meadows are for recreation and nature, not a transit route. While the plans might take a few cycles off the road, the wider paths would reduce green space (grass) thus counteracting any beneficial environmental effects.
- This is the one area locally where dogs can be allowed to run freely off lead without the danger of running into a road or scaring sheep and is a wonderful place to both exercise and socialise pets, getting them used to playing with other dogs.
- General safety concerns are apparently satisfied solely by widening the tracks and providing a smooth surface, elements which would have the opposite effect by making travel faster for cyclists at the expense of the safety of existing users. Raised kerbs are a trip hazard, and would make it even more tricky for pedestrians quickly to step aside.
- Would like a path on the meadows that is even, well drained and maintained for pedestrians, children and dogs and without the hazards and stress of cyclists. They should be on the roads. If they want to come through the meadows then do so, but walk and push your bike.
- Cyclists must be encouraged to slow down and respect the area they are crossing. Wide, smooth paths and cattle grids are not the way to achieve this.
- My experience as a daily dog walker over the last 13 years has been that a high number of cyclists on the existing path show no regard for other users, their children and/or dogs.
- The speeds some cyclists go at are dangerous to everybody and I am fed up with the verbal abuse to get out of the way. On more than one occasion I have seen children and dogs put in jeopardy. I fear a 3m wide path would become a highway to hell for existing users and all non-cyclists.
- The speed the occasional bikes going past is ridiculously fast and have knocked people over! Feel dictated to by the minority again.
- The Shared Active Routes Policy requires where possible routes to leisure areas should be separate from routes taking you direct to a destination. Options which keep routes for families with young children, those hard of hearing or with mobility issues and dog walkers to be as free as possible from potential conflict with cyclists are needed.

- We pedestrians enjoy the open meadows, the riverside and the beauty of the trees and ponds through the seasons. We vary from parents and grandparents with buggies and small children, to dog walkers and elderly folk. At present, the odd bikers we encounter are usually considerate and respectful towards those walking. The pathways are safe. However, the thought of groups of cyclists speeding along the tarmac behind or towards one is not something to relish.
- People need somewhere to relax take they young children, dog and not worry about cyclist doing very fast speeds. The Meadows will become a place of confrontation between cyclist and walkers.
- Could cyclists be separated from walkers?
- Concern about the cows as a friend was chased and mauled, having to be airlifted to hospital. Can the cows be restricted to certain areas?
- The presence of cyclists travelling across the Meadows and those there for leisure purposes is likely to cause conflict and ultimately an accident.
- Sadly cyclists don't take into consideration of the speed they go past small children and elderly people who can't get out of the way quick enough it will be an accident waiting to happen.
- Please don't allow cyclists to take over our beautiful meadows and river as well as the roads and canal paths. People need a safe place to walk as well. Some spaces should be sacred, Castle Meadows is one of them.
- Cattle grid access is unacceptable - motor cycles will be attracted making walking dangerous.
- The speed at which cyclists travel will be a danger to children, people, and pets as well as themselves.

3. Cost of the Proposed Works:

- The cost of this scheme at a time of public spending cuts and increases in council tax is unacceptable. Priorities spending on education and social care. These are unprecedented times not experienced since the 1980s and a scheme like this is not a priority at this time.
- Waste of money at a time, when families are surviving on food banks. Health & Safety should be the priority and that should focus on an alternative to the present historic bridge for pedestrians and cyclists and for the safety of walkers on the meadows.
- A wider road seems money wasted. The present concrete block path is a bit rough but has survived numerous heavy floods and is virtually maintenance free.
- Why is M.C.C. contemplating a major, non-essential expenditure at the same time as planning huge cuts in funding for essential services and rises in costs for local businesses?
- Consider the current proposals to be excessive and a waste of public funds.
- The use of limited public funds on a controversial and excessively urban scheme when Monmouthshire County Council is considering budget cuts to adult social care and children's services, as well as reduced opening times for community hubs and leisure centres, as part of its 2023 budget. Surely the money allocated to Castle Meadows Active Travel Scheme would be better spent on maintaining (or even enhancing) these existing public services and supporting those most in need?
- 50k spent building a new bridge over the Gavenny that provides flat access to the meadow. It wastes money to accommodate rerouting of cycle path not wanted.
- It's a flood plain, any path that is made will be permanently in a state of disrepair with the flooding.

74 representations supporting the proposed development for the following reasons:

- A much needed public facility to enable more people to walk or cycle safely between Llanfoist and Abergavenny. Long overdue.
- These paths across the Meadow and Ysbyty Fields would provide direct, safe, pleasant access to the new bridge, and would give people a great option to make short journeys around town without getting in a car.
- Support the plan for durable, bound-surfaced paths that are wide enough to allow different users to pass one another safely. The present paths are too narrow and create conflict. The Grasscrete path is pretty bumpy for wheeled users. The wooden kissing gates are an off-putting obstacle as they're not big enough. Mini cattle grids are a good idea.
- The paths across the Meadows have been part of National Cycle Network for several decades, yet the standard of infrastructure is well below what you find elsewhere on the network. This scheme will bring the paths and gates up to a good standard, and - together with the new bridge and road improvements on the Llanfoist side - would be a further step towards making Abergavenny and Llanfoist a place where you can get around easily on foot, or by bike, or using a mobility scooter.
- Don't see a problem with shared use so long as the message of priority for pedestrians is clearly understood.
- More cycling and walking are part of the work towards combatting climate change, a key part of council policy and indeed our very survival.
- If people (especially children) can cycle from Abergavenny to Llanfoist (and onwards) safely, conveniently and without having to negotiate busy and impatient motor traffic then this has to be to the benefit of everyone.
- Have a cargo bike which you also can't get through the gates of Castle Meadows currently so this development is really important.
- Any environmental impacts, which will be small can easily be mitigated for.
- Better management of the meadows could improve species diversity and this would have a huge positive in terms of wildlife. The meadows are always cut and grazed to early in the season which prevents providing the maximum benefit to wildlife. More trees would help create more a more diverse habitat as well.
- Please be bold, we desperately need these developments and more of them if we are to reduce car traffic in town and make getting into town and the meadows more accessible to all.
- It is important to create a safe and useable connection between Llanfoist and Abergavenny. By making better active travel connections it might just reduce car traffic too.
- The current surfacing in the meadows breaks up during flooding and is not conducive to cycling.
- This project is well overdue and will have a tremendous impact on active travel opportunities, and reducing car usage for short journeys.
- Concerns about urbanisation of the meadows are unwarranted. It is essentially a pleasant grassy communal space for local residents, as well as an under-utilised route for non-motorised travel between Llanfoist and Abergavenny. Sympathetic enhancements to the infrastructure to allow the latter will have no significant impact on people's enjoyment of the area.
- Significant investment projects like this are essential to encourage sustainable lifestyle choices, given the impending climate crisis.
- The proposed extensive planting will improve the Castle Meadows experience for everyone.
- The new bridge was granted planning permission in 2018. To be a success and encourage more people out of their cars and onto their bikes and thereby reducing short local car journeys the new bridge needs to link to good quality onward paths into Abergavenny town centre and to the railway station. Unless it meets the standards

required of the Active Travel (Wales) Act, the whole scheme, including the new bridge, is unlikely to receive funding from the Welsh Government.

