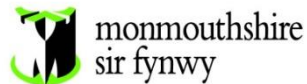


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**Monday, 28 September 2015**

**Monday, 28 September 2015**

**Notice of meeting:**

## **Planning Committee**

**Tuesday, 6th October, 2015 at 2.00 pm,  
Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA**

### **AGENDA**

<b>Item No</b>	<b>Item</b>	<b>Pages</b>
1.	Apologies for Absence	
2.	Declarations of Interest	
3.	To confirm and sign the minutes of the Planning Committee Meeting held on 8th September 2015.	1 - 6
4.	To receive and note the Monmouthshire Local Development Plan Annual Monitoring report.	7 - 116
5.	To consider the following Planning Application reports from the Chief Officer - Enterprise (copies attached)	
5.1.	DC/2010/00670 - RESIDENTIAL DEVELOPMENT OF 8 UNITS, COMPRISING OF A 1 BED FLAT, A 2 BED FLAT ABOVE FOUR CAR PORTS AND 6 NO THREE-BEDROOM HOUSES AND ALL ASSOCIATED WORKS. LAND TO THE REAR OF 34 TO 39 CROSS STREET, OFF BEILI PRIORY, ABERGAVENNY  RECOMMENDATION: APPROVE	117 - 128
5.2.	DC/2013/00456 - CHANGE OF USE TO THE STORAGE AND REPAIR OF LIGHT MOTOR VEHICLES; STORAGE AND REPAIR OF UP TO TWO HGV MOTOR VEHICLES AND A TRAILER; RETENTION OF VEHICLE WASHING AREA AND ANCILLARY PARKING. LAND INCLUDING NEW BARN WORKSHOPS, TINTERN ROAD, ST ARVANS	129 - 178

	RECOMMENDATION: REFUSE	
5.3.	<b>DC/2014/01519 - PROPOSED CONVERSION OF REDUNDANT AGRICULTURAL BUILDINGS 2, 3 AND 4 INTO RESIDENTIAL USE - TWO DWELLINGS. FIVE LANES FARM, CAERWENT</b>	179 - 186
	RECOMMENDATION: APPROVE	
5.4.	<b>DC/2015/00210 - EXTEND EXISTING DWELLING TO FORM A NEW RESIDENTIAL DWELLING (61A). 61 PARK CRESCENT, ABERGAVENNY</b>	187 - 192
	RECOMMENDATION: APPROVE	
5.5.	<b>DC/2015/00390 &amp; 00392 - APPROVAL OF ALL MATTERS RESERVED EXCEPT FOR ACCESS (OUTLINE APPLICATION APPROVAL REFERENCE DC/2013/00368). LAND AT WONASTOW ROAD, MONMOUTH</b>	193 - 216
	RECOMMENDATION: APPROVE	
5.6.	<b>DC/2015/00405 - DEMOLITION OF EXISTING GARAGE/OUTBUILDING AND PROPOSED NEW DETACHED DWELLING INCLUDING PARKING ON PLOT AND SERVICES. LAND BETWEEN 11 &amp; 12 THE COURTYARD, PLAS DERWEN VIEW, ABERGAVENNY</b>	217 - 222
	RECOMMENDATION: APPROVE	
5.7.	<b>DC/2015/00833 - PROVISION OF ADDITIONAL 6M HIGH LIGHT COLUMNS AROUND THE SITE. CHEPSTOW COMPREHENSIVE SCHOOL, WELSH STREET, CHEPSTOW NP16 5LR</b>	223 - 230
	RECOMMENDATION: APPROVE	
5.8.	<b>DC/2015/00854 - PROPOSED REPLACEMENT DWELLING&lt;. FERN LEA, TRELLECH CROSS, TRELLECH NP25 4PX</b>	231 - 238
	RECOMMENDATION: APPROVE	

**Paul Matthews**

**Chief Executive**

MONMOUTHSHIRE COUNTY COUNCIL  
CYNGOR SIR FYNWY

THE CONSTITUTION OF THE PLANNING COMMITTEE IS AS FOLLOWS:

County Councillors:

R. Edwards  
P. Clarke  
D. Blakebrough  
D. Dovey  
D. Edwards  
D. Evans  
R. Harris  
B. Hayward  
J. Higginson  
P. Murphy  
M. Powell  
B. Strong  
F. Taylor  
P. Watts  
A. Webb  
A. Wintle

## Public Information

**Any person wishing to speak at Planning Committee must do so by registering with Democratic Services by no later than 12 noon the day before the meeting. Details regarding public speaking can be found within this agenda or is available here [Public Speaking Protocol](#)**

### **Access to paper copies of agendas and reports**

A copy of this agenda and relevant reports can be made available to members of the public attending a meeting by requesting a copy from Democratic Services on 01633 644219. Please note that we must receive 24 hours notice prior to the meeting in order to provide you with a hard copy of this agenda.

### **Watch this meeting online**

This meeting can be viewed online either live or following the meeting by visiting [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk) or by visiting our Youtube page by searching MonmouthshireCC.

### **Welsh Language**

The Council welcomes contributions from members of the public through the medium of Welsh or English. We respectfully ask that you provide us with adequate notice to accommodate your needs.

# Aims and Values of Monmouthshire County Council

## Sustainable and Resilient Communities

### Outcomes we are working towards

#### **Nobody Is Left Behind**

- Older people are able to live their good life
- People have access to appropriate and affordable housing
- People have good access and mobility

#### **People Are Confident, Capable and Involved**

- People's lives are not affected by alcohol and drug misuse
- Families are supported
- People feel safe

#### **Our County Thrives**

- Business and enterprise
- People have access to practical and flexible learning
- People protect and enhance the environment

### Our priorities

- Schools
- Protection of vulnerable people
- Supporting Business and Job Creation
- Maintaining locally accessible services

### Our Values

- **Openness:** we aspire to be open and honest to develop trusting relationships.
- **Fairness:** we aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect.
- **Flexibility:** we aspire to be flexible in our thinking and action to become an effective and efficient organisation.
- **Teamwork:** we aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.

•

The Monmouthshire Local Development Plan contains over-arching policies on development and design which may relate to applications being considered by Committee but will not be rehearsed in full in each application. The full text is set out for Members' assistance.

#### Policy EP1 - Amenity and Environmental Protection

Development, including proposals for new buildings, extensions to existing buildings and advertisements, should have regard to the privacy, amenity and health of occupiers of neighbouring properties.

Development proposals that would cause or result in an unacceptable risk /harm to local amenity, health, the character /quality of the countryside or interests of nature conservation, landscape or built heritage importance due to the following will not be permitted, unless it can be demonstrated that measures can be taken to overcome any significant risk:

- Air pollution;
- Light pollution;
- Noise pollution;
- Water pollution;
- Contamination;
- Land instability;
- Or any identified risk to public health or safety.

#### Policy DES1 – General Design Considerations

All development should be of a high quality sustainable design and respect the local character and distinctiveness of Monmouthshire's built, historic and natural environment. Development proposals will be required to:

- a) ensure a safe, secure, pleasant and convenient environment that is accessible to all members of the community, supports the principles of community safety and encourages walking and cycling;
- b) contribute towards sense of place whilst ensuring that the amount of development and its intensity is compatible with existing uses;
- c) respect the existing form, scale, siting, massing, materials and layout of its setting and any neighbouring quality buildings;
- d) maintain reasonable levels of privacy and amenity of occupiers of neighbouring properties, where applicable;
- e) respect built and natural views and panoramas where they include historical features and / or attractive or distinctive built environment or landscape;
- f) use building techniques, decoration, styles and lighting to enhance the appearance of the proposal having regard to texture, colour, pattern, durability and craftsmanship in the use of materials;

- g) incorporate and, where possible enhance existing features that are of historical, visual or nature conservation value and use the vernacular tradition where appropriate;
- h) include landscape proposals for new buildings and land uses in order that they integrate into their surroundings, taking into account the appearance of the existing landscape and its intrinsic character, as defined through the LANDMAP process. Landscaping should take into account, and where appropriate retain, existing trees and hedgerows;
- i) make the most efficient use of land compatible with the above criteria, including that the minimum net density of residential development should be 30 dwellings per hectare, subject to criterion l) below;
- j) achieve a climate responsive and resource efficient design. Consideration should be given to location, orientation, density, layout, built form and landscaping and to energy efficiency and the use of renewable energy, including materials and technology;
- k) foster inclusive design;
- l) ensure that existing residential areas characterised by high standards of privacy and spaciousness are protected from overdevelopment and insensitive or inappropriate infilling.

## **Protocol on Public Speaking at Planning Committee**

Public speaking at Planning Committee will be allowed strictly in accordance with this protocol. You cannot demand to speak at the Committee as of right. The invitation to speak and the conduct of the meeting is at the discretion of the Chair of the Planning Committee and subject to the points set out below.

### **Who Can Speak**

#### Community and Town Councils

Community and town councils can address Planning Committee. Only elected members of community and town councils may speak. Representatives will be expected to uphold the following principles: -

- (i) To observe the National Code of Local Government Conduct.
- (ii) Not to introduce information that is not:
  - consistent with the written representations of their council, or
  - part of an application, or
  - contained in the planning report or file.

#### Members of the Public

Speaking will be limited to one member of the public opposing a development and one member of the public supporting a development. Where there is more than one person in opposition or support, the individuals or groups should work together to establish a spokesperson. The Chair of the Committee may exercise discretion to allow a second speaker, but only in exceptional cases where a major application generates divergent views within one 'side' of the argument (e.g. a superstore application where one spokesperson represents residents and another local retailers). Members of the public can appoint representatives to speak on their behalf. Where no agreement is reached the right to speak shall fall to the first person / organisation to register their request. When an objector has registered to speak the applicant or agent will be allowed the right of reply. Speaking will be limited to applications where letters of objection / support or signatures on a petition have been submitted to the Council from 5 or more separate households / organisations (other than community/town councils). The Chair may exercise discretion to allow speaking by members of the public where an application may significantly affect a sparse rural area but less than 5 letters of objection/support have been received.

#### Applicants

Applicants or their appointed agents will have a right of response where members of the public or a community / town council address committee. Public speaking will normally only be permitted on one occasion when applications are considered by Planning Committee. When applications are deferred and particularly when re-presented following a committee resolution to determine an application contrary to officer advice, public speaking will not normally be permitted. Regard will however be had to special circumstances on applications that may justify an exception.

### **Registering Requests to Speak**

To register a request to speak objectors / supporters must first have made written representations on the application. They must include in their representation your request to speak or subsequently register it with the Council.

**Officers will endeavour to keep applicants or agents and objectors informed of progress on an application, however, it is the responsibility of those wishing to speak to check whether the application is to be considered by Planning Committee by contacting the Planning Office. They**

**will be able to provide details of the likely date on which the application will be heard and the procedure for registering the request to speak.**

Anyone wishing to speak must notify the Council's Democratic Services Officers of their request to speak by contacting Richard Williams on **01633 644232**, or by email: [richardwilliams@monmouthshire.gov.uk](mailto:richardwilliams@monmouthshire.gov.uk)

Speakers must do this as soon as possible, between 12 noon on the Wednesday and 12 noon on the Monday before the Committee. Please leave a daytime telephone number.

The Council will maintain a list of persons wishing to speak at Planning Committee.

### **Procedure at the Planning Committee Meeting**

Persons registered to speak should arrive no later than 15 minutes before the meeting starts. An officer will advise on seating arrangements and answer any queries. The procedure for dealing with public speaking is set out below:

- The Chair will identify the application to be considered.
- An officer will present a summary of the application and issues with the recommendation.
- The local member if not on Planning Committee will be invited to speak for a maximum of 6 minutes by the Chair.
- The representative of the community or town council will then be invited to speak for a maximum of 4 minutes by the Chair.
- The Chair will then invite, in turn, the objector and / or supporter to speak for a maximum of 4 minutes each.
- The Chairman will invite the Applicant or Appointed Agent (if applicable) to speak for a maximum of 4 minutes. Where more than one person or organisation speaks against an application the Applicant or Appointed Agent shall at the discretion of the Chair be entitled to speak for a maximum of 5 minutes.
- Time limits will normally be strictly adhered to however the Chair will have discretion to amend the time having regard to the circumstances of the application or those speaking.
- Speakers may speak only once.
- Planning Committee members will then debate the application, commencing with the local member if a member of Planning Committee.
- A Member shall decline to vote in relation to any planning application unless he or she has been present in the meeting of the Planning Committee throughout the full presentation and consideration of that particular application.
- Response by officers if necessary to the points raised.
- Immediately before the question being put to the vote, the local member will be invited to sum up, speaking for no more than 2 minutes.
- The community or town council representative or objector / supporter or applicant / agent may not take part in the Members' consideration of the application and may not ask questions unless invited to by the Chair.
- Where an objector or supporter or applicant / agent community or town council has spoken on application no further speaking by or on behalf of that group will be permitted in the event that the application considered again at a future meeting of the committee unless there has been a material change in the application.
- The Chair or a Member of the Committee may at the Chair's discretion occasionally seek clarification on a point made
- The Chair's decision is final.



- When proposing a motion either to accept the officer recommendation or to make an amendment the member proposing the motion shall state the motion clearly.
- When the motion has been seconded the Chair shall identify the members who proposed and seconded the motion and repeat the motion proposed. The names of the proposer and seconder shall be recorded.
- A member shall decline to vote in relation to any planning application unless he or she has been present in the meeting of the Planning Committee throughout the full presentation and consideration of that application.
- Any member who abstains from voting shall consider whether to give a reason for his/her abstention.
- An officer shall count the votes and announce the decision.

### **Content of the Speeches**

Comments by the representative of the town / community council or objector, supporter or applicant / agent should be limited to matters raised in their original representations and be relevant planning issues. These include:

- Relevant national and local planning policies.
- Appearance and character of the development, layout and density.
- Traffic generation, highway safety and parking / servicing.
- Overshadowing, overlooking, noise disturbance, odours or other loss of amenity.

Speakers should avoid referring to matters outside the remit of the Planning Committee, such as:

- Boundary disputes, covenants and other property rights;
- Personal remarks (e.g Applicant's motives or actions to date or about members or officers);
- Rights to views or devaluation of property.

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## MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the Planning Committee held in the Council Chamber, County Hall,  
Usk on Tuesday 8<sup>th</sup> September 2015 at 2.00 p.m.**

**PRESENT:** County Councillor R. Edwards (Chairman)

County Councillors: D. Blakebrough, P.R. Clarke, D.L. Edwards, D.J. Evans, R.G. Harris, R.J. Higginson, R.J.C. Hayward, P. Murphy, M. Powell, B. Strong, F. Taylor, P. Watts, A.E. Webb and A.M. Wintle.

### **OFFICERS IN ATTENDANCE:**

Mr. M. Hand	-	Head of Planning
Mr. P. Thomas	-	Development Services Manager
Mr. R. Tranter	-	Head of Legal Services
Mr. R. Williams	-	Democratic Services Officer

### **APOLOGIES FOR ABSENCE**

1.- Apologies for absence were received from County Councillor D.L.S. Dovey.

### **DECLARATIONS OF INTEREST**

2.- Declarations of interest are identified under the relevant minute.

### **MINUTES**

3.- The minutes of the Planning Committee meeting held on 4<sup>th</sup> August 2015 were confirmed and signed by the Chairman.

### **PLANNING APPLICATIONS**

4. - Planning applications considered at the meeting were dealt with in the order outlined in the agenda.

We received the report presented by the Head of Planning and the Development Services Manager and resolved that the following applications be approved subject to the conditions outlined in the report:

**Application DC/2015/00888†\* - Renewal of Previous Consent DC/2009/01209 - Existing Double Garage to be Converted to an Office and Plant/Store Room and Extended Vertically to Create an Additional Storey Containing a Bedroom and En-Suite Bathroom; A New Double Garage is to be Constructed in Front of The Existing. 12 Duchess Road, Monmouth.**

**Application DC/2015/00919\* - Erection of One Steel Portal Grain Store. Land at Pont Kemeys Farm, Kemeys Road, Chainbridge.**

**Minutes of the Planning Committee  
dated 8<sup>th</sup> September 2015 continued**

**Notes**

- † Denotes that objections were made to these applications.
- \* Denotes that late correspondence was received in respect of these applications.

**Application DC/2015/00888†\***

Denotes that County Councillor R.J.C. Hayward declared a personal and prejudicial interest in this application under the Members' Code of Conduct, as he is the owner of the property. He left the meeting taking no part in the discussion or voting thereon.

The following applications were considered where debate ensued.

- (a) **Application DC/2014/00229†\* - Demolition of Existing Garage; Construction of New Detached Dwelling; Construction of New Attached Garage on to Existing Dwelling. 41 Duchess Road, Osbaston, Monmouth.**

We considered the report of the application which was recommended for approval subject to seven conditions, as outlined in the report.

The local Member for Dixton with Osbaston ward, also a Planning Committee Member, indicated that he was not against the construction of a new dwelling but expressed concern that the proposed property might create a cramped street scene due to its size. The proposed property would be half a metre from the boundary of a footpath. A smaller property would be better suited on this site.

Having considered the application and the views expressed it was considered that an additional condition be added regarding hedge retention at the rear of the plot and that this be incorporated into the landscaping scheme.

It was proposed by County Councillor R.J.C. Hayward and seconded by County Councillor R.J. Higginson that application DC/2014/00229 be approved subject to seven conditions, as outlined in the report and that an additional condition be added regarding hedge retention at the rear of the plot and that this be incorporated into the landscaping scheme.

Upon being put to the vote, the following votes were recorded:

For approval	-	14
Against Approval	-	0
Abstentions	-	1

The proposition was carried.

**Minutes of the Planning Committee  
dated 8<sup>th</sup> September 2015 continued**

We resolved that application DC/2014/00229 be approved subject to seven conditions, as outlined in the report and that an additional condition be added regarding hedge retention at the rear of the plot and that this be incorporated into the landscaping scheme.

(b) **Application DC/2014/01489†\* - Demolition of Existing Dwelling and Replacement with New Residential Dwelling with Associated Access, Curtilage and Landscaping Works. Pwll Y Cath, Newchurch, Devauden.**

We considered the report of the application which was recommended for approval subject to 18 conditions, as outlined in the report.

In doing so, it was proposed by County Councillor D. Blakebrough and seconded by County Councillor M. Powell that consideration of application DC/2014/01489 be deferred to a future Planning Committee meeting as concern had been expressed about the replacement dwelling being too prominent in the location proposed that was beyond the existing residential curtilage. It was proposed that the applicant be requested to reconsider siting the proposed dwelling to a position within the existing curtilage.

Upon being put to the vote, the following votes were recorded.

In favour of deferral	-	15
Against deferral	-	0
Abstentions	-	0

The proposition was carried.

We resolved that consideration of application DC/2014/01489 would be deferred to a future Planning Committee meeting as concern had been expressed about the replacement dwelling being too prominent in the location proposed that was beyond the existing residential curtilage. The applicant would be requested to reconsider siting the proposed dwelling to a position within the existing curtilage.

(c) **Application DC/2015/00247†\* - Construction of a Ground-Mounted Solar Photovoltaic (PV) Generation Project and Associated Works. Oak Grove Farm, A48 Crick Road, Caerwent.**

We considered the report of the application which was recommended for approval subject to the conditions, as outlined in the report.

