

**DC/2016/00936**

**DEMOLITION OF EXISTING DILAPIDATED WORKSHOP AND CONSTRUCTION OF REPLACEMENT WORKSHOP**

**MAYHILL WHARF, STAUNTON ROAD, MONMOUTH NP25 3LX**

**RECOMMENDATION: APPROVE**

Case Officer: Craig O'Connor

Date Registered: 07/03/2017

**1.0 APPLICATION DETAILS**

1.1 The existing site is located to the south of Mayhill Industrial estate to the east of Monmouth town centre. The site has two access points, one off the small roundabout on Staunton Road and an historic access off Wyesham Road. The site includes a dilapidated industrial stone building and a two storey cottage-like property and associated outbuildings. The site has recently been cleared with vegetation and dilapidated buildings being removed from the site. The site has previously accommodated various uses including as a builder's yard, a storage facility, vehicle workshops and offices. The existing stone building has an industrial use.

1.2 The proposal is to construct a replacement building to accommodate a local signage business. The proposed building would have a workshop, an office area and a reception/showroom area. The proposed building would be located in a central part of the site, slightly to the west of the existing building. The proposed footprint of the building would be approximately 11m x 25m and it would have a pitched roof that would measure 5.6m to the eaves and 7.75m to the ridge. The proposed materials would include facing brickwork, timber cladding and composite steel cladding for the external walls. Profiled steel sheets for the roof and the openings would be constructed with aluminium. The submitted plans BP-2512-07 REV B & BP-2512-10 REV A provide details of the layout and appearance of the proposed building and the associated car parking and access arrangements.

**2.0 RELEVANT PLANNING HISTORY**

DC/2011/00856 Redevelopment of existing site for a 883sqm bulky goods retail unit, car parking and landscaping (revised scheme) Withdrawn October 2013 Appeal dismissed December 2011

DC/2009/00117 Redevelopment of existing site for a 883 sq.m bulky goods retail unit, car parking and landscaping. Refused February 2011. Appeal dismissed 13/11/2011.

DC/2008/00756 Creation of a local cycleway/footway route. Withdrawn January 2009

**3.0 LOCAL DEVELOPMENT PLAN POLICIES**

Strategic Policies

- S8 Enterprise and Economy
- S9 Employment Sites Provision
- S13 Landscape Green Infrastructure and the natural environment
- S16 Transport

S17 Place making and design

#### Development Management Policies

DES1 General Design Considerations  
EP1 Amenity and environmental protection  
SD3 Flood risk  
NE1 Nature Conservation and development  
MV1 Highways considerations and development

## **4.0 REPRESENTATIONS**

### **4.1 Consultations Replies**

Monmouth Town Council – Recommend refusal – Issues with exiting the site from southern entrance onto Mayhill.

Glamorgan Gwent Archaeological Trust – No objections to the positive determination of the application.

Natural Resources Wales – No objection to the application subject to the suggested conditions in relation to contamination. In regards to flooding based on the fact that the workshop is a replacement building and is located on the edge of the flood plain we are satisfied that no further assessment for the loss of flood plain storage is required in this instance. No objections to the proposals on flooding grounds.

Tree Officer - Please be aware that four mature pine trees on the western boundary of the application site are protected with a TPO. In the absence of tree protection information in respect of these trees and in the event of the grant of planning permission, please ensure the specified condition.

Environmental Health Officer - I have considered the information provided with this application and there does not appear to be any relevant information in relation to the management of potential public health issues from the proposed development should a planning permission be granted. For example there does not appear to be any information on how noise and dust will be managed during the demolition and construction phase of the development or how noise will be managed from onsite operations, hours of working etc.; whilst I am of the opinion that I am not in a position to substantiate an objection to the proposed development I would recommend that [specified] conditions should be contained within any permission be granted for this development.

MCC Highways Officer - Having considered all submitted drawings and supporting information it is accepted that the site has extant class B2 use which is served by two existing access points. The level of traffic proposed from the development will have negligible impact on the function of the existing highway network as it will be very little more than what was experienced under the site's extant usage. It is also considered that the proposed on-site traffic management and proposals to improve the southern access will in fact be an improvement over the existing situation under its extant use. It is therefore accepted that the proposed development will not exacerbate the existing situation to the detriment of highway safety. In light of the aforementioned comments there are no highway grounds to offer an objection to the proposed development provided that the development is carried out in accordance with the plans submitted with the application.