- The Meadows are a lovely place to be enjoyed by the whole population of the town, and these proposals would open up access to a wider variety of people.
- Improving cycle/wheeled access and routes causes less conflict between different users than poor infrastructure because there is clarity about what can happen and where.
- We should all be doing our part to improve the accessibility of Active Travel schemes as it benefits all of us in terms of air quality, pollution, congestion, health and climate change.
- Applaud this application as an effort to comply with the Active Travel requirements and feel proud to be a resident of a town that prioritises these actions as they are of universal benefit.
- Castle Meadows would open up a gateway to the town for cyclists and pedestrians which would also help alleviate traffic volume/congestion in Abergavenny.
- Support widening the paths slightly to give more passing room.
- The meadows should be accessible to all including those with mobility issues / wheelchair users.
- Don't feel like the current meadow path feels like a shared space, which might partly account for it not being well used by cyclists.
- The current surface would make for a very bumpy ride and is too narrow for shared use without conflict.
- In the current uneven state the path is potentially hazardous for pedestrians with mobility issues.
- Especially pleased by the proposed improvement to the path surface between Castle Street and Castle Meadow
- The town is ever growing with more and more developments being built (many south of the River Usk) and it is quite plain that so far there has been a failure to make the town connected from the walking and cycling point of view whilst traffic has increased.
- This whole project will improve access across town for the more vulnerable and I believe will have a positive effect on physical and mental wellbeing of those who choose to use it.
- Safe and convenient routes and infrastructure give people the confidence to walk or cycle, rather than drive, so it's great to see a local scheme aiming to do that.
- Enabling people to travel safely and quickly between the two communities on a bike or by foot is important for the local economy, wellbeing and reducing the environmental impact of travel.
- Please as a regular visitor to shop in Abergavenny by bicycle any improvements to avoid using the congested roads are brilliant plus it will be safer.
- This will support active travel and encourage tourism. In time no-one will notice any difference.
- What a great amenity castle meadow is! Minutes from the centre of town you are in the countryside, cows, meadow flowers, grassy leys, and you might see the blue flash of a kingfisher at home on the river. If you are lucky. What's more, it's free and open to all. All except the disabled, confined to a wheelchair or mobility scooter. Please, please see to it that all the gateways are such that we unlucky ones, who cannot walk can get in and out without having to wait for someone to come and help. Cattle grids would be the answer. Then we could enjoy the fresh air, just like everyone else.
- I support improved access to the meadows and an improved path surface which will particularly benefit people with disabilities and children on bikes.
- Infrastructure is required to ensure that the cycling population which has grown tremendously over the last decade or so and likely to increase with the popularity of electric bikes as people look to greener methods of local transport.

- Changes in the way we modernise cycling infrastructure should be encouraged at all levels.
- The young riders needing to get from Abergavenny to Llanfoist and Gilwern will be able to use this proposed route to access the Velo Park safely.
- Schoolchildren, increasingly riding to school regularly, will appreciate the improvement and will be far safer, so more will cycle, which will remove some school-run cars from the roads. There is currently no "safe" route into Abergavenny town centre via bicycle and this plan would make a great difference.
- This may encourage road users to use their cars less for shorter journeys resulting in less traffic and a reduction in pollution.
- Walking and cycling are not only a means of getting from a to b they bring benefits of physical and mental well-being. This is of course good for the community and could have the added benefit of reducing some of the pressure on the NHS.
- This scheme through Castle Meadows is a great example of what the council should do more of.
- As a long boarder the smoother the paths around Abergavenny the better.
- Our behaviours need to change and we need to walk or cycle to local events rather than get in our cars so any development that enables this behaviour change is necessary.

Other General Comments Received:

- Whilst the application is focussed on the Castle Meadows pedestrian/cycle route there appears to be no information on the new footbridge and how this connects with onward pedestrian/cycle/canal towpath routes starting at Llanfoist Crossing car park.
- My only concern is around how pedestrians and cyclists are kept apart. People often walk on cycle paths to the frustration of cyclists and the last time I checked our dog is unable to read road signs that tell it not to walk in certain areas.
- In order to access these traffic free routes at the Llanfoist Crossing car park from the new river footbridge, there needs to be a safe way for pedestrians/cyclists to cross over the very busy Merthyr road which is currently a hazardous crossing.
- I would encourage a future consultation with the community who use the meadows after the installation/construction to fine tune any issues with access, use and integration with the new bridge.
- I would support provision of a place to lock bikes up so people can use bikes to get to the meadows then explore further on foot.
- Improving the paths on the meadows will be great, but I feel unusable at nights and in winter since there will be no lighting.
- The proposals are sensible for pedestrians, disabled access. Cyclists have no place there. They inconvenience motorists around Abergavenny already, why now in our beautiful meadow? They will as usual have little regard for children and other path users. With the ever increasing use of powered cycles, the 15-20mph speed of these is dangerous there.
- Has the longevity of the resin bonded paving, which has been shown to be less resilient than a tarmac finish, been taken into consideration?
- A year ago, a petition with almost 200 signatures was duly completed by interested parties and submitted to MCC. The petition asked for other surfaces (not tarmac) to be used and further proposed that the installation of cattle-grids/gates be scrapped and an alternative be found. An acknowledgement from MCC that the petition had been received was the last we've heard. It appears that MCC has little or no regard for the public voice. The petitioners would appreciate some feed-back even at this late date.
- The opinions of The Friends of Castle Meadows and those of the farmer whose cows graze the meadows are not represented.

- In the Welsh Government Policy on shared Active Travel routes there is a distinction between shared routes to reach a destination and routes that are shared with a leisure area. Castle Meadows is a leisure area. Although the NCN 46 route currently follows the existing path there is no reason not to change it to a more appropriate route if that can be agreed.
- The meadow is mown by the farmer at least once a year and frequent visits by tractor are made during the winter period. The established paths stand up well to being crossed by farm vehicles. What reassurances are there that the proposed path with its concrete kerb will be as resilient.
- The new plan shows cattlegrids 2m wide and no measures to deter motorised vehicles, nor are there any measures to slow down cycles as they approach the entrance.
- The proposed upgraded 2m wide track alongside the castle should have speed reduction measures.
- A planning committee tour of all the proposed links should be undertaken and by cycle for those who have one.
- The Phase 2 proposal to create a link with Station Road and onwards to the station needs to be considered now and not wait until after the current proposals have been determined.

Alternative Options Suggested:

- Would it not be better to build a road bridge on or near the line of the old rail bridge to divert the vehicular traffic away from the existing river crossing? The old bridge can then be given over to pedestrians and cyclists at leisure; concerns for the wear and tear on the old bridge, anxiety for humans due to vehicular traffic would disappear. One only needs to look to Monmouth to find a comparable solution, one that has been evidently successful.
- A separate bridge is required for pedestrians- this should be upstream of the present bridge, to ensure that the classic view of the historic bridge is not lost and is usable at times of flooding.
- The present scheme leaves all with the issue of crossing the road - it is presently a death trap - a walk to the cemetery is risking an early internment there. By providing a lights controlled pedestrian crossing near the existing roundabout on the town side (& Llanfoist side) would give safe access to the new bridge upstream (in the location of the old railway bridge).There would then be safe access for pedestrians and cyclists to Llanfoist , cemetery and the Coopers estate and significantly at all states of the river as the planned new bridge would be cut off at flood times.
- A better route to get pedestrians and cyclists from Llanfoist to the railway station would be down the access road to the sewerage plant, across a bridge similar to the proposed bridge erected next to the sewerage pipe over the Usk and out onto the Monmouth Road via the Ysbyty Fields estate. It would be shorter and cheaper than the proposed route and avoid annoying devotees of Castle Meadows as it is.
- It would make more sense to have the cycle track from the new bridge over the meadows to Merthyr Road - Tudor Street - Castle Street thereby keeping cyclists and pedestrians apart.
- If Monmouthshire County Council is serious about promoting 'active travel' and encouraging cyclists to commute to work in Abergavenny, then the provision of dry, secure cycle stores in the town centre would be a good plan. If someone working in a shop in town wants to cycle to work, where do they store their bicycles? This is likely to be a greater incentive than cycle tracks across Castle Meadows.
- The existing Grasscrete cycle track, should it be replaced with a 'bonded surface' there is scope for the existing blocks to be reused in the Castle Copse to replace the stone dust and woodchip paths offering a permeable surface requiring minimal

maintenance/repair. The Grasscrete has already demonstrated that it can withstand 30+ years of flooding with minimal maintenance.

- I don't object to improving Castle Meadows but feel maybe the roads in the Abergavenny area should take priority over a cycle path which is rarely used.
- Instead of building a new structure why not just make the existing bridge one way if at all do able.
- Have MCC considered having a separate cycle path on the other side of the field?