In doing so, some members expressed their support for the application stating that the site was a suitable location for the application.

In response to Members' questions, it was noted that extensive archaeological trial digs had been undertaken. A watching brief was being maintained. A glint and glare assessment of the solar panels had been undertaken. Findings had indicated that there were no adverse effects.

**Minutes of the Planning Committee  
dated 8<sup>th</sup> September 2015 continued**

It was proposed by County Councillor P. Murphy and seconded by County Councillor R.G. Harris that application DC/2015/00247 be approved subject to the conditions, as outlined in the report.

Upon being put to the vote, the following votes were recorded:

For approval	-	14
Against Approval	-	2
Abstentions	-	0

The proposition was carried.

We resolved that application DC/2015/00247 be approved subject to the conditions, as outlined in the report.

(d) **Application DC/2015/00771†\* - Change of Use From Use Class A1 To A3. Wesley Buildings, Newport Road, Caldicot.**

We considered the report of the application which was recommended for approval subject to two conditions, as outlined in the report.

In doing so, some Members considered that there was no need for an additional catering establishment located within Caldicot, as there were already 11 such establishments already located within the town. An additional catering unit would detrimentally affect the sustainability of existing establishments in this area.

It was noted that the Caldicot Town Team had commissioned a Community Needs Analysis survey to establish what local people / businesses required within the town.

Other Members expressed their support for the application, as there were no grounds to refuse the application.

Having considered the report of the application and the views expressed, it was proposed by County Councillor R.J. Higginson and seconded by County Councillor D. Evans that application DC/2015/00771 be refused on the grounds that it would detrimentally affect the sustainability of existing establishments in this area.

Upon being put to the vote, the following votes were recorded.

For refusal	-	4
Against refusal	-	11
Abstentions	-	0

The proposition was not carried.

**Minutes of the Planning Committee  
dated 8<sup>th</sup> September 2015 continued**

The Planning Committee then undertook a vote to consider whether to approve the application, as follows.

For approval	-	11
Against approval	-	4
Abstentions	-	0

We resolved that application DC/2015/00771 be approved subject to two conditions, as outlined in the report.

**The meeting ended at 3.44p.m.**

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**SUBJECT: MONMOUTHSHIRE LOCAL DEVELOPMENT PLAN  
ANNUAL MONITORING REPORT**  
**MEETING: PLANNING COMMITTEE**  
**DATE: 06 October 2015**  
**DIVISION/WARDS AFFECTED: ALL**

**1 PURPOSE:**

- 1.1 To outline the purpose, key findings and conclusions of the Local Development Plan (LDP) first Annual Monitoring Report (AMR), attached at **Appendix 1**.

**2. RECOMMENDATION:**

- 2.1 To note the contents of the LDP first AMR for submission to the Welsh Government by 31 October 2015.

**3. KEY ISSUES:**

3.1 Background – Adopted Monmouthshire LDP

- 3.1.1 The Monmouthshire LDP 2011-2021 was formally adopted by the Council on 27 February 2014. As part of the statutory development plan process the Council is required to prepare an Annual Monitoring Report (AMR).

3.2 The Annual Monitoring Report

- 3.2.1 The AMR provides the basis for monitoring the effectiveness of the LDP and determines whether any revisions to the plan are necessary. It demonstrates the extent to which the LDP strategy and objectives are being achieved and whether the plan's policies are functioning effectively. It also allows the Council to assess the impact of the LDP on the social economic and environmental well-being of the County and identifies any significant contextual changes that may influence the plan's implementation or review.

- 3.2.2 This is the first AMR to be prepared since the adoption of the plan and is based on the period 27 February 2014 – 31st March 2015. Future AMRs will be based on the financial year 01 April to 31 March.

- 3.2.3 As this is the first year the LDP has been operative and this is the first AMR to be prepared, the impacts of the Plan are limited and any conclusions preliminary at the early stage of plan implementation. This year's AMR provides a short term position statement and baseline data for future comparative analysis in successive AMRs. The monitoring of the policy framework over a longer period will enable trends to be identified and firmer conclusions drawn.

3.3 LDP Monitoring Framework

- 3.3.1 The LDP policy and sustainability appraisal (SA) monitoring frameworks form the basis for the AMR, assessing how the plan's strategic policies, and associated supporting policies, are performing against the identified key monitoring targets and outcomes and whether the LDP strategy and objectives are being delivered. This has enabled the Council to make an informed judgement of the Plan's progress in delivering the targets/monitoring outcomes and policies during this monitoring period.

### 3.4 Key Findings

3.4.1 Section 5 provides a detailed assessment of plan performance. The results of the monitoring process demonstrate that many of the indicator targets and monitoring outcomes are being achieved. Some of the most significant findings in relation to these are:

- Progress is being made towards the implementation of the spatial strategy.
- Monmouthshire can demonstrate a 5.0 year housing land supply.
- The Council has approved proposals for 519 dwelling units of which 167 (32%) are for affordable homes. One strategic housing site has been granted planning permission at Wonastow Road, Monmouth.
- The County has a total of 46.8ha employment land available, with permissions granted for a range of employment uses on protected, non-allocated and strategic mixed-use employment sites predominantly in the main towns (10.65 ha). A number of rural diversification and rural enterprise schemes have also been approved (7).
- Vacancy rates in the central shopping areas in all of the County's town and local centres are below the national average.
- A substantial proportion of development permitted was on brownfield land (28%). This is significant in Monmouthshire terms given the limited opportunities for brownfield development in the County.

3.4.2 Although the LDP is performing well there are a number of indicator targets and monitoring outcomes that are not currently being achieved. The most significant findings in relation to these are:

- There has been limited progress with the number of dwellings built; 205 new dwelling completions were recorded, 17 of which were affordable. The implementation of LDP allocated housing sites has also been limited.
- There has been limited take-up of employment land (0.38 ha) and no planning permissions approved on strategic employment sites (SAE1 sites).

3.4.3 Further investigation has determined that there are justified reasons for this performance and this is not representative of any fundamental issues with the implementation of the Plan strategy or policy framework at this time. This is the first year the LDP has been operative and the primary reason for the apparent slow delivery in some areas. Furthermore, at this preliminary stage in the LDP's implementation it is difficult to determine conclusive trends as to which policies are performing as expected and which are not. Continued close monitoring in future AMRs will help to identify more definitive trends in the performance of the Plan's strategy and policy framework.

### 3.5 Contextual Information

3.5.1 Section Three is an analysis of the relevant contextual material that has been published since the adoption of the Plan at a national, regional and local level, along with general economic trends. This concludes that the changes identified to date do not suggest the need for an early review of the plan.

### 3.6 Supplementary Planning Guidance (SPG)

3.6.1 Progress has been made in the preparation of SPG to help to facilitate the interpretation and implementation of LDP policy. This is detailed in Section Three and will continue in the next monitoring period.

### 3.7 Sustainability Appraisal (SA) Monitoring

3.7.1 Section Six expands on the assessment of LDP performance against the SA Monitoring Objectives, providing a short term position statement on the performance of the Plan against a number of sustainability indicators. This is a baseline for comparative analysis from which future AMRs will be able to evidence the emergence of trends. There is an overlap between some of the LDP and SA indicators helping to demonstrate how the two monitoring processes are interlinked.

### 3.8 Conclusions and Recommendations

3.8.1 Section Seven provides the conclusions and recommendations of this first AMR. The key conclusion is that while it is difficult to determine definitive trends in policy performance, good progress is being made in delivering the identified targets and monitoring outcomes. There is no evidence to suggest the need for a full or partial review of the LDP at this early stage of plan implementation.

3.8.2 It is recommended that this AMR be submitted to the Welsh Government in accord with statutory requirements. Continued close monitoring in future AMRs will help to identify more definitive trends in the performance of the Plan's strategy and policy framework particularly in relation to housing delivery including strategic housing site allocations, the delivery of affordable housing and the progress on strategic employment sites.

### 3.9 Next Steps

3.9.1 The second AMR in respect of the Monmouthshire LDP will be presented to Planning Committee at the same time next year, with the broad structure of the AMR remaining the same from year to year in order to provide ease of analysis between successive reports.

3.9.2 The Council is required to commence a full review of the LDP every four years. A review of the LDP in advance of the formal review will only take place if the conclusions of the AMR, or other exceptional circumstances, indicate otherwise.

3.9.3 AMRs will be placed on the Council's website for information and publicised via our Twitter account @MCCPlanning.

## 4. **REASONS:**

4.1 Under the Planning and Compulsory Purchase Act (2004) and associated Regulations, all local planning authorities are required to produce a LDP. The Monmouthshire LDP was adopted in February 2014 and provides the land use framework which forms the basis on which decisions about future development in the County are based. The Council has a statutory obligation, under section 61 of the 2004 Act, to keep all matters under review that are expected to affect the development of its area. In addition, section 76 of the Act requires the Council to produce information on these matters in the form of an AMR for submission to the Welsh Government at the end of October each year following plan adoption. The preparation of an AMR is therefore an integral part of the statutory development plan process. The Welsh Government has issued regulations and guidance on the required contents of AMRs. The completion of the 2015 Monmouthshire AMR is in accord with these requirements and guidance.

## **5. RESOURCE IMPLICATIONS:**

- 5.1 Officer time and costs associated with the data collection and analysis of the monitoring indicators and preparation of the AMR. These costs will be met from the Planning Policy budget and carried out by existing staff.

## **6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

- 6.1 The Council must comply with European Directives and Regulations to monitor the state of the environment and this forms an integral part of the AMR. The adopted LDP and completion of the AMR accord with these requirements.

### Sustainable Development

- 6.1.1 Under the 2004 Act the LDP is required to be subject to a Sustainability Appraisal (SA). The role of the SA is to assess the extent to which planning policies would help to achieve the wider environmental, economic and social objectives of the LDP. In addition, the European Strategic Environmental Assessment (SEA) Directive requires the '*environmental assessment*' of certain plans and programmes prepared by local authorities, including LDP's. All stages of the LDP were subject to a SA, whose findings were used to inform the development of LDP policies and site allocations in order to ensure that the LDP would be promoting sustainable development. The SEA Directive also requires that the Council monitor the state of the environment through monitoring the sustainability objectives set out in the SA Report. This forms an integral part of the AMR.

### Equality

- 6.2.1 The LDP was also subjected to an Equality Challenge process and due consideration given to the issues raised. The AMR provides an analysis of existing LDP policies, which were prepared within this framework. Assessments of Equality Impact will be required throughout the Plan's implementation wherever there is likely to be significant impact. Future review of LDP policies and proposals will require an Equalities Impact Assessment to be carried out.

## **7. CONSULTEES:**

- Head of Planning
- Development Management Officers

## **8. BACKGROUND PAPERS:**

### European Legislation:

- European Strategic Environment Assessment Directive 2001/42/EC.
- Strategic Environmental Assessment Regulations 2004.
- The Conservation of Habitats and Species Regulations 2010 (as amended 2011).

### National Legislation and Guidance:

- Planning (Wales) Act 2015
- Planning and Compulsory Purchase Act 2004.
- Town and Country Planning (Local Development Plan) (Wales) Regulations 2005
- Local Development Plans Wales, Welsh Assembly Government, 2005.
- Local Development Plan Manual, Welsh Assembly Government, June 2006.
- Planning Policy Wales (Edition 7), Welsh Government, July 2014.

### Monmouthshire LDP:

- Monmouthshire Adopted LDP, Monmouthshire County Council, February 2014.
- Monmouthshire LDP 'Sustainability Appraisal/Strategic Environmental Assessment Report Addendum', February 2014.

### Monmouthshire County Council publications:

- Monmouthshire LDP 'Retail Background Paper', May 2015.

- Monmouthshire LDP 'Employment Background Paper', June 2015.
- Monmouthshire 'Joint Housing Land Availability Study', July 2015.

**9. AUTHOR & 10. CONTACT DETAILS:**

Jane Coppock (Planning Policy Manager).

**Tel:** 01633 644256.

**E Mail:** [janecoppock@monmouthshire.gov.uk](mailto:janecoppock@monmouthshire.gov.uk)

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# Monmouthshire County Council Adopted Local Development Plan 2011 - 2021 Annual Monitoring Report

Monitoring Period 27<sup>th</sup> February 2014 – 31<sup>st</sup> March 2015

**Monmouthshire County Council  
Adopted Local Development Plan  
2011 - 2021**

**Annual Monitoring Report**

**Monitoring Period 27<sup>th</sup> February 2014 – 31<sup>st</sup> March 2015**

**Planning Policy Service  
Enterprise Directorate  
Monmouthshire County Council  
County Hall  
Usk  
NP15 1GA  
Tel. 01633 644644**

**E-mail: [developmentplans@monmouthshire.gov.uk](mailto:developmentplans@monmouthshire.gov.uk)**



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## 1 Executive Summary

- 1.1 The Monmouthshire Local Development Plan (LDP) was adopted on 27 February 2014. As part of the statutory development plan process the Council is required to prepare an Annual Monitoring Report (AMR).
- 1.2 The AMR provides the basis for monitoring the effectiveness of the LDP and ultimately determines whether any revisions to the Plan are necessary. It aims to demonstrate the extent to which the LDP strategy and objectives are being achieved and whether the Plan's policies are functioning effectively. It also allows the Council to assess the impact the LDP is having on the social, economic and environmental well-being of the County and identifies any significant contextual changes that may influence plan implementation or review.
- 1.3 This is the first AMR to be prepared since the adoption of the Monmouthshire LDP and is based on the period 27 February 2014 – 31 March 2015. Future AMRs will be based on the financial year 01 April to 31 March. As this is the first year the LDP has been operative and this is the first AMR to be prepared, the impacts of the Plan can only be limited in nature and any conclusions preliminary at this early stage of plan implementation. This AMR provides a baseline for future comparative analysis from which successive AMRs will be able to evidence the emergence of trends.

### **Key Findings of the First Annual Monitoring Process 2014-2015**

#### **Contextual Information**

- 1.4 A summary of the relevant contextual material that has been published since the adoption of the Plan at a national, regional and local level, along with general economic trends is included in Section 3. While some of these identified changes may have implications for the future implementation of the LDP, none of the changes identified to date suggest the need for an early review of the Plan. The implications of some of the contextual changes will take place over the longer term and subsequent AMRs will continue to provide updates on relevant contextual material and give further consideration to any changes which could affect the Plan's future implementation.

#### **Local Development Plan Monitoring – Policy Analysis**

- 1.5 Section 5 assesses how the Plan's strategic policies and associated supporting policies are performing against the identified key monitoring targets and outcomes and whether the LDP strategy and objectives are being delivered. This has enabled the Council to make an informed judgement of the Plan's progress in delivering the targets/monitoring outcomes and policies during this monitoring period. The table below provides a visual overview of the effectiveness of policies during the monitoring period based on the traffic light rating used in the assessment:

Targets / monitoring outcomes* are being achieved	46
Targets / monitoring outcomes* are not currently being achieved but there are no concerns over the implementation of the policy	27
Targets / monitoring outcomes* are not being achieved with subsequent concerns over the implementation of policy	0
No conclusion can be drawn due to limited data availability	6

\*For those indicators with no target/trigger the monitoring outcomes are assessed and rated accordingly

### Key Findings

1.6 The results of the monitoring process demonstrate that many of the indicator targets and monitoring outcomes are being achieved. The most significant findings in relation to these are:

- Progress is being made towards the implementation of the spatial strategy.
- Monmouthshire can demonstrate a 5.0 year housing land supply
- The Council has approved proposals for 519 dwelling units of which 167 (32%) are for affordable homes.
- 1 strategic housing site has been granted planning permission at Wonastow Road, Monmouth for 370 dwellings, including 120 affordable units.
- Affordable housing policy targets are being met in relation to planning permissions granted in the main towns and Severnside settlements.
- The County has a total of 46.8ha employment land available, with permissions granted for a range of employment uses on protected, non-allocated and strategic mixed-use employment sites, predominantly in the main towns (10.65 ha). A number of rural diversification and rural enterprise schemes have also been approved (7).
- Vacancy rates in the central shopping areas in all of the County's town and local centres are below the national average.
- The proportion of A1 retail uses within the towns' Primary Shopping Frontages generally accord with the thresholds identified in the draft Primary Shopping Frontages SPG.

- The Council approved proposals for a total of 17 tourist accommodation units comprising 10 self-catering holiday cottages/apartments and 7 yurts.
- A substantial proportion of development permitted was on brownfield land (28%). This is significant in Monmouthshire terms given the limited opportunities for brownfield development in the County.
- Permission was granted for a total of 9 community and recreation facilities.
- Progress is being made towards the total waste management capacity for the LDP period and there has been no reduction in the minerals land bank.
- There has been no loss of listed buildings or historic sites and no development permitted which would have an adverse impact on the historic environment.

1.7 Although it is evident that the LDP is performing well in relation to a range of key policy areas, the analysis also demonstrates that there are a number of indicator targets and monitoring outcomes that are not currently being achieved. However, further investigation has determined that there are justified reasons for this performance and this is not representative of any fundamental issues with the implementation of the policy framework or strategy at this time. The most significant findings in relation to these are:

- There has been limited progress with the number of dwellings built; 205 new dwelling completions were recorded, 17 of which were affordable. The implementation of LDP allocated housing sites has also been limited.
- There has been limited take-up of employment land (0.38 ha) and no planning permissions approved on strategic employment sites (SAE1 sites).
- A total of 5 tourism accommodation facilities and 3 community/recreation facilities were lost to alternative uses.

1.8 None of these instances indicate any fundamental issue with the LDP strategy or policies. This is the first year the LDP has been operative and this is the primary reason for the apparent slow delivery in some areas. Furthermore, at this preliminary stage in the LDP's implementation it is difficult to determine conclusive trends as to which policies are performing as expected and which are not. Continued close monitoring in future AMRs will help to identify more definitive trends in the performance of the Plan's strategy and policy framework.

## **Supplementary Planning Guidance (SPG)**

- 1.9 Progress has been made in the preparation of supplementary planning guidance to help to facilitate the interpretation and implementation of LDP policy which is detailed in Section 3. SPG preparation will continue in the next monitoring period.

## **Sustainability Appraisal (SA) Monitoring**

- 1.10 Section 6 expands the assessment of the performance of the LDP against the SA monitoring objectives. This provides a short term position statement on the performance of the Plan against a number of sustainability indicators and provides a baseline for comparative analysis. Some of the most notable findings include:

- 6 locations where annual objective levels of nitrogen dioxide were exceeded
- 16.7% people travel to work by public transport, walking or cycling
- 100% groundwater bodies have 'good' quantity status
- 45.5% rivers reached 'good' water quality status
- 66.6% Monmouthshire's total household waste being recycled and composted
- 4.9% increase in tourism expenditure (£173 million)
- No trees protected by Tree Preservation Orders were lost due to development

## **Conclusions and Recommendations**

- 1.11 The key conclusion from this first AMR is that while it is difficult to determine definitive trends in policy performance, good progress is being made in delivering the identified targets and monitoring outcomes and there is no evidence to suggest the need for a full or partial review of the LDP at this early stage in its implementation.
- 1.12 This is the first year the LDP has been operative and is the first AMR to be prepared following the adoption of the Plan. This AMR provides the baseline for future comparative analysis and preliminary conclusions from which future AMRs will be able to evidence the emergence of trends.
- 1.13 It is recommended that this AMR be submitted to the Welsh Government in accord with statutory requirements. The Council should continue to monitor the LDP through the preparation of successive AMRs. Close monitoring will be necessary to determine the effectiveness of the Plan's spatial strategy and policy framework particularly in relation to housing delivery including strategic housing site allocations, the delivery of affordable housing and the progress on strategic employment sites.
- 1.14 The Council is required to commence a full review of the LDP every four years. A review of the LDP in advance of the formal review will only take place if the conclusions of the AMR, or other exceptional circumstances, indicate otherwise.