MCC Biodiversity Officer – No adverse comments to the proposals subject to conditions relating to the need for landscaping at the site with particular reference to the planting of a tree at the site and the need to condition a lighting plan for the site.

#### 4.2 Neighbour Notification

No objections received to date.

### 5.0 **EVALUATION**

#### 5.1 Principle of the proposed development

- 5.1.1 The site has historically been used for industrial purposes and the principle of replacing the existing stone building with a new multi-functional industrial/office building is considered to be acceptable. The site lies within Monmouth's development boundary and the principle of this type of development is acceptable subject to material planning considerations. The proposed development is in accordance with the requirements of Policies S9 and E2 of the Local Development Plan (LDP) that aims to protect existing industrial sites to encourage employment opportunities and sustain the local economy. The new commercial building would enhance this dilapidated site and the proposed development is appropriate for the site. The development would enhance the viability and vitality of the town and the local economy in accordance with strategic Policy S8 and S9 of the LDP.

#### 5.2 Flood Risk

- 5.2.1 The site lies partially within Flood Zone C2 as shown on the latest Welsh Government maps (TAN15). The application proposes less vulnerable development (the replacement of an existing disused workshop with a larger facility) on previously developed land. The applicants have submitted a detailed Flood Consequence Assessment (FCA) that is not conclusive in terms of flooding elsewhere but based on the fact that the workshop is a replacement building and is located on the edge of the flood plain Natural Resources Wales (NRW) are satisfied that no further assessment for the loss of flood plain storage is required in this instance. NRW have reviewed the proposals and have no objections to the proposals. The potential consequences of flooding at the site are considered to be acceptable. The proposed replacement commercial building would be a form of less vulnerable development on previously developed land. The proposed development would be in accordance with Policies S12 and SD3 of the LDP and this would be an appropriate form of development for the site.

#### 5.3 Highway safety

- 5.3.1 The proposed development is not considered to have a detrimental impact on highway safety. The access is served by two existing access points one on Wyesham Road (where dropped kerbs are positioned on the footway) and one directly off Staunton Road. The proposed scheme utilises these existing access points. There is no overriding planning reason to request that only one access point is used for the development given the existing arrangement. The Highways Officer has reviewed the proposals and is satisfied that the development would have an acceptable impact on the highway network. The drawings and submitted information have been assessed and the general layout of the proposal is acceptable. In addition the proposed parking provision for the development is considered to be acceptable. The proposed development would be in accordance with the requirements of Policies S16 and MV1 of the LDP in relation to transport and highway considerations.

5.3.2 A previous planning application, DC/2009/00117, for a non-food, bulky goods type retail unit on the site was considered by the Planning Inspectorate at appeal (2011). This application had been refused by Planning Committee on highway safety and flooding grounds. This previous application proposed making alterations and widening the access onto Wyesham Road. The Inspector concluded that the proposal would not be detrimental to highway and pedestrian safety or the free flow of traffic on Wyesham Road and this appeal was subsequently dismissed solely on flooding grounds, not highway or pedestrian safety. Given the previous decision from the Inspector there would be no substantive reason to refuse the planning application on highway safety grounds. The proposed access arrangements are considered to be acceptable. The appeal decision is appended as Appendix A to this item.

#### 5.4 Visual impact

5.4.1 The layout and appearance of the building is considered to be acceptable in terms of visual impact. The building would be set back from Staunton Road and given the topography of the site and Wyesham Road it would not be visually intrusive or overbearing on the street scene. The height of the building is largely derived from the different functions for the building such as the workshop and the first floor office area. The scale of the building is considered to be acceptable and the building would not be visually intrusive. The structure would have a presence within the area given its height but due to the proposed form and design of the building it would not appear alien to the area and would not be detrimental to the character and appearance of the area. The building would be viewed as an industrial structure that is appropriate for this long-established employment site. The resultant building would harmonise with the supermarket to the west and the large industrial buildings to the north. It would have modern, contemporary fenestration and be constructed with high standard materials. The building would be of an acceptable standard of design and would enhance the visual appearance of this prominent site. It would harmonise with its setting and respect the character and appearance of the area. The proposed building is considered to respect the existing form, scale, siting, massing, materials and layout of its setting in accordance with the objectives of Policies S17 and DES1 of the LDP.