5.3 Other Representations

Abergavenny & District Civic Society - We have considered this application against the most relevant LDP management policies:

DES2 and CRF3: The Area of Amenity Importance will not be adversely affected in terms of any of the listed considerations, and there will be no loss of recreational open space.

HE1: The Conservation Area will be protected and enhanced (subject to details) by the replacement of the present distressed path surfacing and other elements of this proposal. We note that the paths will be hard bound smooth surfaced with a concrete kerb edging. The use of recycled material has not been excluded and no colour has yet been specified. It is not clear whether a permeable material is required, but this may be inconsistent with the silting effect of flooding. The path details were much debated in pre-application discussions with stakeholders; despite its tendency to weather to grey, 'black' tarmac was not favoured; a more natural colour of tarmac or a resin-based material was favoured. This may need to be a reserved matter.

MV3 and MV4: The paths are mostly public footpaths over which there has long been permissive use of some for cycling as part of a National Route. The surface condition and width of the paths will be greatly improved for safe shared use by pedestrians, cyclists and the disabled, achieving Welsh Government Active Travel standards, a necessary requirement for grant aid. The improvements are essential to give access to, and encourage use of, the already-permitted new bridge over the Usk.

NE1 and GI1: We consider that the damaging effect of widening and edging of paths from 2-2.3m to 3.0m has been exaggerated by some, and, subject to expert opinion, we welcome the mitigation measures planned to provide a net biodiversity gain. These reinforce the largely open character of the meadows rather than introduce change.

SD3: the well-known flood risk appears not to be worsened by the proposals and dealt with by management measures.

Accordingly, the Society, which has encouraged active travel for some years, welcomes the proposals subject to comments made above and those that follow:

We are aware that some consider the replacement of the narrow Gavenny bridge to be an unnecessary expense on a less well-used part of the network. However, MCC's Active Travel Network Map and the General Arrangement Sheet 2 plan show an intention to extend the paths forming part of this application to Station Road, the rail station (and even possibly to the proposed East Abergavenny development area). The opportunity to have a wider Gavenny bridge should be taken now.

While we have no objection to the proposed gates and cattle grids, there may be some trespass by motorcycles; this would be a site management problem rather than a planning matter. The right-angled junction between the riverside path and the route towards the castle

seems likely to provoke corner-cutting and it may need management action to deter this. The application has much to say about landscape and wildlife management (for the first five years) but nothing about path management responsibilities and resources.

Further to the Civic Society's letter of 15 February, having seen further information on the path surfacing material, I am reassured that the options have been fully considered. I am sure that the 'resin bound (permeable) surfacing in a buff colour' will, in use and after being flooded a few times, blend into the landscape rather better than the illustration suggests.

Abergavenny Cycle Group - Overall, our group strongly supports the proposals. We have a reservation about whether replacing the Gavenny Bridge is justified (see below).

While the existing paths across the meadows have been part of the National Cycle Network for years, they are underused as active travel routes. The overwhelming reason for this is road danger on the old bridge across the Usk. With planning permission already granted for a new walking and cycling bridge across the Usk, it makes sense to ensure that the onward routes into Abergavenny are made suitable for the widest range of potential users. The new bridge and good onward routes into the town centre will provide people with a convenient and attractive alternative to making short local journeys by car. Increasing the share of local trips made by walking and cycling reduces traffic congestion, lowers pollution including carbon emissions, and contributes to healthier and happier lifestyles.

As well as the paths within Castle Meadows, ACG very much welcomes the proposal to upgrade the path around the back of Abergavenny Castle between Castle Street and Mill Street. This is a key connectivity route within the town, providing a 'contraflow' for Cross Street, which is one-way in its top section. We also recognise the potential of upgraded routes into the eastern side of the town (Ysbyty Fields) and a new, direct, traffic-free route to the railway station.

Further detailed comments from the Cycle Group can be read in full on the Council's website: <https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

Friends of Castle Meadows - Friends of Castle Meadows (FCM) welcome the plans for the proposed footbridge over the River Usk. It should make the route from Llanfoist to Abergavenny much safer for all residents and visitors. However, we have a number of concerns regarding the proposals for the 22 hectare floodplain meadows themselves and which form the major part the planning application.

These relate to the Council's and their project contractor's plans for the pathways which are supposedly designed to better enable active travel from the new bridge to the town and to the railway station. Our concerns are focussed around the proposed extensions to the current routes, their additional width, and their proposed composition. We also have strong reservations about the proposed access and egress arrangements in the application.

We are still baffled as to why the council decided that no EIA (Environmental Impact Assessment) was necessary for a project of this size in such an environmentally valuable and sensitive site.

In these planning proposals, there is no reference to the importance of the floodplain meadow as a protected, priority habitat under the terms of the Environment Wales Act 2016. (EWA16) MCC & their consultants do not acknowledge the fragile nature of this environment, a protected habitat which we must conserve for future generations.

The following is a summary of the objections raised. The comments from the Friends of Castle Meadows can be read in full on the Council's website:

<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

The proposal is that the new and replacement pathways be at least 3 metres wide in order to be compliant with Active Travel Wales requirements where there is mixed use (walkers, cyclists etc.) and, therefore, qualify for the Welsh Government grant monies. We do not believe that the applicants have made any attempt to query whether the general stipulation that such paths be at least 3 metres wide should apply in such an environmentally valuable location, one which runs alongside an SSSI. In addition, the requirement that the cycle route must be 3 metres will mean the demolition of the relatively recently built footbridge over the River Gavenny and its replacement.

We would also suggest that an accurate and realistically drawn artists impressions of these massively enlarged and additional pathways and routes across the meadows and Ysbyty be shown to members of the public.

Under NERCA06 due regard must also be shown for tree planting decisions to conserving biodiversity. This includes maintaining, restoring & enhancing habitats. Why is it only given lip service in the current planning document?

On grounds of cost. The current bridge was installed in 2012 we do not perceive the necessity to replace this functioning bridge built to an MCC approved specification. It already serves to permit multi-purpose users to cross the Gavenny & restricts cattle to using the ford. The disruption caused to the floodplain meadow grassland & potential pollution to the River Gavenny is unnecessary.

We would ask that alternatives to cattle grids & gates be considered. We are unhappy that the trial of said cattle grids will be from February 2023 when cattle are off the meadow. Frequent flooding results in much detritus being left after the water subsides. This may well result in the Cattle Grids being fouled & requiring significant maintenance.

We are particularly concerned about the proposed works to NCN42 from the Castle to the Meadows, which is very steep. The incline, if travelled at great speed, could cause serious accidents for cyclists & other users.

A survey has been carried out of 117 trees on site at Castle Meadows, it does however seem to have excluded the Black Poplars, *Populus nigra* which grows best near ditches & floodplains. This is the most endangered native timber tree in Britain (Woodland Trust). It grows in several sites on the Meadows.

As part of the upgrading of the cycle track NCN 42 it is proposed that at least 6 identified healthy, mature trees will be removed. One of these with a remaining lifespan greater than 20+ years, is *Fraxinus excelsior* it has a lifespan of over 200 years & is known to support over 1000 different species of organism. What possible justification can there be for removing such a tree? The plan proposes replacement whips which will take in excess of 25 years to mature.

MCC proposes increasing the number of trees on the Meadows. This is an inappropriate strategy because it reduces the area of floodplain meadow & grazing available to the farmer. Further, it erodes a protected grassland habitat. The cows grazing maintain & increase the biodiversity of the Meadows.

Tree planting may not sequester net carbon for 10-20 years. The focus should be on grassland restoration not covering up meadowland by planting trees. Floodplain meadows trap sediment

& excess nutrients during floods. Phosphates contained in the sediment left by floods is trapped by the Meadow it is then exported in terms of the annual hay crop.

Castle Meadows is not a park. It is a lowland floodplain meadow. The planting of plugs is completely & utterly inappropriate because experience from the volunteer groups indicate that damage from flooding & theft of plug plants/whips is rife.