## 2 Introduction

- 2.1 The Annual Monitoring Report (AMR) provides the basis for monitoring the effectiveness of the Local Development Plan (LDP) and ultimately determines whether any revisions to the Plan are necessary. It aims to demonstrate the extent to which the LDP strategy and objectives are being achieved and whether the Plan's policies are functioning effectively. It also allows the Council to assess the impact the LDP is having on the social, economic and environmental well-being of the County and identifies any significant contextual changes that might influence the Plan's implementation or review.
- 2.2 Monitoring is a continuous part of the plan making process. It provides the connection between evidence gathering, plan strategy and policy formulation, policy implementation, evaluation and plan review.

### **Adoption of the Monmouthshire Local Development Plan**

- 2.3 Under the Planning and Compulsory Purchase Act (2004) and associated Regulations, local planning authorities (LPAs) are required to produce a LDP. The Monmouthshire Local Development Plan was formally adopted by Monmouthshire County Council on 27 February 2014. The LDP provides the land use framework which forms the basis on which decisions about future development in the County, including planning applications, are based.
- 2.4 This is the first AMR to be prepared since the adoption of the Monmouthshire LDP and is based on the period 27 February 2014 – 31 March 2015.

### **The Requirement for Monitoring**

#### **Planning and Compulsory Purchase Act 2004**

- 2.5 The Council has a statutory obligation, under section 61 of the 2004 Act, to keep all matters under review that are expected to affect the development of its area. In addition, under section 76 of the Act, the Council has a duty to produce information on these matters in the form of an Annual Monitoring Report for submission to the Welsh Government at the end of October each year following plan adoption. The preparation of an AMR is therefore an integral part of the statutory development plan process.
- 2.6 In order to monitor LDP performance consistently, plans should be considered against a standard set of monitoring indicators and targets. The Welsh Government has issued regulations and guidance on the required content of AMRs.

## **Town and Country Planning (Local Development Plan) (Wales) Regulations 2005**

2.7 Under Regulation 37 the AMR is required to:

- Identify policies that are not being implemented;  
And for each policy:
- Identify the reasons why the policy is not being implemented;
- Identify the steps (if any) that are intended to be taken to enable the policy to be implemented;
- Explore whether a revision to the plan to replace or amend the policy is required.

2.8 In addition, the AMR is required to monitor identified core indicators by specifying:

- The housing land supply from the current Housing Land Availability Study, and;
- The number (if any) of net additional affordable and general market dwellings built in the LPA area.

These are both for the year of the AMR and for the full period since the LDP was first adopted.

## **Local Development Plans Wales 2005**

2.9 This guidance supplements the Regulation 37 requirement by setting out additional factors that should be assessed by the AMR, namely:

- Whether the basic strategy remains sound (if not, a full plan review may be needed);
- What impact the policies are having globally, nationally, regionally and locally;
- Whether the policies need changing to reflect changes in national policy;
- Whether policies and related targets in the LDP have been met or progress is being made towards meeting them, including publication of relevant supplementary planning guidance (SPG);
- Where progress has not been made, the reasons for this and what knock on effects it may have;
- What aspects, if any, of the LDP need adjusting or replacing because they are not working as intended or are not achieving the objectives of the strategy and/or sustainable development objectives; and
- If policies or proposals need changing, the suggested actions required to achieve this.

These questions are addressed in Section 7 of the AMR.

## **Local Development Plan Manual June 2006**

2.10 The Manual outlines additional LDP indicators which the AMR should report on. These have been incorporated into the LDP Monitoring Framework where relevant. Some of these indicators have been adapted to better fit with local circumstances and some have been discounted as being inappropriate.

### **Monmouthshire LDP Monitoring Framework**

- 2.11 A Monitoring Framework is provided in Chapter Eight of the LDP comprising a series of 50 indicators, with corresponding targets and triggers for further action, in relation to the Plan's strategic policies. It also indicates the linkages between the Plan themes, objectives, strategic policies and other Plan policies. The indicators were developed in accordance with the above Welsh Government Regulations and guidance on monitoring. The Monitoring Framework forms the basis of the AMR.

### **Strategic Environmental Assessment Regulations (2004) and The Conservation of Habitats and Species Regulations 2010 (as amended 2011)**

- 2.12 In addition the LDP and AMR must comply with European Directives and Regulations. The Sustainability Appraisal Report Addendum (2014) identifies a further set of indicators (60) that will be used to monitor progress on sustainability issues. Whilst interlinked, these are set out separately from the LDP Policy Monitoring Framework and have been used in the AMR to measure the environmental, economic and social impacts of the LDP.
- 2.13 The completion of the AMR accords with the requirements for monitoring the sustainability performance of the Plan through the Strategic Environmental Assessment Regulations (2004) and The Conservation of Habitats and Species Regulations 2010 (as amended 2011).

### **AMR Format and Content**

- 2.14 The AMR has been designed to be a succinct and easily accessible document that can be used as a convenient point of reference for all strategic policy areas.
- 2.15 The structure of the AMR is as follows:

**Section 1 Executive Summary** - Provides a succinct written summary of the key monitoring findings.

**Section 2 Introduction** - Outlines the requirement for, the purpose and structure of the AMR.

**Section 3 Contextual Information** - Provides a brief overview of the relevant contextual information which, although outside the remit of the Plan, could affect the performance of the LDP policy framework. Policy specific contextual information is provided in the relevant policy analysis section.

**Section 4 LDP Monitoring Process** - Explains the monitoring process undertaken.

**Section 5 LDP Monitoring - Policy Analysis** - Provides a detailed analysis of the effectiveness of the LDP policy framework in delivering the identified aims/outcomes and targets, together with recommendations for further action.

**Section 6 Sustainability Appraisal Monitoring** - Provides an assessment of the LDP's performance against the SA monitoring indicators.



**Section 7 Conclusions and Recommendations** – Gives an overview of the AMR findings with reference to the analysis made in the preceding sections and, where relevant, provides recommendations on issues that require further consideration.

**Publication** – The AMR will be published on the Council’s website.

### **Future Monitoring**

- 2.16 The broad structure of the AMR should remain the same from year to year in order to provide ease of analysis between successive reports. However, given that the monitoring process is dependent upon a wide range of statistical information that is sourced from both the Council and external sources, any changes to these sources could make certain indicators ineffective or out-dated. Accordingly, the monitoring framework may evolve over the Plan period and AMRs will be used as a means of identifying any such inevitable changes to the framework.
- 2.17 The Council is required to commence a full review of the LDP every four years. This means that from the date of the LDP’s initial adoption a full review would not be required to commence until 2018 in accordance with the statutory LDP process. A review of the LDP in advance of the formal review will only take place if the conclusions of the AMR or other exceptional circumstances (as set out in paragraph 4.4) indicate otherwise.

## 3 Contextual Information

- 3.1 This section provides a brief summary of the relevant contextual material that has been published since the LDP's adoption in February 2014. This includes national legislation and relevant plans, policies and strategies at the national, regional and local level. Any potential overall implications for the LDP as a whole are outlined where appropriate. General economic trends which have occurred since the LDP's adoption are also set out, together with progress on key supplementary planning guidance.
- 3.2 Contextual information which is specific to a particular LDP policy area is provided in the relevant policy analysis section for ease of reference and is therefore not repeated here.

### **Legislative Changes**

#### **Planning (Wales) Bill 2014**

- 3.3 The Planning (Wales) Bill sets out a series of legislative changes to deliver reform of the planning system in Wales, to ensure that it is fair, resilient and enables development. The Bill seeks to strengthen the plan-led approach to planning, with LDPs continuing to have a fundamental role in this. It also proposes the introduction of Strategic Development Plans covering three strategic planning areas, including South East Wales, to address cross-boundary issues such as housing, employment, waste and transport. The Welsh Government is also undertaking a review of the LDP process which is likely to result in some amendments to the plan preparation procedure. These matters, including any implications for the LDP, will be given further consideration in the next AMR.

#### **Well-being of Future Generations (Wales) Bill 2014**

- 3.4 The policy intent of the Bill is to put sustainable development at the heart of government and public bodies. It seeks to make a difference to the lives of people in Wales in relation to a number of well-being goals including improving health, culture, heritage and sustainable resource use. The Bill provides the legislative framework for the preparation of Local Well-being Plans which will replace Single Integrated Plans. Given that sustainable development is the core underlying principle of the LDP there are clear associations between the aspirations of both the LDP and Bill/Local Well-being Plans. The progress of the Bill and any subsequent implications for the LDP will be given further consideration in the next AMR.

### **National Planning Policy Amendments**

#### **Planning Policy Wales (Edition 7, July 2014)**

- 3.5 The planning policy related changes set out in Edition 7 of PPW relate to the deletion of national development management policy on sustainable building standards in

light of the amendments to Part L of Building Regulations. This is further detailed in section 5 – LDP Monitoring Policy Analysis.

### **Technical Advice Notes (TANs)**

3.6 The following TANs have been revised during the current monitoring period:

- TAN 1 Joint Housing Land Availability Studies, January 2015
- TAN 12 Design, July 2014
- TAN 21 Waste, February 2014

In addition, TAN 23 Economic Development was published in February 2014 and TAN 22 Sustainable Buildings was cancelled in July 2014. The potential implications of these changes for the LDP are provided in the relevant policy analysis section.

### **Welsh Government Population and Household Projections (2011 based), 2013**

3.7 The identified level of housing provision in the Monmouthshire LDP is 4,500 dwellings over the Plan period 2011-21. This figure accommodates the level of growth indicated by the 2008-based Welsh Government Household Projections, which projected an increase for the County of 3,969 households between 2011-21 (or about 4,100 dwellings), with a small allowance (10 dwellings per year) to be met in that part of Monmouthshire included in the Brecon Beacons National Park, together with an additional requirement for the period 2006-2011.

3.8 Since this level of housing growth was established the Welsh Government have published the 2011-based population projections (December 2013), followed by the 2011-based household projections (February 2014). These projections are based on the results of the 2011 Census as well as the 2011 mid-year population estimates for Wales. The results of the 2011 Census showed that population growth in the County was higher than had been projected for 2011 when using the 2008-based projections whilst household growth was shown to be lower than those projected for the years up to 2011 in the 2008-based household projections. Conversely average household size was higher at the time of the census than had been previously projected for 2011. This reflected the difference between actual household formation trends and those that had been built into the assumptions for the previous household projections.

3.9 The 2011-based household projections for the County would indicate a dwelling requirement in the region of 1,400 dwellings over the Plan period, although if the 10 year trend were taken from the projections it would indicate a dwelling requirement of in the region of 2,200 dwellings over the Plan period. The LDP housing requirement will thus provide for more than the number of households anticipated by the 2011-based projections.

- 3.10 The Welsh Government is clear that household projections should be a starting point for LDP housing requirements and not an end in themselves. The Minister for Housing and Regeneration stresses in a letter to Local Planning Authorities (April 2014) that the level of housing required should reflect the analysis of all relevant sources of evidence, as it is not prudent for a Plan, looking 15-20 years ahead to replicate a period of what has been exceptionally poor economic performance.
- 3.11 The level of housing growth proposed in the LDP is based on an extensive evidence base and was arrived at to meet specific policy objectives. It is considered that this is an appropriate level of growth and meets the affordable housing need over the Plan period whilst not prejudicing future economic development in the County. It is considered that the optimum position for the LDP is to achieve these aims, while minimising the impact of development on the environment, particularly given its high quality landscapes and lack of brownfield development opportunities.
- 3.12 The variation between the 2008 and 2011 household projections is therefore not considered to require a review of the Plan. Future AMRs will consider population and household projections as they emerge.

## **Regional Context**

### **Cardiff Capital Region and City Deal**

- 3.13 The Welsh Government has identified two new city-regions in Wales, one of which covers Cardiff and south-east Wales, including Monmouthshire. As set out in the report 'Powering the Welsh Economy'<sup>1</sup>, the Cardiff Capital Region is intended to encourage the ten local authorities and other key partners in its boundaries to work together and collaborate on projects and plans for the area. This is still at an early stage and at present the potential consequences for the LDP are not clear. Similarly the Authorities forming the Capital Region are working on a City Deal bid. The progress of the Cardiff Capital Region agenda, City Deal Bid and any subsequent implications for the LDP will be given further consideration in subsequent AMRs where appropriate.

## **Local Context**

### **Monmouthshire Single Integrated Plan, 2013-2017**

- 3.14 The Monmouthshire Single Integrated Plan (SIP) replaced the Community Strategy, Children and Young People's Plan, Community Safety Plan and Health, Social Care and Well-being Strategy. Based on a rich and comprehensive unified needs assessment and wide reaching engagement process, it aims to drive improvement within the County, with a specific focus on certain priorities which forms the core agenda for improvement. It is considered that the LDP is consistent with the current SIP given their collective priorities including affordable housing, business and

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<sup>1</sup>Cardiff Capital Region Board, 'Powering the Welsh Economy', 2015

enterprise, accessibility, and environmental protection and enhancement. The progression of the SIP will be considered in subsequent AMRs to ensure the continued alignment of both core plans.

### **Monmouthshire Community Infrastructure Levy (CIL) Update**

- 3.15 Consultation on the CIL Preliminary Draft Charging Schedule commenced during the current monitoring period. Work on the CIL will continue into the next monitoring period which is expected to include further viability testing, the preparation of the Draft Charging Schedule and subsequent Examination. The progress of the CIL and any subsequent implications for the LDP will be given further consideration in successive AMRs where appropriate.

## **General Economic Trends**

### **Economic Activity**

- 3.16 Key economic activity data for Monmouthshire and Wales from the LDP base date of 2011 to the first year following adoption is shown in the tables below. The data demonstrates that employment, unemployment and earnings indicators have shown slight improvement over this period for both areas. However, such marginal changes are not considered to be so significant to have any implications for the LDP. These economic indicators will be considered in subsequent AMRs and any potential implications recorded.

### **Economically Active – In Employment**

	<b>Monmouthshire</b>	<b>Wales</b>
April 2011-March 2012	<b>73.8%</b>	<b>66.7%</b>
April 2012-March 2013	<b>74.2%</b>	<b>67.6%</b>
April 2013-March 2014	<b>73.0%</b>	<b>69.5%</b>
April 2014-March 2015	<b>74.5%</b>	<b>69.3%</b>

Source: Nomis

### **Economically Active – Unemployed**

	<b>Monmouthshire</b>	<b>Wales</b>
April 2011-March 2012	<b>5.1%</b>	<b>8.4%</b>
April 2012-March 2013	<b>5.6%</b>	<b>8.3%</b>
April 2013-March 2014	<b>5.1%</b>	<b>7.4%</b>
April 2014-March 2015	<b>4.9%</b>	<b>6.8%</b>

Source: Nomis

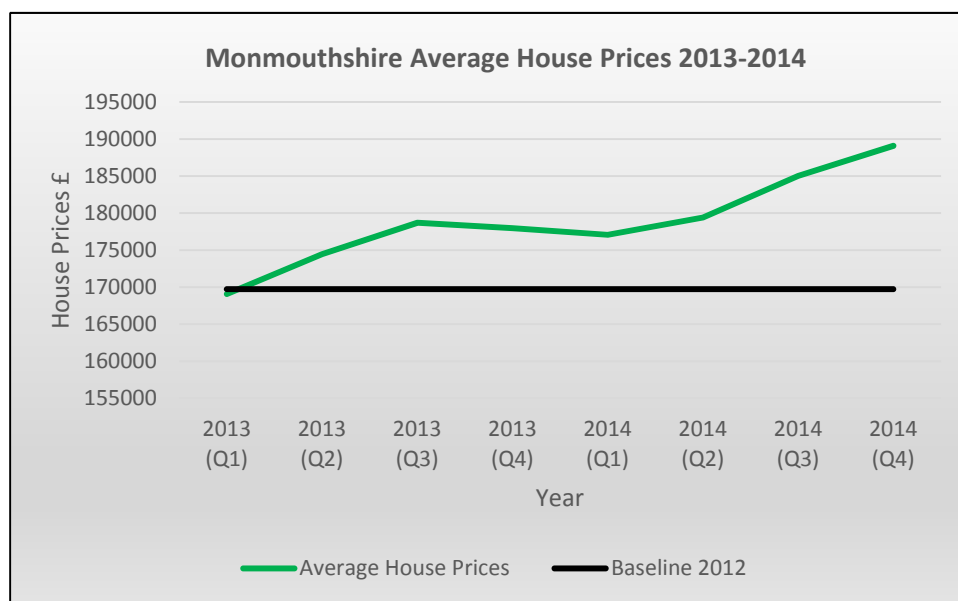
### **Gross Weekly Pay Full-Time Workers (Earnings by Residence)**

	<b>Monmouthshire</b>	<b>Wales</b>
2011	<b>£560.3</b>	<b>£455.1</b>
2012	<b>£530.7</b>	<b>£454.9</b>
2013	<b>£579.5</b>	<b>£475.3</b>
2014	<b>£577.6</b>	<b>£479.4</b>

Source: Nomis

### House Prices

- 3.17 As demonstrated in the graph below, Land Registry data indicates that in general average house prices in Monmouthshire have increased each quarter over the 2013-2014 period, with the exception of quarter 4 2013 and quarter 1 2014. Average prices at quarter 4 2014 (£189,083) were considerably higher than the 2012 baseline price (£169,717). If the house price trend data recorded exceeds the identified trigger for further investigation set out in relation to Policy S4, the Council will consider re-assessing the viability evidence which informed the affordable housing policy targets. This is given further consideration in the policy analysis section relating to Policy S4.



Source: Land Registry

### Supplementary Planning Guidance

- 3.18 A number of supplementary planning guidance (SPG) documents to support key LDP policy areas have been prepared and consulted on during the current monitoring period. These are:
- Green Infrastructure
  - Affordable Housing
  - Renewable Energy and Energy Efficiency
  - Conversion of Agricultural Buildings Design Guide
  - LDP Policy H4(g) Conversion/Rehabilitation of buildings in the Open Countryside to Residential Use Assessment of Re-use for Business Purposes
  - LDP Policies H5 & H6 Replacement Dwellings in the Open Countryside and Extension of Rural Dwellings
- 3.19 Consultation on a Planning Advice Note in relation to Wind Turbine Development: Landscape and Visual Impact Assessment Requirements was also undertaken during

this period. These guidance documents are expected to be adopted during the early part of the next monitoring period.

3.20 It is anticipated that the following priority SPG will also be prepared and progressed through to adoption during the next monitoring period:

- Primary Shopping Frontages
- Landscape

3.21 Progress on these and additional SPG will be reported in the next AMR. Of note, it is expected that 18 Conservation Area Character Appraisals will be consulted on during the next monitoring period. Progress of these appraisals will also be reported in the next AMR.