#### 5.5 Residential amenity

5.5.1 The proposed replacement building would not have a detrimental impact on the residential amenity of any other party. The proposed development would not harm any other party's privacy or any party's access to natural light. There have been no objections to the proposed development. The development would be in accordance with Policy EP1 of the LDP. Noise and dust issues can be dealt with via a condition to ensure neither of these factors harm the health or amenity of local residents.

#### 5.6 Nature Conservation

5.6.1 There are bats using the adjacent house at the site but this building is not part of this application and there are no proposals to alter this building at this time. NRW and the Council's Biodiversity Officer have reviewed the proposals and are satisfied that the development would not have an unacceptable impact on wildlife interests subject to the suggested conditions. The development would not have a detrimental impact on ecology and would be in accordance with Policy NE1 of the LDP.

5.6.2 A Habitats Regulations Assessment (HRA) has been undertaken for the scheme to assess the impact that the development would have on the River Wye (SAC and SSSI). This assessment is required by Regulation 61 of the Conservation of Habitats and Species Regulations 2010, in accordance with the EC Habitats Directive (Council

Directive 92/43/EDC) before the Council as the 'Competent Authority' under the Regulations can grant permission for the project. The Council's Biodiversity officer has conducted the HRA and in terms of the impact on the locality and is satisfied that there would be no significant effect on the SAC. A lighting plan will be conditioned as a matter of standard practice and in accordance with Policy EP3 of the LDP.

#### 5.7 Response to Monmouth Town Council

5.7.1 It is recognised that the site has been vacant for many years and therefore there has been a limited amount of traffic movement from the site over recent years. However the vehicle access points onto Staunton Road and onto Wyesham Road are existing access points and therefore they could be utilised for the site without the need for any additional consents. The Highways Officer has reviewed the proposed development and there is no substantive reason to refuse the application based on highway safety grounds. The applicant would utilise existing access points and the development would be in accordance with Policy MV1 of the LDP.

#### 5.9 Response to the Representations of the Community/ Town Council (if applicable) Well-Being of Future Generations (Wales) Act 2015

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.

#### 5.10 Conclusion

The proposed replacement commercial building would enhance the visual appearance of the site and the vitality of the local economy. The development is considered to provide a form of sustainable economic growth to the area that in accordance with strategic Policies S8 and S9 of the LDP. The scale, mass and design of the building is considered to be appropriate for the site and would enhance the appearance of the locality. The development would utilise existing access points and would not have an unacceptable impact on highway safety. The proposals would be in accordance with the relevant Policies in the LDP and is recommended for approval.

### 6.0 **RECOMMENDATION: APPROVE**

#### Conditions/Reasons

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: For the avoidance of doubt.
3. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- a. A preliminary risk assessment which has identified:
- all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.
- b. A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c. The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- d. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: Natural Resources Wales considers that the controlled waters at this site are of high environmental sensitivity due to proximity to the River Wye which is a Special Area of Conservation and a Site of Special Scientific Interest; Contamination is identified as almost certain in the pre-acquisition report compiled to Stuart Meredith (which has previously been submitted with respect to this site) because of its previous use as a garage and brickworks.

4. Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.
5. No development is to take place until the local planning authority has received and approved in writing an Arboricultural Method Statement in accordance with BS 5837:2012 Trees in relation to Design, Demolition and Construction – Recommendations.  
Reason: To ensure that a landscape feature is not harmed as a result of the development.
6. No development shall commence until a written noise and dust mitigation scheme is submitted to and approved in writing by the local planning authority detailing measures that will be implemented to ensure noise and dust associated with the development does not cause detriment to amenity or a nuisance to those living and working in nearby properties. The development shall be carried out in accordance with this agreed mitigation scheme only.  
Reason: To protect human health and amenity.
7. No lighting or lighting fixtures shall be installed on the buildings or within the red line until an appropriate lighting scheme has been submitted to the Local Planning Authority and approved in writing. The strategy shall include:
- a) lighting type, positioning and specification

b) drawings setting out light spillage in key areas for bats based on technical specifications

The strategy must demonstrate that the roost and key flight lines are not illuminated. The scheme shall be agreed in writing with the Local Planning Authority and implemented in full.

Reason: To safeguard roosting and / or foraging/commuting habitat of Species of Conservation Concern in accordance with LDP policies NE1 and EP3.

8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development. The landscaping scheme shall outline the planting of a tree at the site and the introduction of other landscaping features.

Reason: To safeguard the landscape amenities of the area.

9. 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 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 a similar size and species.

Reason: To safeguard the landscape amenities of the area.

10. Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.

11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: Given the size/complexity of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.