Another serious concern Friends of Castle Meadows has is the proposals for access and egress to the meadows. In order to (mainly) enable cyclists a continuous, speedy throughway, it is proposed that existing gate arrangements be removed and that a wider, slow closing gate be installed along with cattle grids. All this will mean easier access to the meadows which will make it so much more likely that all sorts of motorised vehicles will be able to enter the site and enjoy the 3 metre width hard bound pathways. If this happens then it will not just be the cattle affected, but the vast majority of users who enjoy the tranquillity and escape presently offered in Castle Meadows.

The farmer whose cattle graze the land has barely been consulted about the plans and this seems sadly typical of the entire process. This lack of consultation with those who know the site well is shown up, to provide just one example of many, from the planning documents referring to the contractors planting trees and shrubs in places which we can see are inappropriate and will, anyway, be swept away by flooding and/or nibbled away by cattle-guarded or not. It is also proposed that perfectly good, mature trees near the copse are to be felled because they might overhang at certain times of the year!

As a volunteer group, the Friends of Castle Meadows have devoted tens of thousands of hours to the meadows, planting trees and shrubs, arranging bird, bat, moth and other nature walks, organising visits for local school children with activities based on the national curriculum etc. etc. We have worked for over a decade with Monmouthshire County Council to help maintain and manage the site (often using our own raised funds to do so) for the benefit of local people and visitors. Our local knowledge and views, along with the farmer's and other key personnel, have not been sought and suggestions have largely been ignored.

The Friends of Castle Meadows group include mobility scooter users and keen cyclists so we are fully aware of the need for continuous, smooth surfaces in the Meadows . But we also know how valuable the area is as a destination in and of itself for the hundreds of walkers, dog walkers and other users on a daily basis.

The PEA is inadequate & inaccurate. Its bat & otter surveys are cursory. It failed to identify the presence on the Meadows of the Hornet Robber Fly (a Section 42 Species). This invertebrate is a priority species under the UK Biodiversity Framework. This fly is so rare that only 40 breeding sites in the UK are known. Castle Meadows is one. In 2015 MCC stated the reduction in grazing over the site will hinder the success of the species as it lays its larvae in dung. The management of Castle Meadows grazing livestock benefits the fly species. Larvae can survive in dung or surrounding soil for 2-3 years. To reduce the impact on this species no topsoil is to be taken away from the site; levelling should be minimal & the grassland restored as per the details set out in the Green Infrastructure Restoration & Enhancement Plan.

In 2016 16 species of dragonfly were recorded. Castle Meadows is recognised as a sight of significance by the British Dragonfly Society. Invertebrate sampling in the Large Pond indicates that this is a pond of relatively high quality however the large Pond (P4 ref figure 4 & table 3.5) is described in the ATP as being below average. Why the discrepancy? At Gland in Switzerland, in 2021, the International Union for the Conservation of Nature (IUCN) stated that the destruction of wetlands is driving the destruction of dragonflies worldwide. Furthermore the planting of trees to absorb water from the Meadows could affect the water-table & erode the

area of wetland our 16 species currently inhabit. If the amount of grazing land diminishes then fewer cattle can graze resulting in less dung as a food source for the Hornet Robber Fly.

Who will carry out the maintenance & watering? Any planting on the Meadows should be done in consultation with the Floodplain Meadows Partnership who are instrumental in the restoration of floodplain meadows. The Active Travel Plan pays no regard to this.

Plant species recorded in the Active Travel Planning appendix C 2022/23 is a totally inadequate report, as it fails to record that there are 132 different plant species; including 13 indicator species for the selection for an area to be recognised as a local wildlife site. The 2013 survey was carried out by a qualified & registered ecologist. Consultation of members of the Monmouthshire & Newport Nature Partnership in 2023 identified lowland meadows as second in the list of priority habitats to be conserved. Under Section 7 under the Biodiversity lists Wales NEWRCs (EWA16) Castle Meadows qualifies as a priority habitat.

Abergavenny and Crickhowell Friends of the Earth – Support the development:

For too long, pedestrians and cyclists have taken their lives in their hands navigating the narrow Llanfoist bridge when the Welsh Government and Monmouthshire CC are, quite rightly, trying to encourage walking and cycling rather than use of our motor cars. The proposed footbridge should therefore be very much welcomed. Most of the concerns relate to improvement of links between the footbridge and the town centre. But the worries ["concreting over the Meadows"], while they should be closely examined, are hugely exaggerated. We should recognise that such objections commonly attend provision of new cycling routes, and are one reason why Britain lags so far behind most countries in Europe in its provision of cycling routes in, around and between towns.

South Wales Otter Trust - Object to planning permission on the grounds of inadequate consideration and surveying of otters, and raise concerns about lesser horseshoe bats roosting in the castle dungeons and daubentons bats in the old bridge.

This stretch of the USK (a SAC) is very well used by a number of otters, and is also a key breeding area for them. Over the past 2 years we have monitored 2 otter families raising cubs, and solitary otter/s living on the riverbank on the south end of the site.

Two otter surveys were undertaken, one in August 2021 and one in June 2022 by WSP ecology. There are 2 points to this, 1) Summer is not the best time to survey, as the increased use of the river drives the otters away, so no accurate knowledge of how otters use the area can be understood. 2) One otter survey per year (both in summer) is completely inadequate as they are very seasonal and no understanding of how they use the area can be gained this way. If otter resting places or holts are confirmed as in use, on or near, the site as works are starting, all works will have to cease while a NRW ESPL licence is obtained, causing delays.

We have offered assistance to WSP ecology, providing exact locations of otter activity, but I note some of this has been ignored.

I recommend a minimum of 2 further otter surveys are undertaken on both sides of the river bank for at least 0.5km of the site boundaries up and downstream, and >25m of associated habitat and a camera trapping programme is undertaken to confirm presence/absence of otter holts and resting places, as well as those already shared with WSP.

The proposed picnic bench location next to the old bridge is right on a deep pool that otters feed in on a regular basis (fish shelter here) and this will reduce this from being used by foraging otters.

The mitigation, seems a weak attempt at a tick box exercise.

There is likely to be a substantial increase in human footfall and recreational use of the river on both sides, there is already a issue with litter, fires and dog walker disturbance, this needs careful thought.

The above comments from the can be read in full on the Council's website:
<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

Abergavenny Development Forum - We welcome and support the vision described in the application, but we have concerns about the planning of connecting routes.

Our central concern is the failure to recognise the need for a direct link from the new Usk Footbridge to the Town Centre across the meadows. The proposed design simply links into the current riverside footpath system, heading east or west, when it should be creating a new direct route in a north east direction to the access gates at the south west corner of the Byefield Lane car park, en route to Tudor Street.

The proposed connecting routes are shown at right angles to the Riverside walk, implying that users will be content to travel on unnecessarily long routes which take no account of much shorter natural desire lines. Examination of the existing desire lines, visible on Google Maps, demonstrates that one of the existing hard surfaced paths is mainly irrelevant, and yet it is proposed as a key feature in the new strategy. By contrast nothing is proposed for improvement of some of the most used paths.

The natural water features help to make this meadow a unique and beguiling landscape. They should be included in the development of the future vision of the meadow.

In replacing the existing Riverside Walk with the new 3m footpath, consideration should be given for potential reuse of the current Grasscrete blocks, which could be recycled to support and improve some of the other popular routes and desire lines.
ADF is ready to engage in a constructive dialogue to assist in necessary amendments to the current plan.

The comments from the Abergavenny Development Forum can be read in full on the Council's website: <https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

6.0 EVALUATION

6.1 Principle of Development

6.1.1 Strategic Policy S16 of the LDP states that 'where appropriate, all development proposals shall promote sustainable, safe forms of transport which reduce the need to travel, increase provision for walking and cycling and improve public transport provision. This will be facilitated by:

- Reducing the need to travel, especially by car;
- Promoting public transport, walking and cycling;
- Improving road safety'

6.1.2 The proposed development will promote sustainable forms of transport by providing active travel routes throughout Castle Meadows. This will improve access across Castle Meadows and links with the surrounding area in Llanfoist, Abergavenny Town Centre and Abergavenny Rail Station. The proposal also seeks to replace the existing River Gavenny

footbridge to remove conflict between users and improve access for all users. As such, the proposed development accords with the provisions of LDP Policy S16.