### **Summary**

3.22 As detailed above, new legislation and national, regional and local plans, policies and strategies have emerged since the adoption of the LDP, some of which may have implications for the future implementation of the LDP. However, none of contextual changes identified to date suggest the need for an early review of the Plan. Subsequent AMRs will continue to provide updates on relevant contextual material which could affect the Plan's future implementation.

## 4 LDP Monitoring Process

### How is the LDP Monitored?

- 4.1 Section 5 provides a detailed analysis of the effectiveness of the LDP policy framework in delivering the identified policy aims/outcomes and targets, together with appropriate recommendations for further action. Consideration is also given to any significant policy specific contextual issues that have arisen over the monitoring period which could affect policy implementation. Aligned with the LDP monitoring framework, the analysis is grouped according the Plan's strategic policies and is structured as follows:

<b>Monitoring Aims / Outcomes</b>	The monitoring aim / outcome identifies what each strategic policy is seeking to achieve. Supporting objectives, development management and site allocation policies are also set out to demonstrate the interlinkages between the policies.
<b>Contextual information</b>	Significant contextual information that has been published since the Plan's adoption is outlined where relevant to a particular strategic policy. This will enable the AMR to determine whether the performance of a policy has been affected by contextual changes. These can include new or amended legislation, national, regional and local plans, policies or strategies as well as external social and economic trends which could affect the delivery of the LDP such as economic conditions. Any such changes lie outside the remit of the LDP.
<b>Indicators, targets and triggers</b>	<p>Policy performance recorded during the monitoring period in relation to the indicators and relevant targets /triggers for further investigation is set out for each strategic policy.</p> <p>The targets and triggers for certain indicators have been sub-divided to enable the effective monitoring of these indicators. This includes indicators relating to the following strategic policies:</p> <ul style="list-style-type: none"> <li>• S1 Spatial Strategy</li> <li>• S3 Strategic Housing Sites</li> <li>• S4 Affordable Housing</li> <li>• S6 Retail</li> <li>• S8/S9 Enterprise and Economy/ Employment Sites Provision</li> </ul> <p>The total number of targets and triggers in the monitoring framework has subsequently increased.</p>



<p><b>Analysis</b></p>	<p>Having regard to the indicators, relevant targets, triggers and monitoring outcomes, the AMR assesses whether the Plan's strategic policies are being implemented as intended and whether the LDP objectives and strategy are being achieved. This includes the identification and further investigation of any policy that fails to meet its target and/or has reached its trigger point. However, the fact that a policy reaches its trigger level does not automatically imply that the policy is failing. The analysis will consider whether such performance may be due to extraneous circumstances or could be justified in the context of the overall policy framework.</p> <p>In certain instances it has been difficult to identify meaningful trends due to the limited amount of data available and consequently some of the conclusions drawn are very preliminary and will need to be verified by a longer period of monitoring. This is particularly pertinent given that this is the first AMR.</p> <p>The analysis excludes those indicator targets with no applicable planning applications or completions to assess during the monitoring period and those which provide baseline information from which future trends may be assessed. These totalled 9 and 3 respectively during this monitoring period.</p>
<p><b>Recommendations</b></p>	<p>Taking account of the policy analysis, appropriate recommendations are provided including a statement of any necessary actions required. If policies are found to be failing the AMR will set out clear recommendations on what, if anything, needs to be done to address this.</p> <p>Consideration of the LDP against all of the information gathered over the monitoring period will allow the Council to determine whether a review of the Plan is required.</p>

**Policy Performance Traffic Light Rating**

- 4.2 As a visual aid in monitoring the effectiveness of the Plan's strategic policies and to provide a quick reference overview of policy performance a 'traffic light' rating is included for relevant indicators as follows:

	Policy targets/monitoring outcomes* are being achieved
	Policy targets/monitoring outcomes* are not currently being achieved but there are no concerns over the implementation of the policy
	Policy targets/monitoring outcomes* are not currently being achieved with subsequent concerns over the implementation of the policy
	No conclusion can be drawn due to limited data

\*For those indicators with no target/trigger the monitoring outcomes are assessed and rated accordingly.

### **Replacement Indicators**

- 4.3 In instances where the Council has been unable to monitor an indicator or where an indicator has been superseded, an explanation will be provided in the relevant policy analysis section and, where appropriate, an alternative indicator will be identified. There may also be instances where it is necessary to amend an indicator, for example, to improve the clarity of the indicator or realign it with relevant data sets. In such cases an explanation will be provided in the relevant policy analysis section and the indicator amended as appropriate.

### **Triggers for Plan Review**

- 4.4 The Council is required to commence a full review of the LDP every four years. It is, however, recognised that the following exceptional circumstances could elicit an early review of the Plan:
- A significant change in external conditions
  - A significant change in national policy or legislation
  - A significant change in local circumstances e.g. closure of a significant employment site that weakens the local economy
  - A significant change in development pressures or needs and investment strategies of major public and private investors
  - Significant concerns from the results of the AMR in terms of policy effectiveness/implementation and site delivery, including a fall in the housing land supply below 5 years.

All of these issues will be taken into consideration in determining whether a full or partial review of the Plan is necessary.

### **Sustainability Appraisal Monitoring Framework**

- 4.5 The Sustainability Appraisal Monitoring expands the assessment of the performance of the LDP against the Sustainability Appraisal (SA) monitoring objectives. The SA identifies 17 objectives and 60 indicators developed to measure the environmental, economic and social impacts of the LDP. This is set out in Section 6 of the AMR.

## 5 LDP Monitoring – Policy Analysis

- 5.1 This section provides a detailed assessment of whether the Plan’s strategic policies, and associated supporting policies, are being implemented as intended and whether the LDP objectives and strategy are being achieved. Appropriate recommendations are subsequently provided, together with necessary actions to address any policy implementation issues identified through the monitoring process. Aligned with the LDP, the analysis is set out in strategic policy order.

## Spatial Strategy

**Monitoring Aim/Outcome:** New housing development to be distributed in accordance with the LDP Spatial Strategy

**Strategic Policies:** S1/S2 Spatial Distribution of New Housing Provision

**LDP Objectives Supported:** 1, 3 & 4

**Other LDP Policies Supported:** SAH1-SAH11

### Contextual Changes

There have been no significant contextual changes relating to this policy area during the monitoring period.

Indicator	Target	Trigger for Further Investigation	Performance 27 February 2014 – 31 March 2015
Proportion of new housing development provided in accordance with the spatial strategy Policy S1 / settlement hierarchy set out in Policy S2*	Location of new residential development should correspond to the requirements set out in the Tables to Policy S2:	Housing completions are +/- 10% of the requirements set out in the tables to Policy S2 in any 1 year	<b>Dwelling Completions</b>
	<b>a) Main towns 41%</b>		<b>27%</b>
	<b>b) Severnside Settlements 33%</b>		<b>43%</b>
	<b>c) Rural Secondary Settlements 10%</b>		<b>6%</b>
	<b>d) Rural General 16%</b>		<b>24%</b>

### Analysis – Dwelling Completions

#### **a) Main Towns**

Of the 205 dwelling completions recorded during the monitoring period, 27% were in the County's main towns. As this is below the LDP target by 14% the trigger for this indicator has been reached. However, given that this is first year that the LDP has been operational this trend may be expected as allocated LDP sites, which are in accordance with the spatial strategy (Policy S1), have not yet progressed. It is anticipated that as allocated sites obtain permission and are developed the proportion of completions in the County's main towns will align more closely with the target figure of 41%. In particular, the delivery of the Plan's

strategic housing sites in the main towns, a significant proportion of which are expected to be developed from 2016/17, will undoubtedly increase dwelling completions in these key settlements in accordance with the spatial strategy. This is evidenced by the published Joint Housing Land Availability Study.

In view of this, there is not considered to be any issue with the implementation of the Plan's spatial strategy in relation to dwelling completions in the main towns as set out in Policy S1 and therefore no further investigation is required at present. The Council will continue to monitor this issue closely in order to determine the effectiveness of the spatial strategy over the Plan period.

**b) Severnside Settlements**

43% of dwelling completions recorded during the monitoring period were in Severnside Settlements which is 10% higher than the identified target for this area. This signifies that the trigger for this indicator has been met, albeit marginally. A significant proportion of the completions recorded in these settlements (67 out of a total of 87) during the monitoring period were on residual UDP sites which has contributed to completions exceeding the target figure. These sites are now built-out and therefore will not impact on next year's completions rates in this area. This figure does not illustrate that new housing development has been progressed outside of the LDP strategy or allocations. Furthermore, given that this is first year that the LDP has been operational, allocated LDP sites, which are in accordance with the spatial strategy, (Policy S1) have not yet progressed through to completion stage. It is anticipated that as allocated sites are developed the proportion of completions in the Severnside Settlements will align more closely with the target figure of 33%.

In view of this, there is not considered to be any issue with the implementation of the Plan's spatial strategy in relation to dwelling completions in the Severnside Settlements as set out in Policy S1 and therefore no further investigation is required at present. The Council will continue to monitor this issue closely in order to determine the effectiveness of the spatial strategy over the Plan period.

**c) Rural Secondary Settlements**

6% of dwelling completions recorded during the monitoring period were in the County's rural secondary settlements which is marginally below the identified target of 10%. As such the trigger for further investigation has not been reached.

Given that the LDP was adopted in February 2014, allocated sites in the rural secondary settlements were not sufficiently progressed to generate completions during the current monitoring period. As would be expected, small sites accounted for the over half (54%) of the completions recorded in these settlements, with a residual UDP site at Llanfoist accounting for the remaining completions. It is anticipated that as allocated sites are developed in Penperlleni, Raglan and Usk the proportion of completions in these settlements will align more closely with the target figure of 10%.

In view of this, there is not considered to be any issue with the implementation of the Plan's spatial strategy in relation to dwelling completions in the rural secondary settlements as set out in Policy S1 and therefore no further investigation is required at present. The Council will continue to monitor this issue closely in order to determine the

effectiveness of the spatial strategy over the Plan period.

**d) Rural General**

Nearly a quarter of dwelling completions recorded during the monitoring period were in the County's rural general areas. Although 8% above the identified target (16%), the trigger for further investigation has not been reached.

As would be expected in rural settlements small sites accounted for the majority of completions (71%), most of which were conversions. The remaining completions were recorded on a windfall site at Little Mill. The relatively high proportion of dwelling completions in rural general areas reflects the fact that small sites accounted for almost half of all completions recorded in Monmouthshire over the monitoring period. As the Plan's allocated sites including the allocated main village sites (SAH11) are developed, together with continued opportunities for small site conversion and infill development, it is anticipated that the proportion of completions in these settlements will more closely align with the target figure of 16% over the Plan period.

In view of this, there is not considered to be any issue with the implementation of the Plan's spatial strategy in relation to dwelling completions in the rural general areas as set out in Policy S1 and therefore no further investigation is required at present. The Council will continue to monitor this issue closely in order to determine the effectiveness of the spatial strategy over the Plan period.

**Recommendation**

a) No action is currently required. As this is the first AMR it is difficult to determine a definitive trend at this stage. The completions recorded during this monitoring period will provide the baseline figure for future comparative analysis. Continue to monitor.

b) No action is currently required. As this is the first AMR it is difficult to determine a definitive trend at this stage. The completions recorded during this monitoring period will provide the baseline figure for future comparative analysis. Continue to monitor.

c) No action is currently required. As this is the first AMR it is difficult to determine a definitive trend at this stage. The completions recorded during this monitoring period will provide the baseline figure for future comparative analysis. Continue to monitor.

d) No action is currently required. As this is the first AMR it is difficult to determine a definitive trend at this stage. The completions recorded during this monitoring period will provide the baseline figure for future comparative analysis. Continue to monitor.

\*Dwelling completions and permissions are monitored in order to gain a comprehensive picture of the spatial strategy's implementation.

Indicator	Target	Trigger for Further Investigation	Performance 27 February 2014 – 31 March 2015
Proportion of new housing development permitted in accordance with the spatial strategy Policy S1 / settlement hierarchy set out in Policy S2*	Location of new residential development should correspond to the requirements set out in the Tables to Policy S2:	Housing completions are +/- 10% of the requirements set out in the tables to Policy S2 in any 1 year	<b>Dwelling Permissions</b>
	<b>e) Main towns 41%</b>		<b>81%</b>
	<b>f) Severnside Settlements 33%</b>		<b>11%</b>
	<b>g) Rural Secondary Settlements 10%</b>		<b>1%</b>
	<b>h) Rural General 16%</b>		<b>7%</b>

#### Analysis – Dwelling Permissions

##### e) Main Towns

Of the 519 dwelling units granted planning permission during the monitoring period, the majority were in the County's main towns (420) which is significantly above the LDP target. The high proportion of permissions recorded in the main towns is a result of the outline permission for 370 units at the LDP strategic mixed-use site at Wonastow Road Monmouth which accounted for the vast majority of dwelling permissions (88%). This is only the first of the Plan's allocated residential sites to acquire planning permission which may be expected given that the LDP has only been in operation since February 2014. Small sites accounted for the remaining permissions in the main towns, accounting for a total of 50 dwellings (12%) – 23 dwellings in Chepstow, 18 in Monmouth and 9 in Abergavenny. As the LDP's other allocated residential sites are progressed and obtain permission it is anticipated that the proportion of permissions in the County's other settlements including Severnside and rural secondary settlements, will increase ensuring improved alignment with the spatial strategy as set out in Policy S1.

Of note, 290 of the dwellings permitted in the main towns during the monitoring period were for general market dwellings and 130 were for affordable dwellings. The Wonastow Road site accounted for all of the affordable units permitted.

In view of the above, there is not considered to be any issue with the implementation of the Plan's spatial strategy in relation to dwelling permissions granted in the main towns and therefore no further investigation is required at present. The Council will continue to monitor this issue closely in order to determine the effectiveness of the spatial strategy

over the Plan period.

**f) Severnside Settlements**

57 (11%) of the 519 dwellings permitted during the monitoring period were in Severnside settlements which is below the identified target for this area. However, given that this is first year that the LDP has been operational this trend may be expected as allocated LDP sites, which accord with the spatial strategy (Policy S1), have not yet acquired permission. There are 4 strategic housing allocations in the Severnside area and accordingly, as these sites are progressed and opportunities for windfall / small sites continue, the proportion of permissions in the Severnside Settlements should align more closely with the target figure of 33%.

Windfall sites (former primary schools) in Caldicot and Rogiet accounted for a significant proportion of the permissions recorded in the Severnside area (17 and 19 dwellings respectively), both of which will provide 100% affordable housing units. Small sites accounted for the remaining permissions recorded in this area (11 dwellings in Magor/Undy, 7 in Caldicot and 3 in Rogiet), all of which were for general market housing.

In view of this, there is not considered to be any issue with the implementation of the Plan's spatial strategy in relation to residential permissions granted in Severnside Settlements and therefore no further investigation is required at present. The Council will continue to monitor this issue closely in order to determine the effectiveness of the spatial strategy over the Plan period.

**g) Rural Secondary Settlements**

6 (1%) of the dwellings permitted during the monitoring period were in rural secondary settlements, 4 dwellings in Penperlleni, 1 in Raglan and 1 in Llanfoist, which is below the identified target.

Small sites accounted for all of the permissions recorded in these settlements, all of which were for general market housing. Given that the LDP has only been in operation since February 2014, it is not surprising that allocated sites in the rural secondary settlements were not sufficiently progressed to acquire permission during the current monitoring period. It is anticipated that as allocated sites are progressed in Penperlleni, Raglan and Usk and opportunities for infill / windfall development continue, the proportion of permissions in these settlements will align more closely with the target figure of 10%.

In view of this, there is not considered to be any issue with the implementation of the Plan's spatial strategy in relation to dwelling permissions granted in the rural secondary settlements and therefore no further investigation is required at present. The Council will continue to monitor this issue closely in order to determine the effectiveness of the spatial strategy over the Plan period.

**h) Rural General**

36 (7%) of the dwellings permitted during the monitoring period were in the County's rural general areas which is less than the identified target (16%).



Unsurprisingly, small sites accounted for all dwelling permissions recorded in a range of rural settlements throughout Monmouthshire. Many of these were conversions and, with the exception of a single plot affordable housing exception site, were for general market housing. Given that this is the first monitoring period, this trend may be expected as allocated main village sites (SAH11), which are in accordance with the spatial strategy (Policy S1), have not yet acquired permission. It is anticipated that the progression of these sites, coupled with continued small site conversion and infill opportunities, will ensure that the proportion of permissions in rural settlements more closely reflects the target figure of 16%.

In view of this, there is not considered to be any issue with the implementation of the Plan's spatial strategy in relation to residential permissions in rural settlements and therefore no further investigation is required at present. The Council will continue to monitor this issue closely in order to determine the effectiveness of the spatial strategy over the Plan period.

**Recommendation**

e) No action is currently required. As this is the first AMR it is difficult to determine a definitive trend at this stage. The permissions recorded during this monitoring period will provide the baseline figure for future comparative analysis. Continue to monitor.

f) No action is currently required. As this is the first AMR it is difficult to determine a definitive trend at this stage. The permissions recorded during this monitoring period will provide the baseline figure for future comparative analysis. Continue to monitor.

g) No action is currently required. As this is the first AMR it is difficult to determine a definitive trend at this stage. The permissions recorded during this monitoring period will provide the baseline figure for future comparative analysis. Continue to monitor.

h) No action is currently required. As this is the first AMR it is difficult to determine a definitive trend at this stage. The permissions recorded during this monitoring period will provide the baseline figure for future comparative analysis. Continue to monitor.

\*Dwelling completions and permissions are monitored in order to gain a comprehensive picture of the spatial strategy's implementation.

## Housing Provision

**Monitoring Aim/Outcome:** To provide 4,500 dwelling units (including 960 affordable dwelling units) in the County over the Plan period.

**Strategic Policy:** S2 Housing Provision

**LDP Objectives Supported:** 1, 3 & 4

**Other LDP Policies Supported:** H1-H9, SAH1-SAH11

### Contextual Changes

#### Technical Advice Note (TAN) 1 Joint Housing Land Availability Studies (WG, January 2015)

The revised TAN sets out a number of amendments to the JHLAS process, including an obligation for authorities to use the residual methodology for calculating housing land supply and reducing the timescale for completing the studies. The current Monmouthshire JHLAS has been prepared in line with the requirements of the modified TAN.

#### The Housing (Wales) Act 2014

One of the key provisions of the Act places a duty on local authorities to provide sites for Gypsies and Travellers where a need has been identified. As detailed below, the Council is currently preparing a Gypsy Traveller Accommodation Assessment (GTAA) the outcomes of which will be taken into account in future AMRs and the plan review process.