6.1.3 LDP Policy S17 (Place Making and Design) states that proposals must include and promote high quality, sustainable inclusive design which respects local distinctiveness, respects the character of the site and its surrounding. The proposal is in line with this policy as it will upgrade the existing pedestrian and cycle routes within Castle Meadows to create an Active Travel Scheme. The paths will be widened and resurfaced with a hard bound surface to create connected routes that are accessible by all users.

6.1.4 Other relevant LDP Policies referred to above and detailed planning considerations are discussed below.

6.2 Good Design / Placemaking

6.2.1 The existing network of paths consist of well-worn self-binding aggregate, concrete reinforced paths and grass paths desire lines of varying widths. Grass overlaps edges, with some sections hidden from view by localised minor undulating ground contours as a pedestrian using the area. The southern section linking from the Gavenny to Glyndwr gardens is all grass with localised undulations. In general, the current network of paths have little adverse impact on the integrity of the landscape due to size, partial obscurity of complete network, being grass in places and with low impact bridges and entrance furniture. Existing furniture includes timber seats, new information and signage, litter bins old and new pedestrian bridges (timber and metal). Summer meadow grass length and flowering obscures many of the paths due to size adding to the rural aesthetics. It is noted however that paths in places are not accessible to all and do require improvements to ensure effective connectivity.

6.2.2 The proposal is to increase widths of existing paths to active travel shared surface standards generally following the existing routes, to create new links following desire lines from Gavenny river to Glyndwr gardens, new desire line link to ridge over Gavenny and new functional link to Merthyr Road near opposite Usk view terrace. Routes are proposed to be 3m width with PCC pin kerb edge with buff coloured bonded resin permeable surfacing. Sections such as around Abergavenny castle will vary from 2m-3m. Bridge structure to be replaced with new 18m span with increased 3m width with 1.4m high parapet rails and 15m access ramps. Access interfaces include cattle grids, vehicle access and one-way self-closing gates.

6.2.3 The surfacing material proposed is resin bound (permeable) surfacing in a buff colour. The proposed surfacing material has been specifically selected to 'tie-in' with the previously consented application at Llanfoist Bridge (LPA Ref. DM/2018/00408) which aims to provide a seamless connected Active Travel network. The final choice for surfacing materials has been made on the grounds of appearance/functionality/and with maintenance in mind and is also intrinsic to the Drainage Strategy. Samples of the proposed buff-coloured materials will be required to ensure it is clearly understood what the buff colour proposed will look like when dry and wet. This can be provided as a condition of approval, should Members be minded to grant consent.

6.2.4 The proposed replacement bridge has been designed to be complementary to its surrounding environment in terms of materials and design, for example, hedgehog ramps have been incorporated. The design also seeks to incorporate landscaping along the approach to the bridge to help the bridge blend into the surrounding environment and respect the local character of the area.

6.2.5 Data within the public consultation, along with counter data, demonstrates significant usage with a desire for further growth. The proposal seeks to improve the existing PRoW to create a continuous Active Travel route that aims to add to the utility and enjoyment of Castle

Meadows. The proposed development has been specifically designed with the convenience, safety and visual amenity of users in mind by widening the footpath to 3m and surfacing the routes with a resin bonded surface to create a continuous smooth route. It aims to improve accessibility for all users, including those with limited mobility.

6.3 Green Infrastructure

6.3.1 Following pre-application advice, a Green Infrastructure Masterplan and Landscape Plan (detailing hard and soft landscape) have been prepared in support of this planning application. An Existing Green Infrastructure, Assets and Opportunities Plan has been prepared to illustrate the existing green infrastructure within the site and the surrounding area. It outlines which key landscape features and assets could be maintained and/ or enhanced as part of the proposals e.g. the River Usk is a vital asset both ecologically (SSSI) and culturally for the region; interaction with the river should be retained by maintaining views and access to the River's edge.

6.3.2 The Green Infrastructure Masterplan illustrates the proposed interventions which describe how the key green infrastructure features may be maintained and/ or enhanced as part of the proposals. For example, nectar-rich shrub planting is proposed at the entrance to Byefield Lane Car Park to increase visual interest for visitors entering the meadows and it will also act as an additional ecological resource.

6.4 Landscape (including Trees)

6.4.1 The site is located in Castle Meadows, to the immediate south of Abergavenny settlement boundary and north of the Llanfoist settlement boundary within the floodplain of the Usk river, Flood risk zone Z3. The Usk river runs adjacent to the Castle Meadows. The river is a SSSI and SAC whose boundary extends into the Castle Meadows in places. The meadows are rich in ecological value and form a landscape setting for Abergavenny settlement edge as well as for the Abergavenny SA. The majority of the Castle Meadows is LDP DES2 Area of Amenity Importance and includes TPO trees (individuals and groups) as well as benefiting protection from being within Abergavenny Conservation Area. The Gavenny stream bisects the site. The Llanfoist riverbank 'side' is fully within the River Usk (Lower Usk) SSSI.

6.4.2 In terms of landscape character, the site lies within the Upper Usk Valley LCA typified by being a flat, river valley floodplain, of alluvium soils flanked by low river terraces of sand and gravels. It is a landscape of outstanding ecological interest identified as a rare example of a large mesotrophic lowland river. This LCA contains the Rural Secondary Settlements of Llanfoist and Usk and abuts the Main Town of Abergavenny. Small enclaves of wetland habitats are particularly important and are found along the lower Usk floodplain below Abergavenny. Large fields of arable crops and improved pasture dominate. It is an open landscape, enclosure provided only by low intensively managed hedges, in places replaced by post and wire fencing, individual field trees, hedgerow trees and linear tree belts with sinuous lines of willow and alder, following water courses.

6.4.3 Historically important communications route heavily defended with evidence of roman, Norman and medieval occupation leaving behind a legacy of castles and watchtowers bordering this landscape. Settlement outside of adjacent urban pockets is limited; with small-scale villages, country estates and large farmsteads.

6.4.4 The landscape character and setting for the proposal has a high visual, cultural, ecological and historic value. The site has an open rural meadow character creating a valued and distinct landscape with a backdrop of urban edge, castle and uplands.

6.4.5 A Landscape Mitigation Plan has been prepared to demonstrate how the proposed development would mitigate any potential impacts on the landscape. The plan illustrates various mitigations measures including proposed shrub planting to reinforce existing hedgerows, proposed areas for wildflower plug planting and re-seeding of path verges.

6.4.6 In order to support the above plans, a Landscape Management Plan (LMP) has been prepared and submitted with the application. The LMP is a working document, which intends to guide those responsible for the protection, establishment and management of the landscape and ecology elements associated with the Proposed Development. The key objectives of the LMP are to provide details of the habitat creation, ecological enhancement and soft landscaping within the Proposed Development Boundary and agreed surrounding area.

6.4.7 In addition to landscape and biodiversity mitigation, the LMP also sets out post-construction requirements. Section 5 of the LMP includes the maintenance and monitoring requirements for the soft landscape and habitats for the first five years after Practical Completion.

6.4.8 A walkover survey of the arboricultural features within the study area has been undertaken as well as an arboricultural survey and statement. The aim of the statement was to identify all trees which may be affected by this part of the proposed overall scheme to assess the impact of the proposal upon those trees and to recommend such protection measures that would be necessary to ensure the health of the retained trees.

6.5 Historic Environment

6.5.1 The following Scheduled Monuments have been identified within the vicinity of the site:

MM010 Abergavenny Bridge
MM056 Abergavenny Castle
MM118 Llanwenarth Churchyard Cross-Base
MM183 Area of Conventual Buildings, St Mary's Priory
MM193 Abergavenny Roman Fort
MM276 Hill's Tramroad Inclines, Llanfoist
MM306 St. Faith's Churchyard Cross, Llanfoist

6.5.2 The following Registered Parks and Gardens have been identified within the vicinity of the site:

PGW(Gt)9(MON) Abergavenny Castle
PGW(Gt)30(MON) Coldbrook House
PGW(Gt)37(MON) New Cemetery
PGW(Gt)59(MON) Linda Vista Gardens
PGW(Gt)60(MON) Bailey Park
PGW(Gt)62(MON) The Hill

6.5.3 The site is also within the vicinity of the Blaenavon Industrial World Heritage Site:

6.5.4 The above designated historic assets are located inside 2km of the proposed development, but intervening topography, buildings and vegetation or the effect of distance means it is unlikely they will be inter-visible except for Abergavenny Bridge, Abergavenny Castle, Abergavenny Roman Fort and registered parks and gardens at Abergavenny Castle and Linda Vista Gardens.

6.5.5 Non-designated heritage assets recorded in the Glamorgan and Gwent Archaeological Trust (GGAT) Historic Environment Record are located within the vicinity of the Site. This

includes below ground archaeological Sites of medieval remains within the vicinity of the castle.

6.5.6 During the construction phase of the proposed development, there will be no direct physical impact on the Scheduled Monuments, Historic Park and Gardens, Listed Buildings and non-designated heritage assets due to their distance to the proposed works. There is potential for setting impacts during the construction period to two of the Grade II* and eight Grade II Listed Buildings due to their proximity to the Site. These impacts are likely to be minor to moderate adverse impacts.

6.5.7 There is potential for adverse impacts to unknown below-ground heritage assets, which could rise to a major adverse impact if such remains are associated with a Scheduled Monument. However, these impacts will be managed through the use of best practice and mitigation measures included in the CEMP and will include the implementation of a 'no dig' construction for the works involving the footpaths around Abergavenny Castle. In addition, a Watching Brief will be in place during the construction phase and if any buried archaeological assets are uncovered the works will stop immediately and the MCC Heritage Officer will be informed. It should be noted that the proposed upgrades to the routes in close proximity to Abergavenny Castle have been discussed and confirmed with Cadw prior to the application being submitted.

6.5.8 Given the nature of the works, there are no impacts to the historic environment anticipated during the operational phase of the proposed development. Cadw have also advised that whilst the changes may be visible from these designated historic assets, they will not alter the way that they are experienced, understood and appreciated.

6.5.9 In terms of the impact on the Conservation Area, the works to create an Active Travel compliant route will result in the upgrade to of existing pedestrian and cycle routes seek to enhance the appearance of the area and historic setting by the replacement of the present distressed path surfacing. The proposed development will have no serious adverse effects on the significant views of the Conservation Area. As such, it is considered that the proposed development will preserve the character and appearance of the Abergavenny Conservation Area in accordance with LDP Policy HE1.

6.6 Biodiversity

6.6.1 The application site is within the River Usk Special Area of Conservation (SAC) and Lower Usk Site of Special Scientific Interest (SSSI). Additionally, River Gavenny Site of Importance for Nature Conservation (SINC) is located within the south eastern section of the site. Due to the proximity of the development proposals to protected sites, potential impacts must be considered carefully.

6.6.2 An Extended Phase 1 Habitat survey undertaken in February 2021 by WSP Ecology identified habitats within the site to include bridge structures, semi-natural broadleaved woodland, scrub, scattered trees, improved grassland, poor semi-improved grassland, four ponds, running water (River Usk), hardstanding, amenity grassland, hedgerow and bare ground. Habitats within the site are considered to provide suitable commuting, foraging and nesting opportunities for bats, otter, fish, breeding birds, reptiles, and great crested newt. The walkover surveys followed standard survey guidelines as set out in Joint Nature Conservation Committee (JNCC) (2010) Handbook for Phase I Habitat Survey. A technique for environmental audit.

6.6.3 It is understood that no trees will be removed for the proposals and root protection areas will be put in place. Construction work for the proposed development will need to be undertaken in line with a Construction Environmental Management Plan (CEMP) including

specific method statements for otter and pollution prevention. This can be secured via condition if Members are minded to approve the application.

6.6.4 An otter and water vole survey was undertaken on behalf of the applicant in December 2021, otter field signs comprised of jelly and spraints which were recorded along the River Usk and a push through and a potential slide which were identified along the River Gavenny. No confirmed otter breeding sites, or holts or couches were identified, however several potential holts were noted. No evidence of water vole was identified during the surveys and they are assumed absent from the site.

6.6.5 A further otter report was produced in July 2022 in response to the request from NRW identified a higher level of otter activity on sections of the River Usk SAC in the south-eastern area of the Site. Whilst no confirmed otter resting places (e.g. holts, couches, natal dens, etc) were identified, several otter footprints, spraints and potential resting places were found. Furthermore, additional evidence of otter activity has been provided to WSP by a local otter surveyor. This included further field signs of otter (footprints, activity, a suspected couch and confirmed holt) within the River Usk SAC where it borders the south-east of the Site at locations where WSP surveyors identified similar signs.

6.6.6 The paths that have been selected for improvement as part of the proposed development are existing shared use cycle/footways. It is therefore not anticipated that levels of disturbance from use of the paths during its operational stage will significantly increase as a result of the application. Disturbance during the construction and operational stage will be managed and mitigated by the measures as stated within the HRA and enforced through the production of a Construction Environment Management Plan (CEMP) and supervision by an Ecological Clerk of Works (ECoW).

6.6.7 In order to further reduce the potential disturbance from the use of the paths on designated species, it is recommended supplementary vegetation planting will take place between the River Usk SAC and the cycleway following construction. The species will consist of native woody and thorny species (such as blackthorn, hawthorn, willow and bramble, to produce a dense thicket between any improved paths and the River Usk SAC in order to deter/prevent access to the riverbanks at locations of high value to otter.

6.6.8 Taking to account the established otter activity along the River Usk SAC and the existing levels of disturbance from the current path running through the site, the additional proposed planting will provide improved levels of screening and shelter for all species using the River Usk SAC corridor.

6.6.9 In response to NRW's request for clarification that by widening the path this would not encroach further on the riverbank, the applicant has advised that the alignment of the proposed upgraded paths largely follows the existing pathways within the site which will result in an encroachment towards the River Usk SAC (average encroachment of 0.5m). The path is to be constructed on areas of existing grassland, with little value to the species for which the River Usk SAC is designated. No established bankside habitats (such as areas of woodland and scrub) of high value to protected species will be removed. An eCoW (ecological Clerk of Works) will be present during all clearance works, and all works will be done in accordance with a CEMP in order to prevent damage to the sensitive habitats within the River Usk SAC.

6.6.10 When considering the supplementary planting recommended in paragraph 6.6.7 above, which would provide an overall increase in habitats of value to species within the site, the impacts from an increase in footprint of the paths are considered to not have a detrimental impact on species using the River Usk SAC and will not directly result in the loss of habitats or species for which it is designated.

6.6.11 It is understood that during construction, alternative pedestrian access will be required within the site at all times. The temporary/alternative routes do not form part of the red line application boundary as they do not require the benefit of planning permission. As such, details relating to temporary/alternative routes will be provided post planning permission, with details of locations, any impacts (i.e. on the existing grassland habitats, root protection areas, etc.) and management (i.e. re-instatement of grasslands and protection of roots, etc.) to be included within the CEMP and Ecological Management Plan (EcMP).

6.6.12 Five trees and two bridges within the site were assessed as having moderate to high roosting potential for bats during the PEA survey in 2021. Emergence surveys of the three bridge structures within the site concluded a likely absence of bats. The bridge to be demolished and replaced was assessed as having negligible potential for roosting bats and no evidence of bats was identified during further surveys. The bat surveys were undertaken in line with standard practice guidelines Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). This level of survey effort and assessment is considered proportionate to the nature and scale of the application and the Council's Biodiversity Team have agreed with the conclusions. Any lighting will need to be considered sensitively for bats. However, no lighting strategy has been submitted to date. A lighting plan for the site will therefore be required to prevent any impacts on nocturnal species. As such it is recommended that a condition for a lighting plan is included on any permission should Members be minded to approve the application.

6.6.13 Otters and bats, as well as their breeding sites and resting places, are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Where these species 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 Natural Resources Wales, having satisfied the three requirements set out in the legislation. These three tests are considered below. 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.