Indicator	Target	Trigger for Further Investigation	Performance 27 February 2014 – 31 March 2015
1. The number of additional general market and affordable dwellings built over the Plan period*	Up to 488 dwellings to be built per annum 2013-2021	10% less or greater than the LDP strategy build rate for 2 consecutive years	<b>205</b>
2. Housing land supply*	Maintain a minimum 5 year housing land supply throughout the Plan period	Less than a 5 year housing land supply in any 1 year	<b>5.0</b>
3. Average density of housing permitted on allocated sites**	Meet the target densities set out in site allocation	Planning permissions granted that do not meet	<b>33 dph</b>

	policies SAH1 to SAH10	these densities	
4. Review of Gypsy/ Traveller Accommodation Needs and Sites Study to be completed within two years of the LDP's adoption	If a need for additional site(s) is identified seek to identify a suitable site by Spring 2017***	Identified need not met by Spring 2017	<b>0 applications received for Gypsy/ Traveller site(s)</b>

### Analysis

1. 205 general market and affordable dwellings were built during the monitoring period (188 general market and 17 affordable). 73 of these completions were on the remaining UDP sites (including Church Road Caldicot and Merton Green Caerwent) with a smaller number on windfall sites (including Saw Mill House, Little Mill and the Former Forensic Science Laboratory, Chepstow). Small sites accounted for a significant number of completions over this period, totalling 99 (48%). While this figure is considerably below the target of 488 dwelling completions per annum between 2013 and 2021, this is the first year that the LDP has been operational and it is anticipated that the dwelling completions will increase over the remainder of the Plan period as allocated sites obtain permission and are developed. The delivery of the Plan's strategic housing sites in particular will undoubtedly enhance the completion rate.

Although completions are lower than the identified target, the trigger for further investigation has not been reached as this is based on a two year period to enable consequential trends to emerge. The completions recorded during this monitoring period will provide the baseline figure for future comparative analysis. The Council will continue to monitor dwelling completion rates closely in future AMRs to determine the effectiveness of the policy framework in delivering both general market and affordable dwellings.

2. The Monmouthshire Joint Housing Land Availability Study (JHLAS) for the 2014 period demonstrates that the County had 5.0 years housing land supply (based on the residual method). The overall total 5 year land supply is 2,874 units, comprising 2,420 units on large sites and 454 units on small sites.

As the 2014 figure meets the identified target, there is no current need to review the housing land supply. Given the importance of maintaining a 5 year housing land supply the Council will continue to closely monitor this issue in future AMRs.

In order to provide a comprehensive picture of the housing land supply since the LDP's base date of 2011, the following table provides the figures from previous years.

Study Year	Number of Years Supply
2011	4.4
2012	3.6
2013	5.2

3. One permission was granted on an allocated site during the monitoring period; 370 units at the strategic mixed-use site at Wonastow Road, Monmouth. The density of the development calculated on the net residential area gives an average density of 33 dwellings per hectare which accords with the target density set out in the LDP.

Given that this is the first monitoring period and there has only been one permission granted on an allocated site, the conclusions drawn are very preliminary. The effectiveness of the LDP target densities will become more evident as allocated sites are progressed over the Plan period. The Council will therefore continue to monitor this issue closely in future AMRs.

4. No planning applications were received for Gypsy or Traveller accommodation which indicates that there was no need for such provision during the monitoring period.

The Council is committed to monitoring the accommodation needs of Gypsies/ Travellers and is in the process of preparing a Gypsy Traveller Accommodation Assessment for the County which will be submitted to WG by February 2016. The aim of the assessment is to provide data which will identify Gypsy and Traveller pitch needs separately from wider residential demand and aspiration. The outcomes of the assessment will inform the LDP process. Should a need be identified, this will be considered through next year's AMR and subsequent LDP review process in order to meet the monitoring target. In the meantime, LDP criteria-based Policy H8 will be used to consider any applications for Gypsy/ Traveller accommodation that may arise in Monmouthshire. On this basis no further investigation is currently required.

#### Recommendation

1. No action is required at present. Continue to monitor.

2. No action is required at present. Continue to monitor.

3. No action is required at present. Continue to monitor.

4. No action is required at present. Continue to monitor.

\*Core Indicator as required by the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005

\*\*Additional indicator as set out in LDP Manual (WG, 2006)

\*\*\*Indicator amended to 'seek to identify' a site by spring 2017 rather than 'obtain permission'. Given the current timescale for the publication and implementation of the GTAA it is considered unrealistic to expect a relevant site to gain permission by spring 2017.

## Strategic Housing Sites

**Monitoring Aim/Outcome:** To deliver the strategic housing sites in accordance with strategic policy S3 and site allocation policies SAH1-SA7.

**Strategic Policy:** S3 Strategic Housing Sites

**LDP Objectives Supported:** 1, 3 & 4

**Other LDP Policies Supported:** SAH1-SA7

### Contextual Changes

There have been no significant contextual changes relating to this policy area during the monitoring period.

Indicator	Target	Trigger for Further Investigation	Performance 27 February 2014 – 31 March 2015
1. The number of dwellings permitted on strategic sites as identified in Policy S3 and site allocation policies SAH1 to SAH7	Secure /deliver housing need on the key strategic sites identified in Policy S3 and site allocation policies SAH1-SA7 during the Plan period:	Planning permission is not granted by the end of 2014 for each of the strategic sites	
	a) Deri Farm, Abergavenny		0
	b) Crick Road, Portskewett		0
	c) Fairfield Mabey, Chepstow		0
	d) Wonastow Road, Monmouth		370*
	e) Rockfield Farm, Undy		0
	f) Land at Vinegar Hill, Undy		0
	g) Former Paper Mill, Sudbrook		0

2. The number of dwellings completed on strategic sites as identified in Policy S3 and site allocation policies SAH1 to SAH7	Dwelling completions in accordance with the housing trajectory for each of the strategic sites**	Dwelling completions fall below 10% of housing trajectory target for each of the strategic sites	
	a) Deri Farm, Abergavenny		N/A
	b) Crick Road, Portskewett		N/A
	c) Fairfield Mabey, Chepstow		N/A
	d) Wonastow Road, Monmouth		N/A
	e) Rockfield Farm, Undy		N/A
	f) Land at Vinegar Hill, Undy		N/A
	g) Former Paper Mill, Sudbrook		N/A

### Analysis

#### 1. Dwelling Permissions

In terms of allocated strategic sites, outline planning permission has been gained for the strategic mixed-use site at Wonastow Road Monmouth for 370 units. As the remaining strategic sites have not yet acquired planning permission the trigger for further investigation has been met. Progress of these sites is outlined in brief below. Given the constraints associated with some of the sites, including Deri Farm, Fairfield Mabey and the Former Paper Mill Site, the trigger date of gaining permission for all sites by the end of 2014 is perhaps rather ambitious, particularly as the LDP has only been operational since February 2014. External influences, such as the economic climate, may also have impacted on the slower than anticipated progress of many strategic sites through the planning process.

#### **Deri Farm, Abergavenny (SAH1):**

Persimmon submitted a full application for 250 residential units in November 2014 which is yet to be registered given outstanding issues relating site viability (affordable housing provision) and undergrounding of the power lines. The 2014 JHLAS housing trajectory indicates first completions on site in 2015/16.

**Crick Road, Portskewett (SAH2):**

Council owned site allocated for 285 residential units and 1ha of serviced land for business and industrial development. Master planning consultation exercise to be carried out and subsequent planning application submitted during the next monitoring period. A number of site surveys were undertaken in 2014, including an extended phase 1 habitat and species assessment and bat/bird survey. The 2014 JHLAS housing trajectory indicates first completions on site in 2016/17.

**Fairfield Mabey, Chepstow (SAH3):**

In October 2014 the landowner submitted an outline application (DC/2014/01290) for up to 600 residential units (350 to be delivered within the Plan period), commercial space including offices and workshops (Use Class B1) and small scale retail/food and drink floorspace (Use Classes A1 and A3) and multi-functional green and blue open space. The application is yet to be determined as there are outstanding highways issues to be resolved. The 2014 JHLAS housing trajectory indicates first completions on site in 2016/17.

**Wonastow Road, Monmouth (SAH4):**

Outline permission granted for up to 370 dwellings and 6.5 hectares of employment land in December 2014 (DC/2013/00368). Reserved matters application due to be submitted by the developers (Barratt/David Wilson and Taylor Wimpey) for approval during the next monitoring period. The 2014 JHLAS housing trajectory indicates first completions on site in 2015/16.

The additional 80 units relating to this allocation are to be delivered as an extension to the site at Drewen Farm which will generate a total of 450 residential units over the Plan period. An application for this element of this site has not yet been submitted.

**Rockfield Farm, Undy (SAH5):**

Council owned site allocated for 270 residential units and 2ha of serviced land for business and industrial development. Master planning consultation exercise is to be carried out and subsequent planning application submitted during the next monitoring period. A number of site surveys were undertaken in 2014, including an extended phase 1 habitat and species assessment and bat/bird survey. The 2014 JHLAS trajectory indicates first completions on site in 2016/17.

**Land at Vinegar Hill, Undy (SAH6):**

Site for 225 residential units, linked to the adjacent Rockfield Farm site and likely to progress in tandem. The developer has indicated that they intend to submit a full application on the site during the next monitoring period. The 2014 JHLAS trajectory indicates first completions on site in 2015/16.

**Former Paper Mill, Sudbrook (SAH7):**

Full planning application (DC/2014/01468) submitted by Harrow Estates in December 2014 for 209 residential units. However, due to outstanding viability issues the application was not registered during the current monitoring period. Redrow has been confirmed as the developer of the site and it is anticipated that the application will be progressed

during the next monitoring period. The 2014 JHLAS trajectory indicates first completions on site in 2015/16.

It is recognised that, with the exception of Wonastow Road, allocated strategic sites have not progressed in accordance with the identified target of obtaining planning permission by the end of 2014. However, in view of the above there is not considered to be any significant issue with the implementation of the Plan's strategic site allocations and therefore no further investigation is required at present. The Council will continue to monitor this issue closely in order to determine the effectiveness of strategic site delivery over the Plan period.

The delivery of strategic sites has obvious implications for the spatial strategy. As noted in the policy analysis for Policy S1, as these sites are progressed it is anticipated that dwelling delivery will more closely align with the Plan's spatial strategy.

## **2. Dwelling Completions**

There were no completions on allocated strategic sites during the monitoring period which is to be expected as only one such site gained permission. Significant progress is being made on planning applications for these sites. As these sites progress through the planning process during the next monitoring period it is anticipated that dwelling completions will more closely align with the identified housing trajectory targets.

The 2014 trajectory records the first completions on 4 of the strategic sites in 2015/16, with completions on the remaining sites commencing in 2016/17. Accordingly, as this is the first monitoring period it is too early to determine whether the identified trajectory targets are being met and therefore no further investigation is required at present. The Council will continue to monitor this issue closely in order to determine whether the Plan's strategic residential and mixed-use allocations are being delivered in accordance with the housing trajectory targets.

### **Recommendation**

1. No action is required at present. Continue to monitor.

2. No action is required at present. Continue to monitor.

\*Target is 450, additional 80 units to be delivered through Drewen Farm extension

\*\*The JHLAS trajectory used has a base date of 1 April 2014 as this is the JHLAS that predicted completions for the current monitoring period



## Affordable Housing

**Monitoring Aim/Outcome:** To provide 960 affordable dwelling units over the Plan period

**Strategic Policy:** S4 Affordable Housing

**LDP Objectives Supported:** 1, 3 & 4

**Other LDP Policies Supported:** H7, SAH1-SAH11

### Contextual Changes

#### House Prices

The recorded fluctuations in the County's average house prices since 2012 are set out in Section 3 - Contextual Information. The potential implications of these house price trends for Policy S4 are assessed in relation to indicator 5 below.

Indicator	Target	Trigger for Further Investigation	Performance 27 February 2014 – 31 March 2015
1. The number of additional affordable dwellings built over the Plan period* <sup>1</sup>	Deliver 96 affordable dwellings per annum 2011-2021 (total of 960 over the Plan period)	10% less or greater than the LDP strategy build rate for 2 consecutive years	<b>17</b>
2. Number of affordable dwellings secured on new housing sites	a) 35% of the total number of dwellings to be affordable on sites of 5 or more dwellings in the Main Towns and Rural Secondary Settlements identified in Policy S1	Proportion of affordable housing achieved on development sites in each area falls below the requirement set out in Policy S4	<b>35%</b>
	b) 25% of the total number of dwellings to be affordable on sites of 5 or more dwellings in the Severnside Settlements identified in Policy S1		<b>100%**</b>

	c) 60% of the total number of dwellings to be affordable on sites of 3 or more dwellings in the Main Villages identified in Policy S1		<b>0***</b>
	d) Minor villages: sites with capacity for 4 dwellings make provision for 3 to be affordable; and sites with capacity for 3 dwellings make provision for 2 to be affordable.		<b>N/A (no applicable applications)</b>
3. Number of affordable dwellings permitted/built on Main Village Sites as identified in Policy SAH11	Main Village sites to collectively deliver 20 affordable dwellings per annum 2014-2021	10% less or greater than the target build rate for 2 consecutive years	<b>0</b>
4. Number of affordable dwellings built through rural exception schemes	No target	None	<b>0</b>
5. Affordable housing percentage target in Policy S4	Target to reflect economic circumstances	Average house prices increase by 5% above the base price of 2012 levels sustained over 2 quarters	<b>Refer to analysis below (5)</b>

#### Analysis

1. 17 affordable dwellings were completed during the monitoring period, accounting for 8% of total dwelling completions recorded. 4 of these completions were on a residual UDP site (Church Road, Caldicot), with 1 completion on a windfall site (Saw Mill House, Little Mill). Two small sites accounted for the remaining 12 completions (Grosvenor Road, Abergavenny (8) and Meadow Walk, Chepstow (4)). While this figure is considerably below the target of 96 affordable dwelling completions per annum between 2013 and 2021, this is the first year that the LDP has been operational and it is anticipated that the completion rate will increase over the remainder of the Plan period as allocated sites obtain permission and are developed. The higher affordable housing policy targets sought

through the LDP, as set out in Policy S4, should act to enhance the affordable dwelling completion rate achieved to 2021.

Despite the low completion rate, 167 affordable dwelling units were granted planning permission over the monitoring period which equates to 32% of all residential permissions. This indicates that Policy S4 is functioning effectively in enabling the delivery of affordable housing.

Although affordable dwelling completions are lower than the identified target, the trigger for further investigation has not been reached as this is based on a two year period to enable consequential trends to emerge. The completions recorded during this monitoring period will provide the baseline figure for future comparative analysis. The Council will continue to monitor completion rates closely in future AMRs to determine the effectiveness of Policy S4 in delivering affordable dwellings.

## **2. Main Towns and Rural Secondary Settlements**

The proportion of affordable dwellings permitted on sites of 5 or more units in the County's main towns and rural secondary settlements during the monitoring period achieved the LDP policy target of 35%. The permission for 370 dwellings at the strategic mixed-use site at Wonastow Road Monmouth accounted for all of the affordable dwelling permissions recorded in these settlements during the monitoring period (130 dwellings /35%). The remainder of permissions recorded in the main towns and rural secondary settlements were for sites with a capacity of less than 5 units and, therefore, fell below the threshold set out in Policy S4.

Clearly, although the policy target set out in S4 in relation to the main towns and rural secondary settlements has been achieved during this monitoring period, it is only based on one permission signifying that a meaningful analysis of the policy's performance is not possible at this stage. As the LDP's other allocated residential sites are progressed in these settlements it is anticipated that a more meaningful analysis of this indicator will be possible. The Council will therefore continue to monitor this issue closely in order to determine the effectiveness of the affordable housing target identified in Policy S4.

### **Sevenside Settlements**

The proportion of affordable dwellings permitted on sites of 5 or more units in Sevenside during the monitoring period clearly exceeded the policy target of 25% as both permissions were for 100% affordable housing. The sites at Caldicot (17 affordable units) and Rogiet (19 affordable units) are being developed by registered social landlords (RSL), MHA and Melin respectively, with the specific aim of providing affordable housing in the County. The remainder of the permissions recorded in Sevenside settlements were for sites with a capacity of less than 5 dwellings and, therefore, fell below the threshold set out in Policy S4.

While the permissions recorded suggest that the policy target set out in Policy S4 in relation to Sevenside settlements has been exceeded, this is based on just two 100% RSL affordable housing sites. Accordingly, a meaningful analysis of the policy's success in meeting the 25% target is not possible at this stage. As the LDP's other allocated

residential sites are progressed in these settlements it is anticipated that a more meaningful analysis of this indicator will be possible. The Council will therefore continue to monitor this issue closely in order to determine the effectiveness of the affordable housing target identified in Policy S4.

#### **Main Villages**

There were no permissions granted on either allocations or sites within the Main Villages over the monitoring period. There are nevertheless a number of applications relating to Main Village sites currently in the planning/pre-application system, it is therefore anticipated that these will progress during the next monitoring period.

While the target in relation to Main Villages has not been achieved, no relevant applications have been determined over the monitoring period. It is therefore not possible to provide a meaningful analysis of the policy's effectiveness in relation to Main Village sites at this stage. The Council will continue to monitor such sites over the next monitoring period in order to determine the implementation of the affordable housing targets identified in S4.

#### **Minor Villages**

No permissions were granted during the monitoring period for small sites in Minor Villages. The Council will continue to monitor any Minor Village sites in order to determine the effectiveness of the affordable housing target identified in Policy S4.

3. No planning permission was granted on allocated sites identified in Policy SAH11 during the monitoring period. There were subsequently no completions relating to the allocations over the monitoring period. One of the allocated sites is subject to a current planning application, to be determined during the next monitoring period.

While no allocated sites were permitted over this period, this is the first monitoring period and the conclusions drawn are therefore preliminary. The Council will continue to monitor this issue closely in future AMRs to determine the effectiveness of the affordable housing policy framework relating to the Main Village sites.

4. There were no completions relating to rural exception schemes over the monitoring period. Despite the fact no sites were completed over the monitoring period, a site was approved as a rural exception under the build your own affordable home scheme. This related to a single dwelling which is currently under construction. However, given that this is the first monitoring period the conclusions drawn are preliminary and the Council will subsequently continue to monitor this issue closely in future AMRs to determine the effectiveness of the policy framework relating to rural exception schemes.

5. The trigger for conducting additional viability testing in relation to the affordable housing targets set out in Policy S4 is an increase in average house prices of 5% or more above the 2012 base price sustained over 2 quarters.

As set out in Section 3, Land Registry data indicates that in general average house prices in Monmouthshire have increased each quarter over the 2013-2014 period, with the

exception of quarter 4 2013 and quarter 1 2014. Subsequently, average prices at quarter 4 2014 (£189,083) were higher than the 2012 baseline price (£169,717). Despite this, the trigger for further investigation has not been met. A 5% rise in the 2012 base price figure would equate to an increase of £8,486 and although house prices have generally risen each quarter over the 2013-2014 period, prices have not increased by this amount continuously over 2 quarters. The largest increase recorded over the monitoring period was £5,629 between quarters 2 and 3 2014. Accordingly, there has not been significant changes in house prices to necessitate a re-assessment of the viability evidence in relation to Policy S4. The Council will continue to monitor house price trends in future AMRs in order to determine any potential implications for the effective implementation of Policy S4.

**Recommendation**

1. No action is required at present. Continue to monitor.
2. No action is required at present. Continue to monitor.
3. No action is required at present. Continue to monitor.
4. No action is required at present. Continue to monitor.
5. No action is required at present. Continue to monitor.

\*Core Indicator as required by the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005

<sup>1</sup> This Indicator and Target are based on the Monmouthshire planning area and Monmouthshire LDP only. It has previously been used as the authority's corporate affordable housing target. However, a revised corporate target is being prepared. This will be based on the whole of the Monmouthshire administrative area (including part of the Brecon Beacons National Park). Any new revised target will be higher than the current LDP target, including a proportion of the affordable housing target from the Brecon Beacons LDP, in addition to the Monmouthshire LDP target.