The proposed improvements to the paths will benefit the wider community by making the area accessible to all to use, in accordance with Active Travel legislation and guidance.

- ii. There is no satisfactory alternative; and

The development is necessarily site specific. If the site were to be retained as existing then the benefit of making the paths Active Travel compliant referred to above would not be gained.

- 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.

The proposed development has provided mitigation measures including the production of a Construction Environmental Management Plan (CEMP), specific targeted measures to avoid or minimise impacts of construction on fish/otters (such as timing of specific works), specific pollution prevention controls, no operational lighting and no lighting of river or immediate banks during construction. These measures have been welcomed by both NRW and the Council's Biodiversity Officer.

The applicant has provided additional information requested by NRW which will inform an updated HRA and Appropriate Assessment. The HRA will be sent to NRW for re-consultation

once complete. **The application should not be finally determined until NRW have agreed the updated HRA.**

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

- i. Planting of a variety of native species as part of landscaping to encourage invertebrates;
- ii. Creation of additional hedgerows using native species of local provenance;
- iii. Installation of bird and bat boxes in trees and integral within new structures to provide additional refuge sites for these species' groups;
- iv. The incorporation of wildflower areas to provide additional habitat;
- v. Targeted restoration (following consultation with an ecologist) of ditches and ponds throughout the site to enhance connectivity and biodiversity;
- vi. Invertebrate hotels and habitat piles to provide refuge for reptiles, amphibians and hedgehog;
- vii. Good horticultural practice to be utilised, including the use of peat-free composts, mulches and soil conditioners and favouring native plants of local provenance in landscaping; and
- viii. Avoidance of the use of invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) in the planting.

6.6.9 The Green Infrastructure Plan and Landscape Mitigation Plan submitted with the application shows proposals to enhance local biodiversity without compromising the meadow's character including additional tree planting, new hedgerows, nectar-rich shrub planting, wildflower plug planting, riverside shrub planting around a new otter holt (precise location to be determined). Also, indicative areas for bird and bat boxes, invertebrate hotels and habitat piles. The numbers and specification of the planting can be found in the Detailed Soft Landscape plans.

6.6.10 These measures are considered to be appropriate and proportional to the development. Their implementation can be secured via condition should Members be minded to approve the application.

6.7 Impact on Amenity including Shared Use of the Paths

6.7.1 There are residential properties around the perimeter of Castle Meadows with views across. The changes to the paths, replacement bridge and upgraded gates and cattle grids will have a negligible impact on the amenity of these neighbouring occupiers. As such, there is no conflict with LDP Policy EP1.

6.7.2 The fundamental use of Castle Meadows is not changing as a result of this scheme. The proposals look to maintain the same use for all users, whilst making it more accessible and increase space for everyone's use. The widths proposed are consistent with the national design guidance for Active Travel schemes and is set at this for shared use purpose. Complete segregation would have taken up more space within the Meadows and encouraged faster cycling movements through the area which could have more potential for conflict. The route through Castle Meadows is part of the National Cycle Network and will remain so moving forwards; as a result cyclists / dog walkers / pedestrians are already sharing the space.

6.7.3 The applicant acknowledges that there are benefits to using segregated approach, however, the context of the site's natural environment is also a significant consideration - a point the guidance mentions to ensure the appropriate approach is taken for Active Travel use on these historic meadows. Cl. 11.4.3 and Cl. 11.5.1 state that for segregated use, separation should be effective and this would only be achieved by introducing contrasting materials, raised kerbs or a grass verge in between the pedestrian and cycle track. It is not possible to change the levels to create a raised kerb as this is more intrusive to the meadows and could also impact flooding. This approach could become a maintenance issue in time. Providing separation by a grassed verge would result in much wider paths with complex junctions at nodes that will detract from the existing natural aesthetic on the meadow. Contrasting materials (visual and textural) would be a potential maintenance liability during the flood events and a singular bound solution is considered more robust. The overall width of the segregated path would be larger and therefore the visual impact on the natural environment would be increased. Shared use with markings is generally not adhered to and would require clear markings on the network, again detracting from the natural environment on the meadows. Wide shared use paths are known to better accommodate wheelchairs etc. and are cheaper to maintain and construct. Castle Meadows has annual flooding and therefore this is a key consideration.

6.7.4 The increase to a segregated path at the bridges will either lead to pinch points at bridges if unwidened, or if widened, increase the size/width of the approach ramps and increase flood impact on the sensitive site. Both of which are seen to be disadvantageous. A shared approach will result in a consistent approach across the meadow with a width compliant with Active Travel Guidance.

Use of a shared surface for all users but with a more durable surface and of a width to reduce potential conflict is therefore supported in planning terms.

6.8 Sustainable Transport

6.8.1 Policy MV4 of the LDP states that new cycleways will be permitted where they provide improved opportunities for sustainable travel or recreational cycling, subject to no adverse impact on pedestrian / cyclist safety and subject to detailed planning considerations. In addition, where appropriate, cycleways should provide for the needs of walkers, horse riders and those with limited mobility.

6.8.2 The proposed development will provide a traffic-free route throughout Castle Meadows and linking to the surrounding area. The proposal seeks to widen the existing routes to 3m and surface the routes with hard bound surfacing to provide a continuous smooth Active Travel route that will be accessible to all users. The scheme promotes highly sustainable modes of transport and is therefore acceptable in this regard.

6.9 Flooding

6.9.1 The planning application proposes less vulnerable development. NRW's Flood Risk Map confirms the site to be within Zone C2 of the Development Advice Map (DAM) as contained in TAN15 and the Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls into Flood Zone 3 (Rivers).

Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified.

6.9.2 Proposals for highly vulnerable development or emergency services will not be permitted in areas which may be liable to flooding, unless the residential development is for the conversion of upper floors within defined settlement boundaries or the proposal is to extend an

established tourism, leisure or educational establishment. Less vulnerable built development will be permitted within defined settlements or on sites allocated for uses such as employment. Development proposals within a flood plain will be required to demonstrate that:

- a) the development is or can be protected by approved engineering works and / or other flood protection measures;
- b) such remedial measures would not cause flooding or significantly increase the risk of flooding elsewhere;
- c) the development, including any remedial measures, can be sympathetically assimilated into the environment in terms of its siting, scale, design and landscaping;
- d) the development does not interfere with the ability of the Environment Agency or other bodies to carry out flood control works or maintenance; and
- e) the nature conservation interest of the water source corridor is protected and, where practicable, enhanced.

6.9.3 Development resulting in additional surface water run-off and leading to an increased risk of flooding will only be permitted where adequate protection and mitigation measures are included as part of the proposal. As such, a Flood Consequence Assessment (FCA) and Drainage Report have been prepared by the applicant and presented as part of this planning application.

6.9.4 The FCA and Drainage report assessed the flood risk and drainage related impacts of the proposed Active Travel Scheme, including the replacement River Gavenny bridge at Castle Meadows, Abergavenny. The FCA and Drainage Report considered the impact of the proposed development and concluded that the primary existing flood risk to the site is fluvial flooding from the River Usk, with the River Gavenny and other watercourses being important secondary sources. There are some minor areas at risk of surface water flooding, and other sources of flooding are considered to pose a low risk (apart from groundwater which may be a significant contributing source during fluvial flood events but low risk at other times).

6.9.5 The proposed Active Travel routes will supplement the existing routes crossing the floodplain and are to be constructed at existing ground level and designed to be flood resilient. On this basis, the proposed routes will have no impact on flood risk elsewhere, as there will be no impediment to flood flows and drainage will mimic the existing regime.

6.9.6 Flood risk to potential users of the Active Travel routes remains the same as the existing routes. However, it is advised that signs be installed at either end of the routes warning of the potential flood risk. As the River Usk rises over a number of hours, users will have sufficient time to evacuate the area along the proposed routes.