\*\*100% affordable housing sites

\*\*\* One permission granted for 3 dwellings in main village (DC/2014/00108) previously granted outline permission in 2009 and renewed 2012 – Policy S4 not applicable. Also only plus 2 dwellings as application involves demolition and replacement of existing bungalow.

## Community and Recreation Facilities

**Monitoring Aim/Outcome:** To retain existing community and recreation facilities and seek to develop additional facilities

**Strategic Policy:** S5 Community and Recreation Facilities

**LDP Objectives Supported:** 1 & 5

**Other LDP Policies Supported:** CRF1, CRF3

### Contextual Changes

There have been no significant contextual changes relating to this policy area during the monitoring period.

Indicator	Target	Trigger for Further Investigation	Performance 27 February 2014 – 31 March 2015
1. Number of community and recreation facilities granted planning permission	No target*	None*	9
2. Number of community/ recreation facilities lost	Minimise the loss of community and recreation facilities	Loss of any 1 community/ recreation facility in any 1 year	3

### Analysis

1. 9 planning applications were approved for community and recreation uses during the monitoring period. Three of these applications were for recreation use, these included a training pitch and additional changing room facilities at Usk Rugby Club and the provision of a skate park and earth/gravel BMX pump track in Monmouth. Of the 6 community facilities approved two were for extension/renovation of existing facilities, three were changes of use and one was for the construction of a new primary school (to replace the existing primary school in Raglan).

The number of community and recreation facilities approved suggests that the relevant Plan policies are operating effectively allowing such developments to take place. However, given that this is the first monitoring period the conclusions drawn are very preliminary and the Council will continue to monitor closely in future AMRs to determine the effectiveness of the policy framework relating to this issue.

2. There has been a loss of 3 community facilities during the period monitored, two of which concern facilities that had not served any operational function for a significant period of time. The first of these is a public house/hotel in Portskewett which is in a derelict state and had previously been granted permission in 2006, although not

implemented, for a change of use to residential. The site is within allocated employment land and its proposed current change of use to B8 is deemed in accordance with the land allocation and surrounding industrial uses. The second concerns a church hall which has not been in use for the past 10-15 years, proceeds of the sale are to be used to improve the church and provide improved community facilities in the church for local people, the local community will thus continue to be adequately served. The third facility to be lost is a nursery in Magor, however there is a previous extant permission for residential use at the site permitted prior to the current monitoring period and so the principle of residential use is already established.

While the data collected indicates that a number of community facilities have been lost to alternative uses over the monitoring period and subsequently the trigger for this indicator has been met, their loss is justified within the context and requirements of the LDP policy framework. The Council will continue to monitor such proposals in future AMRs to determine the effectiveness of the policy framework relating to this issue.

<b>Recommendation</b>
1. No action is required at present. Continue to monitor.
2. No action is required at present. Continue to monitor.

\*Not considered appropriate to include a target/trigger for this indicator given that in some instances the Council is looking to reduce the amount of community facilities or to focus investment on existing facilities

## Retail

**Monitoring Aim/Outcome:** Direct new food and non-bulky retail development to the County's town and local centres and seek to enhance their vitality, attractiveness and viability.

**Strategic Policy:** S6 Retail

**LDP Objectives Supported:** 1 & 2

**Other LDP Policies Supported:** RET1-RET4

### Contextual Changes

There have been no significant contextual changes relating to this policy area during the monitoring period.

Indicator	Target	Trigger for Further Investigation	Performance 27 February 2014 – 31 March 2015
1. Amount of new food and non-bulky retail development permitted in town/local centres as a proportion of all retail development permitted	90% of new food and non-bulky retail floorspace to be located in town/local centres	More than 10% of new food and non-bulky retail floorspace is developed outside town/local centres in any 1 year	<b>0% retail development permitted in town/local centres. 157 sq m permitted outside town/ local centres*</b>
2. Percentage of vacant units within the Central Shopping Areas (CSA) of each town and local centre**	No increase in the number of vacant units:	Vacancy rate in a town/local centre increases for 2 consecutive years	<b>Vacancy Rate**</b>
	a) Abergavenny		<b>5.1%</b>
	b) Caldicot		<b>9.2%</b>
	c) Chepstow		<b>9.0%</b>
	d) Monmouth		<b>8.3%</b>
	e) Magor		<b>9.1%</b>
	f) Raglan		<b>0%</b>
	g) Usk		<b>7.8%</b>



3. Percentage of A1 uses in the primary shopping frontages of Abergavenny, Caldicot, Chepstow and Monmouth**	% of A1 uses no less than the thresholds identified for the towns' primary shopping frontages as defined in the Primary Shopping Frontages SPG***	% figures for a primary shopping frontage fall below the threshold set out in the SPG	<b>% of A1 Uses**</b>
	<b>a) Abergavenny</b>		<b>76%</b>
	• PSF1 Cross St, High St, Frogmore St & 1 Nevill St <b>(SPG Target 75%)</b>		
	• PSF2 Cibi Walk <b>(SPG Target 100%)</b>		<b>100%</b>
	• PSF3 Cross St (51-60&Town Hall) <b>(SPG Target 55%)</b>		<b>36%</b>
	<b>b) Caldicot</b>		<b>65%</b>
	• PSF4 Newport Rd <b>(SPG Target 65%)</b>		
	<b>c) Chepstow</b>		<b>80%</b>
• PSF5 High St <b>(SPG Target 75%)</b>			
• PSF6 St Mary St <b>(SPG Target 65%)</b>		<b>65%</b>	
<b>d) Monmouth</b>		<b>77%</b>	
• PSF7 Monnow St <b>(SPG Target 75%)</b>			
• PSF8 Church St, Agincourt Sq & Priory St (1-4) <b>(SPG Target 65%)</b>		<b>57%</b>	

### Analysis

1. No applications were permitted for new A1 food and non-bulky retail developments in the County's town/local centres during the period monitored. As one application (100% of applications) was permitted outside of the centres, the trigger for this indicator has been met. The permission (DC/2014/01231) relates to a change of use from a nursery to a convenience store (157 sq m) in Llanover which does not conflict with any LDP policies. While Policy RET4 encourages retail development within the town centres subject to various criteria, Strategic Policy S5 allows for community facilities such as local shops within village development boundaries. This development is considered appropriate

given the particular circumstances of the application. It does not indicate any issue with the implementation of LDP policies and therefore no further investigation is required at present. However, given that this is the first monitoring period the conclusions drawn are very preliminary and the Council will continue to monitor this issue in future AMRs to determine the effectiveness of the Plan's retail policy framework.

2. Vacancy rates recorded during the monitoring period\*\* in all of the County's central shopping areas (CSA) were below the UK rate (13% March 2015, Local Data Company). The vacancy rates vary between the centres, ranging from 0% in the Raglan CSA to 9.2% in the Caldicot CSA. The fact that vacancy rates are generally low and below the national average would suggest that the town and local centres are functioning effectively.

The trigger for further investigation is based on a 2 year period to enable consequential trends to emerge. The vacancy levels recorded during this monitoring period will therefore provide the baseline figures to enable future comparative analysis. The Council will continue to monitor vacancy levels in future AMRs to determine any trends.

3. The percentage of A1 retail uses within the towns' primary shopping frontages recorded during the monitoring period\*\* generally accord with the thresholds identified in the draft Primary Shopping Frontages SPG. There are, however, two primary shopping frontages where the proportion of A1 retail uses are below the identified thresholds - PSF3 Cross St (51-60 & Town Hall) Abergavenny and PSF8 Church St, Agincourt Sq & Priory St (1-4) Monmouth. There is an aspiration to address this situation and enhance the retail function of these frontages which is reflected in the draft SPG thresholds. It is therefore important that a strong policy stance on proposals for change of use to non-retail uses in these frontages is maintained in order to address this issue.

The 2014 figures will provide the baseline data to enable future comparative analysis of A1 uses within these frontages. The Council will continue to monitor this matter closely in future AMRs to determine the effectiveness of the policy framework relating to this issue.

#### **Recommendation**

1. No action is required at present. Continue to monitor.

2. No action is required at present. Continue to monitor.

3. No action is required at present. Continue to monitor.

\*One planning permission granted for convenience store in Llanover (DC/2014/01231)

\*\*Data Source: Monmouthshire Retail Background Paper (May 2015). Base date October 2014

\*\*\*Monmouthshire Draft Primary Shopping Frontages SPG

## Economy and Enterprise

<b>Monitoring Aim/Outcome:</b>	To ensure a sufficient supply of employment land and to protect the County's employment land
<b>Strategic Policies:</b>	S8 Enterprise and Economy, S9 Employment Sites Provision
<b>LDP Objectives Supported:</b>	7
<b>Other LDP Policies Supported:</b>	E1-E3, RE1, SAE1-SAE2

### Contextual Changes

#### Technical Advice Note (TAN) 23 Economic Development, WG February 2014

The Welsh Government produced a new TAN relating to Economic Development in February 2014. TAN 23 provides additional clarity relating to development management decisions and preparation of LDPs in relation to economic development. The LDP's employment and economy policies and proposals are in general conformity with the requirements of the new TAN. It does, however, place greater emphasis on collaborative working with neighbouring authorities in terms of preparing regional evidence bases to inform regional working, including in relation to economic development strategies and the identification of strategic employment sites. The opportunities for greater regional collaborative working on economic development matters will be given further consideration as part of the plan review process. Furthermore, the publication of WG detailed guidance on employment land reviews may require some revisions to way in which the Authority undertakes such studies. This will be given further consideration when this guidance is published.

Indicator	Target	Trigger for Further Investigation	Performance 27 February 2014 – 31 March 2015
1. Net employment land supply/development*♦	Maintain sufficient employment land to meet identified take-up rate of 1.9 ha per annum	Insufficient employment land available to meet the identified take-up rate of 1.9ha per annum	46.8ha
2. Take-up of employment land*♦	Maintain sufficient employment land to meet identified take-up rate of 1.9 ha per annum	Insufficient employment land available to meet the identified take-up rate of 1.9ha per annum	0.38ha

3. Planning permission granted for new development (by type) on allocated employment sites as identified in Policy SAE1♦	No specific target	Lack of development on strategic employment sites identified in Policy SAE1 by the end of 2017	<b>0 planning permissions granted</b>
4. Planning permissions granted for employment use by settlement	No specific target	None	
	<b>Main Towns</b>		<b>9.70ha</b>
	<b>Sevenside Settlements</b>		<b>0.39ha</b>
	<b>Rural Secondary Settlements</b>		<b>0.3ha</b>
	<b>Rural General</b>		<b>0.25ha</b>
5. Planning permissions granted for employment use by sector** /***	No specific target	None	
	Manufacturing		<b>1.90ha</b>
	Wholesale & retail trade; repair of motor vehicles and motor cycles		<b>0.3ha</b>
	Transport & storage; information and communication		<b>1.35ha</b>
	Real estate activities; Professional, scientific and technical activities; Administrative and support service activities		<b>0.60</b>
6. Amount of employment land lost to non-employment uses (i.e. non-B1, B2, B8 uses)	Minimise the loss of employment land to non-B1, B2, B8 uses	Loss of any B1, B2 or B8 employment land in any 1 year	<b>0.08ha</b>
7. Proportion of resident workforce working within Monmouthshire	Increase the proportion of resident workforce working within Monmouthshire	None	<b>54.5%</b>

8. Number of people in-commuting to Monmouthshire	Reduce the level of in-commuting over the Plan period	None	<b>19,200</b>
Number of people out-commuting from Monmouthshire	Reduce the level of out-commuting over the Plan period	None	<b>19,600</b>

### Analysis

1. There is 46.8ha of employment land available across the County. The figure is 3.3ha lower than the figure identified in Policy SAE1 as two applications were completed at Magor Brewery after the Deposit LDP prior to adoption.

Sufficient employment land is therefore maintained over the monitoring period providing opportunity to meet the identified take-up rate of 1.9ha per annum. Policies S8 and S9 are functioning effectively in this respect.

2. Whilst sufficient land is available the take-up rate of employment land was limited to 0.38ha over the monitoring period on protected employment sites rather than identified LDP allocations (SAE1 sites). The take-up included one new build development, though more commonly was associated with extensions to existing buildings.

A large proportion of undeveloped land is located in Magor along the M4 corridor providing a prime opportunity to secure investment. The take-up figure is likely to increase in the next monitoring period due to development currently underway in Chepstow. The trigger for further investigation relates to the total amount of land supply rather than take-up rates, this indicator will nevertheless be closely monitored in future AMRs to determine the effectiveness of the policy framework relating to employment land.

3. No planning permission was granted on allocated sites identified in Policy SAE1 during the monitoring period. The lack of applications coming forward for new employment floorspace on these sites is perhaps reflective of the slow growth experienced in the UK economy in recent years. It is, however, notable that enabling development in the form of a hotel/restaurant/public house has commenced at the allocated site in Llanfoist providing more of an attraction to prospective employers in this location. While it does not relate to an allocated SAE1 employment site, 6.5ha of the Wonastow Road, Monmouth strategic mixed-use site was approved for employment use over the monitoring period as part of the overall planning application.

Whilst there has been limited progress with the delivery of strategic employment sites, this is the first monitoring period and the conclusions drawn are therefore preliminary. The Council will continue to monitor this issue closely in future AMRs to determine the effectiveness of the policy framework relating to the delivery of strategic employment sites.

4. 13 applications were approved for employment use outside of the identified business and industrial sites (SAE1 sites), totalling 10.64 hectares. Of these, 7 permissions were on protected employment sites (SAE2 sites) totalling 2.18 hectares, 5 permissions were on non-allocated employment land totalling 1.97 hectares, and 1 permission related to the LDP strategic mixed-use site at Wonastow Road, Monmouth (6.5 hectares).

As may be expected, in terms of floorspace the majority of these permissions (9.7 hectares (92%)) were in the County's main towns with Abergavenny accounting for 0.21 hectares (B1 light industrial units at Nantgavenny Lane), Chepstow 1.83 hectares (B1 office conversion in the town centre and B2 industrial units at Newhouse Farm SAE2k), and Monmouth 7.74 hectares. The LDP strategic mixed-use allocation at Wonastow Road accounted for 6.5 hectares of employment permissions in Monmouth and hence for a large proportion of permissions in the main towns and County as a whole. Employment permissions in Severnside settlements totalled 0.39 hectares, at the protected employment sites of Wales One Business Park SAE2w (B1 office development, 0.1 hectares), Magor Brewery SAE2o (B2/B8 small extensions 0.08 hectares) and Severn Bridge Caldicot SAE2p (B8 workshop and storage 0.18 hectares and B2 extension to workshop 0.03 hectares). There was just 1 employment permission in the Rural Secondary Settlement of Penperlleni (change of use to a vehicle repair garage totalling 0.3 hectares at Plough Road), and 1 permission in the rural settlement of Llanvetherine (B1 change of use to office, 0.25 hectares).

While there is no specific target relating to this indicator, the Council monitors employment permissions on protected, unallocated and strategic mixed-use employment sites. The data collected demonstrates that these sites have accounted for all of the employment permissions in Monmouthshire over the monitoring period, the vast majority of which have been in the main towns. This indicates that despite the limited delivery of the SAE1 business and industrial sites, there has been some progress in terms of employment permissions elsewhere in the County. However, as this is the first monitoring period the conclusions drawn are very preliminary and the Council will continue to monitor this issue in future AMRs.

5. The majority of employment floorspace permitted on protected and unallocated employment sites during the monitoring period was for B1 uses (2.39 hectares), followed by B8 uses (1.42 hectares) and B2 uses (0.04 hectares). The strategic mixed-use allocation at Wonastow Road is allocated for B1 and B8 uses (6.5 hectares), while the permission at Penperlleni is for a mix of B1, B2 and B8 uses (0.3 hectares).

Turning more specifically to employment sectors, based on the UK Standard Industrial Classification (SIC) 2007 the employment permissions recorded over the monitoring period were in the following 4 sectors:

- Manufacturing (1.9 hectares)
- Wholesale and retail trade; repair of motor vehicles/motor cycles (0.3 hectares)
- Transport and storage; information and communication (1.35 hectares)
- Real estate; professional, scientific and technical activities; administrative and support service activities (0.6 hectares)

The above excludes the employment provision at the Wonastow Road site (6.5 hectares) as

this is an outline permission and the occupiers/ sectors are therefore not currently determined.

The data indicates that the manufacturing and transport/storage and information/communication sectors accounted for 5 and 2 of the permissions respectively and for the majority of the employment floorspace granted permission during the monitoring period (46% and 33% respectively). Of note, 4 permissions were in the real estate, professional, scientific and technical activities sector. These accounted for just 15% of the total employment floorspace permitted, however, this may be expected as such activities typically occupy significantly less floorspace than manufacturing and transport/storage uses.

While there is no specific target relating to this indicator the Council monitors employment sectors coming forward in the County. This will assist in determining whether the Council's ambitions for growing identified key economic sectors, including green/low carbon technologies and knowledge intensive/high technology enterprises, are being achieved. As this is the first monitoring period the conclusions drawn are very preliminary and the Council will continue to monitor this issue in future AMRs.

6. 1 application relating to the loss of employment land was approved during the monitoring period which involved the change of use of a portakabin from office accommodation to a children's nursery at Westgate Yard, Llanfoist. Although not a protected employment site, the site is adjacent to an identified business and industrial site – Westgate Business Park Llanfoist (SAE1d). Given the temporary nature of the building and the fact that it is not a purpose built business premises and was vacant, the proposal was not considered to conflict with LDP Policy E1 (Protection of Existing Employment Land), particularly when weighed against the benefits of the provision of a community facility of this nature.

While the data collected indicates that one employment facility has been lost to an alternative use over the monitoring period and subsequently the trigger for this indicator has been met, the loss is justified within the context and requirements of the LDP policy framework. It does not indicate any issue with the implementation of LDP policies and therefore no further investigation is required at present. The Council will continue to monitor such proposals in future AMRs to determine the effectiveness of the policy framework relating to this issue.

7. The 2014 Welsh Government Commuting Statistics indicate that 54.5% of the County's residents work in the area which is less than the Welsh average of 69.4%. The remaining proportion of residents (45.5%) work outside of Monmouthshire indicating relatively high levels of out-commuting.

There is an aspiration to increase the proportion of resident workforce working within Monmouthshire over the Plan period. However, as this is the first monitoring period no trends can be identified due to the limited amount of data available. The figure recorded during the current monitoring period will provide the baseline figure for future comparative analysis. The Council will continue to monitor this issue closely in future AMRs

to determine progress towards meeting this aspiration.

8. According to 2014 Welsh Government Commuting Statistics Monmouthshire had a net outflow of 400 commuters – with 19,200 commuting into the Authority to work and 19,600 commuting out. There was significant in-commuting from Newport (2,800), Blaenau Gwent (2,700) and Torfaen (2,600) and from outside of Wales (6,200). The main areas for out-commuting were Newport (4,400), Cardiff (3,000) and Torfaen (1,800), with a further 2,800 commuting to Bristol and 2,600 to other areas outside Wales. The high proportion of commuting to/from areas outside of Wales clearly reflects Monmouthshire’s location as a border authority.

There is an aspiration to reduce the levels of both in-commuting and out-commuting recorded in Monmouthshire over the Plan period. However, as this is the first monitoring period no trends can be identified due to the limited amount of data available. The figure recorded during the current monitoring period will provide the baseline figure for future comparative analysis. The Council will continue to monitor this issue closely in future AMRs to determine progress towards meeting this aspiration.

**Recommendation**

1. No action is required at present. Continue to monitor.
2. No action is required at present. Continue to monitor.
3. No action is required at present. Continue to monitor.
4. No action is required at present. Continue to monitor.
5. No action is required at present. Continue to monitor.
6. No action is required at present. Continue to monitor.
7. No action is required at present. Continue to monitor.
8. No action is required at present. Continue to monitor.

\* Additional indicator as set out in LDP Manual (WG, 2006)

\*\*UK Standard Industrial Classification (SIC) 2007. Only includes those sectors for which planning permission has been granted over the monitoring period. For a full list of sectors refer to the SIC 2007.

\*\*\*Sector(s) for Wonastow Road Site (6.5ha) unknown at present (outline application for B1/B8 uses) therefore excluded

◆Data Source: Monmouthshire Employment Land Background Paper for the period April 2014-March 2015



## Rural Enterprise

**Monitoring Aim/Outcome:** Encourage diversification of the rural economy

**Strategic Policy:** S10 Rural Enterprise

**LDP Objectives Supported:** 1, 3, 5, 7 & 14

**Other LDP Policies Supported:** RE1-RE6

### Contextual Changes

There have been no significant contextual changes relating to this policy area during the monitoring period.

Indicator	Target	Trigger for Further Investigation	Performance 27 February 2014 – 31 March 2015
1. Number of rural diversification and rural enterprise schemes approved*	No target	None	7
<b>Analysis</b>			
<p>1. 7 applications relating to rural diversification/enterprise were approved during the monitoring period. 5 of the applications were allowed as rural enterprise schemes. Of these, 3 related to conversion of existing agricultural buildings to provide business uses where the former use of the building had become redundant. An additional scheme related to the change of use of redundant public toilets in Tintern to a podiatrist business, providing the opportunity to improve the appearance of a redundant building in a Conservation Area/Area of Outstanding Natural Beauty. The final rural enterprise scheme related to new build development in order to support and expand an existing rural business. The remaining two applications related to agricultural diversification, one of which was approved for a 'glamping' tourism scheme, whilst the other was approved to provide a cattery. Both schemes will supplement and diversify the respective farm businesses.</p> <p>The amount of rural diversification and rural enterprise schemes approved over the monitoring period suggests that Strategic Policy S10 and supporting development management policies are operating effectively. The Council will continue to monitor this indicator in future AMRs to determine the effectiveness of this policy framework in relation to the diversification of the rural economy.</p>			
<b>Recommendation</b>			
1. No action is required at present. Continue to monitor.			

\*Rural Enterprise Schemes as listed here do not constitute those that require special justification as defined by TAN6

## Visitor Economy

**Monitoring Aim/Outcome:** Encourage high quality sustainable tourism

**Strategic Policy:** S11 Visitor Economy

**LDP Objectives Supported:** 1, 3, 5 & 7

**Other LDP Policies Supported:** T1-T3, RE6, SAT1

### Contextual Changes

There have been no significant contextual changes relating to this policy area during the monitoring period.

Indicator	Target	Trigger for Further Investigation	Performance 27 February 2014 – 31 March 2015
1. Number of tourism schemes approved <i>(includes extensions /conversions and new build)</i>	No target	None	<b>17 tourist accommodation units gained*</b>
2. Number of tourism facilities lost through development, change of use or demolition	Minimise the loss of tourism facilities	Loss of any 1 tourism facility in any 1 year	<b>5 tourism facilities lost</b>
<b>Analysis</b>			
<p>1. 10 applications were approved for tourism uses during the monitoring period, all of which were for tourist accommodation facilities. These included a total of 10 holiday accommodation units (all conversions) in various settlements** and a campsite (agricultural diversification scheme) comprising of 7 ‘glamping tents’ (yurts) in Llanvetherine. The number of tourist accommodation facilities approved suggests that the relevant Plan policies are operating effectively allowing such developments to take place. However, given that this is the first monitoring period the conclusions drawn are very preliminary and the Council will continue to monitor this issue closely in future AMRs to determine the effectiveness of the policy framework relating to the provision of tourist facilities.</p>			
<p>2. 5 applications relating to the loss of tourism facilities were approved during the monitoring period, all of which involved the loss of tourist accommodation. Two of these involved the change of use from B&amp;B to residential accommodation (Caldicot and Grosmont). However, given that the units were vacant and had previously been in use as dwellings the reversion to residential use was considered acceptable in principle.</p>			

Another application resulted in the loss of a holiday let to residential accommodation (Devauden) which was considered acceptable in order to meet a specific housing need. One application involved the change of use of a B&B to office accommodation in Chepstow. In this instance the evidence submitted with the application indicated that the B&B had a persistently low occupancy rate and it was determined that the loss of the facility would not adversely impact on tourism. A further application related to the demolition of a public house/hotel in Portskewett and its replacement with a workshop/storage facility. This was deemed acceptable as the site is within an allocated employment site for B1, B2 and B8 uses and the proposed employment use is in accordance with the allocation and surrounding industrial uses.

While the data collected indicates that a number of tourist accommodation facilities have been lost to alternative uses over the monitoring period and subsequently the trigger for this indicator has been met, their loss is justified within the context and requirements of the LDP policy framework. The Council will continue to monitor such proposals in future AMRs to determine the effectiveness of the policy framework relating to this issue.

#### **Recommendation**

1. No action is required at present. Continue to monitor.

2. No action is required at present. Continue to monitor.

\*All visitor accommodation: 10 self-catering holiday cottages/apartments; 7 yurts

\*\*Abergavenny, Little Mill, Llandewi Skirrid, Llantilio Crosenny, Monmouth, Skenfrith, Talycoed, Tintern, Wolvesnewton

## Efficient Resource Use and Flood Risk

**Monitoring Aim/Outcome:** To ensure development accords with the principles of sustainable development

**Strategic Policy:** S12 Efficient Resource Use and Flood Risk

**LDP Objectives Supported:** 1, 8, 9, 10 & 11

**Other LDP Policies Supported:** SD1-SD4

### Contextual Changes

#### Building Regulations Part L and Amendments to PPW/TAN 12 Design

Amendments were made to Part L of Building Regulations (Conservation of Fuel and Power) on energy efficiency in July 2014. Technical Advice Note (TAN) 22 was subsequently deleted by the Welsh Government and Section 4.12 of Planning Policy Wales (PPW) was revised to delete national development management policy relating to sustainable building standards. The changes extend energy efficiency requirements for all new domestic buildings to ensure an 8% reduction in greenhouse gas emissions and a 20% reduction in non-domestic buildings, compared to 2010 Building Regulations levels. Consequently, LDPs are no longer required to develop policies for local sustainable building standards as these matters are now dealt with through building regulations. In addition to the revisions to PPW, TAN12 relating to Design was updated to provide information on the energy hierarchy, allowable solutions and sustainable building policies relating to strategic sites in LDPs. Practice Guidance was also produced.

The changes do not result in a requirement to make modifications to LDP policies. Minor amendments will nevertheless be required to the supporting text of policies S12 and SD2 (Sustainable Construction and Energy Efficiency), although these changes are not so significant to result in the early review of the Plan. As a consequence of these changes, two of the monitoring framework indicators relating to Strategic Policy S12 have been deleted as they are no longer relevant. The indicators relating to the Code for Sustainable Homes and BREEAM are therefore not included in the table below.

Indicator	Target	Trigger for Further Investigation	Performance 27 February 2014 – 31 March 2015
1. Proportion of development on brownfield land as a percentage of all development permitted* <i>(excludes householder,</i>	Increase proportion of development on brownfield land	No increase in proportion of development on brownfield land for 2 consecutive years	<b>28%</b> <b>(17.3ha)</b>

<i>change of use and agricultural buildings)</i>			
2. Amount of development (by TAN15 category) permitted in C1 and C2 floodplain areas not meeting all TAN15 tests*	All developments to be compliant with TAN15 requirements	Planning permission is granted contrary to TAN15 requirements	<b>1 application granted in Zone C1</b>
3. Number of new developments permitted that incorporate on-site renewable energy generation** (excludes householder, change of use and agricultural buildings)	Increase in the number of new developments permitted incorporating renewable energy generation	No annual increase	<b>2</b>
4. Number of new developments completed that incorporate on-site renewable energy generation (excludes householder, change of use and agricultural buildings)	Increase in the number of new developments completed incorporating renewable energy generation	No annual increase	<b>N/A</b>
<b>Analysis</b>			
<p>1. A total of 62 hectares of development was permitted over the monitoring period, 17.3ha of which was located on brownfield sites. This equated to 28% of all development (excluding householder, change of use and agricultural buildings) as being permitted on brownfield land. Monmouthshire has limited opportunities for development on such land. A large proportion of the brownfield development permitted (approximately 61% of the total) related to housing plots in existing residential curtilage/garden areas. The other permissions on brownfield sites varied from developments on employment land to redevelopment of former school sites.</p> <p>The trigger for further investigation is based on a 2 year period to enable consequential trends to emerge. Accordingly, the data recorded during the current monitoring period will provide the baseline figure for future comparative analysis. It will subsequently be important to monitor this indicator in future AMRs in order to identify trends and ascertain whether the target of increasing the proportion of development on brownfield land being met.</p>			

2. One application was granted permission for a change of use to holiday accommodation in Zone C1 floodplain over the monitoring period. The application related to the conversion of a granary to the rear of a public house. While it was accepted that the tourism use would result in the building being used for highly vulnerable development the proposal was deemed to be in accordance with Policy SD3 (Flood Risk). The conversion of the granary was considered as an extension to the existing use of the public house providing a supplementary source of income for the established tourism/leisure business. In addition to this, there was also an extant permission for new build holiday lets on site and the principle for holiday accommodation was consequently previously accepted in this location.

While the trigger for this indicator has been met, the conversion of the granary to holiday accommodation is justified in the context and requirements of the LDP policy framework. The Council will continue to monitor this indicator in future AMRs to determine the effectiveness of the policy framework relating to this issue.

3. Two applications were permitted over the monitoring period for on-site renewable energy generation. One scheme related to a biomass boiler and associated biomass storage barn in order to provide 7 households in the vicinity with heat and hot water. The other related to a solar farm with a maximum output of 8.1 MW providing energy for the equivalent of 2120 average households annually. The solar scheme will also provide educational facilities as part of a wider community education scheme. Both schemes will provide economic, social and community benefits once implemented. The two schemes approved over the monitoring period suggest that Strategic Policy S12 and supporting policies are operating effectively in respect of renewable energy. However, given that this is the first monitoring period the conclusions drawn are preliminary and the Council will subsequently continue to monitor this issue closely in future AMRs to determine the effectiveness of the policy framework relating to efficient resource use.

4. There were no completions incorporating on-site renewable energy generation which is to be expected as no such permissions were approved during the monitoring period. This will be monitored for the 2015-2016 period based on applications granted for on-site renewable energy in 2014-2015 and 2015-2016 in order to determine the effectiveness of the policy framework in relation to efficient resource use.

**Recommendation**

1. No action is required at present. Continue to monitor.

2. No action is required at present. Continue to monitor.

3. No action is required at present. Continue to monitor.

4. No action is required at present. Continue to monitor.

\*Additional Indicator as set out in LDP Manual (WG, 2006)

\*\*Additional monitoring indicator included in the monitoring framework in order to identify schemes in 4

## Landscape, Green Infrastructure and the Natural Environment

**Monitoring Aim/Outcome:** To protect open space and sites of acknowledged nature conservation and landscape importance

**Strategic Policy:** S13 Landscape, Green Infrastructure and the Natural Environment

**LDP Objectives Supported:** 8

**Other LDP Policies Supported:** LC1-LC6, GI1 & NE1

### Contextual Changes

There have been no significant contextual changes relating to this policy area during the monitoring period.

Indicator	Target	Trigger for Further Investigation	Performance 27 February 2014 – 31 March 2015
1. Amount of Greenfield land lost to development which is not allocated in the development Plan* <i>(includes new built development – housing, employment but excludes agricultural buildings)</i>	Minimise the loss of non-allocated Greenfield land	Any loss of non-allocated Greenfield land in any 1 year	<b>26.0 ha</b>
2. Amount of public open space / playing fields lost to development which is not allocated in the development Plan*	Minimise the loss of open space / playing fields to development that is not allocated in the development Plan	Any loss of open space due to development, not allocated in the development Plan in any 1 year	<b>1.47 ha</b>
3. Change in areas and populations of biodiversity importance due to development – including change in priority habitats and species / change in designated areas	As a minimum development causes no net loss of biodiversity of acknowledged importance	A recorded net loss in areas and populations of biodiversity importance due to development	<b>Data not available</b>

4. Developments permitted / completed that are within, or likely to adversely effect, internationally / nationally important nature conservation areas	None adversely affected	Recorded damage or fragmentation of designated sites / habitats	<b>Data not available</b>
5. Developments granted permission that cause harm to the overall nature conservation value of locally designated sites	Minimise developments that would cause harm to the overall nature conservation value of locally designated sites	1 or 2 developments result in overall harm for 2 consecutive years, or 3 or more developments result in harm in any 1 year	<b>Data not available</b>
6. Number of new developments delivering habitat creation and restoration	Increase number of new developments delivering habitat creation / restoration	None	<b>1</b>
7. Sample of planning applications granted with the potential for significant landscape implications	All development to contribute to high quality well designed environment	Monitoring results are negative	<b>Data not available</b>

#### Analysis

1. Over the monitoring period 28 permissions were granted on greenfield land which is not allocated for development in the LDP, totalling 26.0 hectares. The majority of these permissions (13) related to 'horsiculture' activities e.g. riding arenas, stables (total 1.77 hectares) all of which were considered to be an appropriate use of land in rural areas. 7 permissions related to residential development (total 0.86 hectares) – these ranged from extensions to residential curtilages to new dwellings which were considered acceptable in policy terms. There were also 2 permissions for employment use on non-allocated greenfield land (total 1.4 hectares) which were considered appropriate in policy terms, particularly in supporting local businesses. Other proposals permitted included rural enterprise, tourism and community uses (0.04, 2.4 and 0.45 hectares respectively) which were again considered to accord with LDP policies.

A renewable energy scheme (solar panels) at Pen Y Cae Mawr accounted for the majority of greenfield land permitted at 18.5 hectares. Whilst a significant area of non-allocated greenfield land is covered by this permission, it was considered acceptable in principle as it will provide a form of renewable energy and fundamentally the land can be restored to



its former status in the future (typically after 25 years) and can continue to be grazed with the panels in situ.

While the data collected indicates that there has been a loss of non-allocated greenfield land over the monitoring period and subsequently the trigger for this indicator has been met, the loss is justified within the context and requirements of the LDP policy framework. It does not indicate any issue with the implementation of LDP policies and therefore no further investigation is required at present. The Council will continue to monitor such proposals in future AMRs to determine the effectiveness of the policy framework relating to this issue.

2. During the monitoring period 4 permissions were granted on areas of open space not allocated for development in the LDP, totalling 1.47 hectares. Two of these permissions related to residential development, one of which involved the loss of an area of grassland within Llangybi (0.19 hectares). Although an open green space, the area is not afforded specific designation within the LDP as an area of amenity importance under Policy DES2, and given compliance with other LDP policies the principle of development was considered acceptable. The other residential permission involved the loss of a small area of amenity importance in Rogiet (0.85 hectares). However, the development was not considered to be contrary to the criteria of Policy DES2 and as the vast majority of public open space is to be retained for recreational use it was considered an acceptable loss of open space. Moreover, the development will enable a 100% affordable housing site to be delivered.

The other two permissions resulting in the loss of non-allocated open space related to community uses – an overspill car park at Llantillio Pertholey Community Hall (0.09 hectares) and a skate park at Rockfield Road Recreation Ground Monmouth (0.34 hectares). As both permissions will provide a community use (in the case of the latter an alternative community facility) the loss of open space was considered acceptable in principle in planning policy terms.

While the data collected indicates that there has been a loss of non-allocated open space during the monitoring period and subsequently the trigger for this indicator has been met, the loss is justified within the context and requirements of the LDP policy framework. It does not indicate any issue with the implementation of LDP policies and therefore no further investigation is required at present. The Council will continue to monitor such proposals in future AMRs to determine the effectiveness of the policy framework relating to this issue.

3. Unable to monitor as this information is not currently available and the Monmouthshire LBAP is not up to date. The potential for monitoring this indicator for the 2015-2016 period will be given further consideration in the next AMR.

4. Unable to monitor as this information is not currently available. The potential for monitoring this indicator for the 2015-2016 period will be given further consideration in the next AMR.

5. Unable to monitor as this information is not currently available. The potential for monitoring this indicator for the 2015-2016 period will be given further consideration in the next AMR.

6. One application related specifically to the creation of a wildlife pond in Shirenewton. Whilst the pond will be visible from the adjacent public highway it will provide valuable biodiversity gain.

While only one application is listed, it is likely other schemes approved over the monitoring period will help restore habitat through improved Green Infrastructure networks. Although there is no trigger for further investigation in relation to this indicator, the Council will continue to be monitor the issue in future AMRs to determine the effectiveness of the policy framework in relation to Landscape, Green Infrastructure and the Natural Environment.

7. Unable to monitor as this information is not currently available. It is anticipated that the adoption and subsequent implementation of the GI SPG during the next monitoring period will assist with monitoring this indicator. This will be given further consideration in the next AMR.

**Recommendation**

1. No action is required at present. Continue to monitor.

2. No action is required at present. Continue to monitor.

3. Planning Policy Service to liaise with the Council's Countryside Service to seek a way forward to monitor this issue in the next monitoring period.

4. Planning Policy Service to liaise with the Council's Countryside Service to seek a way forward to monitor this issue in the next monitoring period.

5. Planning Policy Service to liaise with the Council's Countryside Service to seek a way forward to monitor this issue in the next monitoring period.

6. No action is required at present. Continue to monitor.

7. Planning Policy Service to liaise with the Council's Countryside Service to seek a way forward to monitor this issue in the next monitoring period.

\*Additional indicator as set out in LDP Manual (WG, 2006)

## Waste

<b>Monitoring Aim/Outcome:</b>	Meet the County's contribution to local waste facilities
<b>Strategic Policy:</b>	S14 Waste
<b>LDP Objectives Supported:</b>	12
<b>Other LDP Policies Supported:</b>	W1-W6, SAW1

### Contextual Changes

#### Planning Policy Wales (PPW) (Edition 7, July 2014)

#### Technical Advice Note (TAN) 21 Waste, WG February 2014

As stated in Welsh Government Policy Clarification Letter CL-01-12, a re-write of national planning policy on waste was needed to reflect the new waste policy context introduced through the EU Directive on Waste (2008/98/EC); the Waste Strategy for Wales, 'Towards Zero Waste, June 2010; and the underpinning suite of waste sector plans, in particular the Collections, Infrastructure and Markets (CIM) Sector Plan, June 2012. PPW, therefore, was amended in February 2014 (Edition 6) and a revised TAN21 issued in the same month.