6.9.7 The River Gavenny Bridge will be replaced with a wider bridge with a soffit the same as existing. However, re-profiling will result in ramps that are lower, due to a lower (thinner) deck. Hence these ramps will actually provide less of an impediment to flood flows compared to the existing situation and the overall change in flood risk is considered to be negligible. The impact of the development on flood risk from other sources is also considered to be negligible.

6.9.8 NRW have also reviewed the FCA submitted in support of the application and confirm that the FCA shows that the risks and consequences of flooding are manageable to an acceptable level. Therefore, NRW have no objection on flood risk grounds to the application as submitted.

6.9.9 On this basis development is therefore considered to meet the requirements of TAN 15: Development and Flood Risk which seeks to implement development control measures to mitigate flood risk when planning for new development.

6.10 Drainage

6.10.1 Under the Habitats Regulations, where a plan or project is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, and where it is not directly connected with or necessary to the management of the site previously (designated pursuant to EU retained law) the competent authority must carry out an appropriate assessment of the implication of the plan or project in view of the site's conservation objectives. Natural Resources Wales has set new phosphate standards for the river SACs in Wales. Any proposed development within the SAC catchments that might increase the amount of phosphate within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition.

6.10.2 This application has been screened in accordance with Natural Resources Wales' interim advice for planning applications within the river Special Areas of Conservation (SACs) catchments (issued on 2nd May 2021). It is considered that this development is unlikely to increase phosphate inputs as it falls within the following criterion in the interim advice: Any development that does not increase the volume of foul wastewater

6.10.3 In terms of surface water drainage, the Drainage Strategy provided in support of the application has explained the construction and aftercare of the proposed new surfacing as well as a broad description of the colour of the final surface (i.e. buff) and the determined traffic loading capacity. The assessment of proposed porosity and infiltration rates to accommodate rainfall has been provided and demonstrated to not add to flood consequences indicated with appropriate maintenance measures which is welcome.

6.10.4 It is noted that the aftercare prescription within the drainage strategy is for general maintenance of a porous surface that has been subject to general rainfall. The applicant's response to MCC Landscape Officer's comments indicates that general maintenance and maintenance after flood inundation will also be undertaken to maintain porosity and performance.

6.10.5 The scheme will require separate SAB approval, but for the purposes of this planning application the scheme has demonstrated that the surface water at the site can be managed in a sustainable manner and would be acceptable in this regard.

6.11 Response to the primary representations of Third Parties

6.11.1 Comments regarding the visual impact of the proposed development and the potential impact on the environment have been addressed above in sections 6.2 and 6.6. Other concerns raised are discussed below.

6.11.2 The MCC maintenance team have confirmed that they will maintain the routes across Castle Meadows in future. At this stage the details of the maintenance strategy are yet to be fully developed but it is envisaged that the paths will be maintained in a similar manner to the local highway network, with pressure washers or machine sweepers deployed to undertake periodic cleaning and / or to clear away sediments/debris after flood events.

6.11.3 The cost of the proposed works will be funded via Welsh Government grant that comes from a separate 'pot' to that used for hospitals and schools.

6.11.4 The applicant has confirmed that dog walkers would still be able to walk their dog off leads in the area. This would be expected to be done in accordance with good recall to ensure safety and enjoyment of all users, as existing.

6.11.5 In terms of the kerbs proposed for the edges of the path, these are required because of the flood environment. A robust and durable solution is most appropriate to prolong structural integrity of the path during a flood event. It has been agreed not to provide the edging around the Castle away from the flood zone to minimise tree root damage.

6.11.6 More information in relation to the impact on otters/fish has been requested to inform an updated Habitats Regulations Appropriate Assessment. No development should be granted final consent until NRW has had sight of the update and agreed with its conclusions. This will ensure that there is no harm to any Protected Species as a result of the proposed development.

6.11.7 Trespass by motorcycles would be a site management issue rather than a planning matter.

6.12 Well-Being of Future Generations (Wales) Act 2015

6.12.1 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.

6.13 Conclusion

6.13.1 The paths are mostly public footpaths over which there has long been permissive use of some for cycling as part of a National Route. The surface condition and width of the paths will be greatly improved for safe shared use by pedestrians, cyclists and the disabled, achieving Welsh Government Active Travel standards. The improvements are essential to give inclusive access to, and encourage use of, the already-permitted new bridge over the River Usk.

7.0 RECOMMENDATION: APPROVE (subject to agreement of an updated Appropriate Assessment (HRA) under the Habitats Regulations)

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 No development or phase of development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:
o General site management: details of the construction programme including timetable, details of site clearance, details of site construction drainage, containment areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.

- o Resources management: details of fuel and chemical storage and containment, details of waste generation and its management, details of water consumption, wastewater and energy use.
- o Pollution prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- o Details of the persons and bodies responsible for activities associated with the CEMP (including ecological clerk or works) and emergency contact details.
- o Pre-construction inspections of all potential holts/otter resting features and any potential for additional otter holt and planting to be provided.
- o Details regarding construction lighting and confirmation that no operational lighting will be permitted.
- o Generic measures for protecting otters and fish during construction.

The CEMP shall be implemented as approved during the site preparation and construction phase of the development.

REASON: To ensure necessary management measures are agreed and implemented for the protection of the environment and to avoid likely adverse effects on the River Usk SAC during construction and in accordance with LDP Policy NE1.

4 Prior to the commencement of development, a suitably sized on site sample of approximately 1m² of the proposed buff coloured resin bound surface material shall be provided for inspection and written agreement by the Local Planning Authority. The agreed surface material shall be implemented and retained in perpetuity.

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

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

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

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

REASON: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features in accordance with LDP Policies LC5 and GI1.

7 The site shall be managed in accordance with the approved Landscape Management Plan 70086673-wsp-lmp-la-rp-0001.

REASON: To safeguard the landscape amenities of the area and to ensure compliance with LDP Policy GI1.

- 8 Prior to its installation, full details of construction lighting shall be submitted to and agreed in writing by the Local Planning Authority. The Lighting Plan should include:
- o Details of the siting and type of external lighting to be used.
 - o Drawings setting out light spillage in key sensitive areas, in particular the River Usk corridor and all retained riverside vegetation.
 - o Details of lighting to be used during construction.
 - o Timings of when lighting will be used.

The lighting shall be installed and retained as approved during construction and operation

REASON: A Lighting Plan should be submitted to ensure construction lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of protected species, and their habitats and commuting corridors.

- 9 Prior to construction of the replacement footbridge, samples of the proposed external finishes shall be agreed with the Local Planning Authority in writing and the development shall be carried out in accordance with those agreed finishes which shall remain in situ in perpetuity. The samples shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works.

REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.

- 10 The enhancement features for biodiversity as illustrated on The Green Infrastructure Plan (Drawing number 70086673-WSP-EV-DR-LA-0101 P02) and Landscape Mitigation Plan (Drawing number 70086673-WSP-EV-DR-LA-0102 P03) shall be provided as part of the development. The agreed features shall be provided prior to the first beneficial use of the upgraded paths and shall be maintained as such thereafter.

REASON: In the interests of the ecological and biodiversity value of the site and to ensure compliance with PPW 10, the Environment (Wales) Act 2016 and LDP policies S13, and NE1.

- 11 Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be attached or positioned on the site prior to the submission of a Lighting Plan to be agreed by the Local Planning Authority.

REASON: To ensure retention of roosting/foraging opportunities for Species of Conservation Concern and to ensure compliance with LDP Policy NE1.

INFORMATIVES

- 1 The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

2 Please note that Bats are protected under The Conservation of Habitats and Species (Amendment) Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately. Natural Resources Wales (NRW) (0300 065 3000).

3 All birds are protected by the Wildlife and Countryside Act 1981. The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most birds is between March and September.

4 Please note that otters are protected under The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). This protection includes otters and places used for resting up, breeding, etc. whether an otter is present at the time or not. If otters are disturbed during the course of works, all works must cease and Natural Resources Wales contacted immediately.

5 Please note that the water vole is protected under schedule 5 of the Wildlife and Countryside Act 1981 (as amended). This includes protection for individual water voles from killing, injury, capture or disturbance. It is also an offence to damage or destroy their places of shelter or protection whether they are present or not.