The LDP Waste policies were prepared in the context of the South East Wales Regional Waste Plan (RWP) 1<sup>st</sup> Review (2008). The revised PPW and TAN21 no longer require the preparation of RWPs. The CIM Sector Plan describes the waste management framework considered to provide the best solutions to meet environmental, social and economic needs in Wales to 2050. Waste assessments contained within the CIM Sector Plan do not have to be repeated by local planning authorities at a regional or local level. However, monitoring will need to be carried out through voluntary co-operation at a regional level to inform decision making in future LDPs and in dealing with planning applications for waste. The information on landfill void and operational recovery capacity will be collated by a lead local planning authority in each region and published in an annual Waste Planning AMR. No Waste Planning AMR has yet been produced. Future LDP AMRs will need to consider the findings of any such reports. The implications of the new policy changes set out in PPW and TAN 21 will need to be taken into account at review. The changes are not considered to result in a requirement to make modifications to current LDP policies.

Indicator	Target	Trigger for Further Investigation	Performance 27 February 2014 – 31 March 2015
1. Amount of waste management capacity permitted expressed as a percentage of the total capacity required	Aim to provide between 2.2 and 5.6 hectares for new in-building waste management facilities	Amount of B2 employment land falls below 5.6 ha	<b>Waste capacity permitted 1.49 ha (i.e. 68% of 2.2</b>

as identified in the Regional Waste Plan*	located on appropriate B2 employment sites over the Plan period		<b>ha to 27% of 5.6 ha)</b>  <b>Identified potential waste management sites 32.5 ha</b>
<b>Analysis</b>			
<p>1. Two permissions relating to waste management facilities have been permitted during the monitoring period: the installation of hardstanding and lagoon to accommodate an extension to an existing green waste facility at Maindiff Court Farm, Llantilio Pertholey (0.45 ha) and change of use to allow for the bringing in of waste materials, processing and grading of these materials and moving them off site at Unit 21 Caerwent Army Training Estate (1.04 ha). Progress has been made, therefore, in meeting the required provision of between 2.2 and 5.6 ha during the Plan period. There has been a reduction in the amount of land available for potential waste management sites (i.e. B2 employment sites and existing waste disposal or management sites) from the 35.4 ha identified in the LDP to 32.5 ha (due to the take up of some B2 employment land at the Quay Point, Magor B2 site). There remains, therefore, ample land available for potential waste management sites in relation to the maximum requirement of 5.6 ha.</p>			
<b>Recommendation</b>			
<p>1. No action is required at present. Continue to monitor.</p>			

\*Additional indicator as set out in LDP Manual (WG, 2006)

## Minerals

**Monitoring Aim/Outcome:** Safeguard areas of aggregates resources

**Strategic Policy:** S15 Minerals

**LDP Objectives Supported:** 12

**Other LDP Policies Supported:** M1-M3

### Contextual Changes

There have been no significant contextual changes relating to this policy area during the monitoring period.

Indicator	Target	Trigger for Further Investigation	Performance 27 February 2014 – 31 March 2015
1. Extent of primary land-won aggregates resources as a percentage of total capacity identified in the Regional Technical Statement*	A minimum land bank of 10 years to be maintained	10 years land bank is not maintained	<b>0</b>
2. Number of permitted permanent non-mineral developments on safeguarded sites that do not comply with Policy M2**	Minimise the number of permanent non-mineral developments on safeguarded sites	If any such developments are permitted	<b>0</b>

### Analysis

1. No land-based minerals extraction took place in the County during the monitoring period. There has, therefore, been no reduction in the land bank, which relies on the reserves available at Ifton Quarry, Rogiet. This quarry has not been worked for some time but has the benefit of an existing planning permission. Given the importance of maintaining a 10 year land bank the Council will continue to monitor this issue closely in future AMRs.

2. This indicator originally required the 'number of permitted permanent non-mineral developments on safeguarded sites'. This would have not been meaningful, however, as a number of developments have been permitted on safeguarding areas but only in instances where there was no conflict with Policy M2, e.g. they may have been in areas where minerals working would not have been permitted because of proximity to existing

residential properties or because the proposals constituted infill development within a built up area. The indicator has been amended, therefore, to require the number of developments permitted in a minerals safeguarding area in non-compliance with Policy M2. No such permissions occurred during the monitoring period.

This indicates that Policy M2 is being implemented effectively and no further investigation is required at present. The Council will continue to monitor this issue in future AMRs to determine the effectiveness of the policy framework relating to this issue.

<b>Recommendation</b>
1. No action is required at present. Continue to monitor.
2. No action is required at present. Continue to monitor.

\*Additional indicator as set out in LDP Manual (WG, 2006)

\*\*Indicator amended to include reference to Policy M2 for clarification

## Transport

- Monitoring Aim/Outcome:** To increase sustainable forms of transport and ensure that all development meets sustainable transport planning principles
- Strategic Policy:** S16 Transport
- LDP Objectives Supported:** 1-6, 9 & 13
- Other LDP Policies Supported:** MV1-MV10

### Contextual Changes

#### Guidance to Local Transport Authorities – Local Transport Plan 2015, May 2014

The 2010 South East Wales Regional Transport Plan (RTP) has now been replaced as the Council's statutory local transport plan. Subsequent to WG Local Transport Plan (LTP) guidance in May 2014, Monmouthshire prepared a new LTP in January 2015 which was approved by WG in May 2015. The Council's Transport Section is responsible for the implementation of the LTP. As directed by the guidance, the LTP is an update of schemes and priorities identified in the RTP. The transport schemes identified in Policy MV10 are therefore carried forward to the Monmouthshire LTP and their progress will be monitored through the AMR process.

#### Statutory Guidance for the Delivery of the Active Travel (Wales) Act, October 2014

The Act requires local authorities in Wales to produce active travel maps and deliver year on year improvements in active travel routes and facilities. In terms of implications for the LDP, any new or amended proposals for active travel routes and facilities, especially for walking and cycling, may be considered for safeguarding at LDP Review where they are within a programme, supported by funding and likely to be delivered in the Plan period. This will be further considered in future AMRs.

Indicator	Target	Trigger for Further Investigation	Performance 27 February 2014 – 31 March 2015
1. Number of improvements to transport secured through S106 agreements	No target	None	<b>3 S106 agreements delivering transport improvements</b>
2. Progression of LTP* schemes detailed in Policy MV10 in accordance with the	LTP proposals implemented in accordance with the LTP delivery timetable	LTP proposals detailed in Policy MV10 are not being implemented in	<b>Progression detailed in analysis below</b>

LTP delivery timetable		accordance with the LTP delivery timetable	
<b>Analysis</b>			
<p>1. The following transport improvements have been secured through S106 agreements over the monitoring period:</p> <ul style="list-style-type: none"> <li>• Gavenny Gate, Llanfoist - 80 dwellings: Green Travel Plan (£550 per unit, total £44,000)</li> <li>• Land at Swan Meadow, Abergavenny - 38 retirement apartments: Local transport infrastructure in the vicinity of the development (£10,000)</li> <li>• Wonastow Road, Monmouth - 370 dwellings &amp; 6.5ha of employment land: New bus stop facilities &amp; improvements to existing bus services (£200,000) Council to complete off-site improvements to footpath 375/267 (£100,000) Access road through the employment land to be installed on occupation of 40% of total number of units permitted.</li> </ul> <p>As indicated above, a number of transport improvements have been secured via S106 agreements all of which relate to residential development. In accordance with LDP transport policy framework, the improvements seek to encourage sustainable transport in the vicinity of the respective developments.</p> <p>While there is no specific target relating to this indicator the Council is interested in monitoring the amount of transport improvements secured through S106 agreements. However, as this is the first monitoring period the conclusions drawn are very preliminary and the Council will continue to monitor this issue in future AMRs. It is anticipated that as LDP site allocations come forward an increased number of sustainable transport improvements will be secured through either the S106 or CIL processes.</p>			
<p>2. The progress of LTP* schemes detailed in Policy MV10 in accordance with the LTP timetable is as follows:</p> <p><b>B4245/M48 Link Road:</b> No progress. Current M4 corridor enhancement scheme proposes new junction to the east of Magor/Undy and Rogiet which would provide link between (declassified) M48 (and M4) and B4245. Progress on the B4245/M48 Link Road is dependent on the outcome of the decision on the M4 corridor enhancement scheme.</p> <p><b>Abergavenny Rail Station Interchange:</b> Scheme included in new LTP as Abergavenny rail station access and interchange improvements. Expected that the scheme will be taken forward as part of WG's Metro project - letters have been sent to WG's Cardiff Capital Region Board and Metro Team to progress the scheme in January 2016.</p> <p><b>Chepstow Rail Station and Bus Station Interchange:</b> Scheme included in new LTP as Chepstow rail station access and interchange improvements. Expected that the scheme will be taken forward as part of WG's Metro project - letters have been sent to WG's Cardiff Capital Region Board and Metro Team to progress the scheme in January 2016.</p>			



**Severn Tunnel Junction Interchange:** Scheme included in new LTP as Severn Tunnel Junction rail station access and interchange improvements. Construction of new disabled access and changes to the station access and car park is underway and due for completion during the next monitoring period. Discussions with options for further development are ongoing.

**Monmouth Park and Ride:** No progress.

**Chepstow Park and Ride:** No progress.

**Monmouth Links Connect 2:** MCC's Transport Section has advised that substantial elements of the scheme have been delivered. Remaining elements are to be reviewed as part of the Monmouth Active Travel Network / scheme included as Monmouth Links Connect 2 further phases (Monmouth Active Travel Network).

There has been some progress towards the delivery of the LTP\* schemes detailed in Policy MV10. As indicated above, a number are progressing - most notably, elements of the Monmouth Links Connect 2 project have been delivered and parts of the Severn Tunnel Junction Interchange scheme are likely to be completed in 2016. Progress in relation to the Abergavenny Rail Station Interchange and Chepstow Rail /Bus Station Interchange is also expected in the next monitoring period as part of the WG's Metro Project.

Given that this is the first monitoring period and the LTP has been recently adopted the conclusions drawn are very preliminary. The Council will continue to monitor the progress of the schemes in future AMRs to determine whether they are being implemented in accordance with the LTP delivery timetable.

<b>Recommendation</b>
1. No action is required at present. Continue to monitor.
1. No action is required at present. Continue to monitor.

\*The 2015 Monmouthshire Local Transport Plan (LTP) has replaced the 2010 South East Wales Regional Transport Plan (RTP). The transport schemes identified in the RTP have been carried forward to the LTP. The indicator wording has been amended to reflect this.

## Place Making and Design

**Monitoring Aim/Outcome:** To protect sites and buildings of acknowledged built and historic interest

**Strategic Policy:** S17 Place Making and Design

**LDP Objectives Supported:** 14 & 15

**Other LDP Policies Supported:** DES1-4, HE1-4

### Contextual Changes

There have been no significant contextual changes relating to this policy area over the monitoring period.

Indicator	Target	Trigger for Further Investigation	Performance 27 February 2014 – 31 March 2015
1. Number of listed buildings and historic sites	No applications to result in the loss of listed buildings	There is a loss of more than 1 listed building for 3 or more consecutive years	<b>Refer to analysis (1) below</b>
2. Number of conservation areas with up-to-date character appraisal	100% of identified draft Conservation Area Appraisals by 2016*	Target is not met	<b>1 Complete 3.3% (Trellech)</b>
3. Sample of planning applications granted for developments with potential for significant design / environmental implications	All development to contribute to the creation of a high quality well designed environment	Monitoring results are negative	<b>No relevant data - refer to analysis (3) below</b>
4. Sample of planning applications granted for developments with the potential for significant impact on buildings of historic / archaeological interest, scheduled ancient monuments and conservation areas	No adverse impact on the historic environment	Any development adversely affects the historic environment	<b>No relevant data - refer to analysis (4) below</b>

5. Occasions when development permitted would have an adverse impact on a listed building, conservation area, site of archaeological significance, or historic landscape park or their setting	Development proposals do not adversely impact upon buildings and areas of built or historic interest and their setting	1 or more planning consents are issued where there are outstanding objections from the Council's Conservation Team, Cadw or GGAT	<b>None recorded</b>
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### Analysis

#### 1. Number of listed buildings and historic sites:

	LDP Base Date 2011	2014
<b>Listed Buildings</b>	2146	2154
<b>Scheduled Ancient Monuments</b>	169	164
<b>Historic Parks and Gardens</b>	44	45
<b>Archaeologically Sensitive Areas</b>	10	10
<b>Landscapes of Outstanding Historic Interest</b>	3	3

There has been an increase of 8 in the number of listed buildings/structures since the LDP base date of 2011. While it appears there was a loss in the number of Scheduled Ancient Monuments (SAMs) a reappraisal has been undertaken to assess the number within the Monmouthshire administrative area. 3 SAMs previously considered as within Monmouthshire, whilst close to the Monmouthshire planning area, are actually located outside the area. 2 SAMs were de-scheduled prior to the adoption of the LDP. Both of the SAMs that were de-scheduled nevertheless remain of historic interest, one of which is a Grade I listed gatehouse and the other a Grade II listed bridge. The figure has been adjusted accordingly to assist in future monitoring. An additional Historic Park and Garden was registered in September 2013 which results in the increase to 45, this is included on the LDP Constraints Mapping but was not provided in time to amend the LDP text. There were no changes to the Archaeologically Sensitive Areas or Landscapes of Outstanding Historic Interest.

There were consequently no losses to the number of listed buildings or historic sites over the monitoring period. Policy S17 is functioning effectively in this respect. The Council will continue to monitor the number of listed buildings and historic sites to determine the effectiveness of the policy framework relating to this issue.

2. With regard to the number of Conservation Areas with up-to-date character appraisals, Trellech is currently the only Conservation Area with an up-to-date adopted character appraisal. 18 additional draft Conservation Area Character Appraisals are timetabled for consultation by the Conservation Team during the next monitoring period, which once adopted would further increase this figure to 100% of those in progress in the lead up to the adopted LDP. The remaining 12 Conservation Area Appraisals will be

progressed in the future subject to available resources.

3. Members of Planning Committee attend an annual design tour. The last design tour took place in September 2014 but did not consider any applications approved under the LDP.

Future design tours should include applications that were considered after the LDP was adopted, although it is appreciated applications may take a number of years before they are completed. The Council will continue to monitor samples of planning applications closely in future AMRs to determine the effectiveness of the policy framework relating to design.

4. Members of Planning Committee attend an annual design tour. The last design tour took place in September 2014 but did not consider any applications approved under the LDP.

Future design tours should include applications that were considered after the LDP was adopted, although it is appreciated applications may take a number of years before they are completed. The Council will continue to monitor samples of planning applications closely in future AMRs to determine the effectiveness of the policy framework relating to developments with potential for significant impact on buildings of historic/archaeological interest, Scheduled Ancient Monuments and Conservation Areas.

5. There were no planning consents issued over the monitoring period with an outstanding objection from the Council's Conservation Team, Cadw or GGAT. Policy S17 is functioning effectively in this respect. The Council will continue to monitor the number of listed buildings and historic sites to determine the effectiveness of the policy framework relating to this issue.

**Recommendation**

1. No action required at present. Continue to monitor.

2. No action required at present. Continue to monitor.

3. No action required at present. Continue to monitor.

4. No action required at present. Continue to monitor.

5. No action required at present. Continue to monitor.

\*Target wording amended for clarification, relates to the 18 draft Conservation Area Appraisals that were in progress during the lead up to the adoption of the LDP.

### Methodology

The Sustainability Appraisal monitoring expands the assessment of the performance of the LDP against the Sustainability Appraisal (SA) Monitoring Objectives. The data collated includes a mix of qualitative and quantitative data with a commentary in the latter column to describe the progress and provide a recommendation. Not all of the indicators originally listed in the SA monitoring framework are included, information is only provided for those indicators where data is available. The Deleted SA Indicators Table identifies the indicators previously considered for monitoring in the Sustainability Appraisal Report Addendum (2014) that have been deleted and outlines the reasoning. In some instances information is no longer available, in other instances the data available is of insufficient detail to enable useful monitoring.

Indicators may have been amended where there is a data gap to allow for similar information to be collated, the text is italicised to identify indicators where a change has been made. There is also overlap with some LDP indicators, these indicators are marked in bold and coloured green for clarity. This is intended to provide an indication of how the LDP monitoring and SA monitoring are interlinked. A brief commentary is provided although reference should be made to Section 5 LDP Policy Analysis for additional information.

There are a number of SA indicators where information is not published annually, for example those based on the census. The purpose of the monitoring framework is to review changes on an annual basis, as a consequence these are not necessarily going to be useful moving forward in terms of future monitoring. They have however been retained in order to provide a baseline, further work will be undertaken in time for the next AMR to determine whether alternative sources of information are available.

The traffic light rating system used for the LDP Monitoring Indicators has not been taken forward for use with the SA Monitoring. Many of the SA objectives are aspirational. In addition, the LDP alone would not be the only factor that would need to be considered in achieving their aims. The SA Monitoring does not include targets as such, unlike the LDP monitoring, it would therefore prove difficult to interpret the commentary into a traffic light rating. The symbols associated with certain indicators identify the desired direction for change. The symbols refer to; (+) increase or more; (-) decrease, less or none and; (nc) no change. This is the first SA monitoring to be undertaken since the adoption of the LDP and it provides a baseline only, emerging trends are therefore not apparent. Accordingly, the direction of change is not included in the commentary for this monitoring period but will be included in future AMRs. This will be utilised to assess the LDPs progression towards meeting the identified sustainable development indicators.

Information contained in the SA monitoring framework in the main relates to a wide range of data produced internally, by various departments of the Council and externally from other organisations. Where data has been sourced externally, a footnote is provided to ensure the data source is easily identifiable.

Headline	Objective	SA Indicators	Data	Commentary
Accessibility	Allow equitable access for all to jobs, services and facilities they need, in a way that reduces reliance on car use	<ol style="list-style-type: none"> <li>1. Average travel to work distance (-)</li> <li>2. Proportion of people travelling to work by public transport, walking or cycling (+)</li> <li>3. Proportion of the workforce who remain in their own area for work, according to travel to work statistics' (+)</li> <li>4. <i>Proportion of housing development completed within or adjoining the main towns, Severnside Settlements, Rural Secondary Settlements (RSS) and rural general, as identified in Policy S1.</i></li> <li>5. Percentage of new development within 10 minute walk from a frequent and regular bus service (+)</li> </ol>	<ol style="list-style-type: none"> <li>1. 21.9km*</li> <li>2. 16.7%*</li> <li>3. 54.5%****</li> <li>4. Main Towns: 27%, Severnside: 43%, RSS: 6%, Rural General: 24%</li> <li>5. Data not available</li> </ol>	<p><b>1 – 3.</b> The 2011 Census recorded 16.7% of people travelling to work by public transport, walking or cycling. The Welsh Government travel to work statistics identify 54.5% remaining in their own area for work, this sets the baseline for future comparative analysis. The average travel to work distance is 21.9km. Data will not be published until the next census in 2021, as a consequence a meaningful comparison will not be able to be obtained until that time. This data will subsequently remain the same in future AMRs.</p> <p><b>4.</b> The Severnside Settlements provided the largest proportion of completions over the monitoring period equating to 43% of the overall figure. The Main Towns provided 27% and the Rural Secondary Settlements 6%. The Rural General figure which includes Main Villages delivered 24%. The Policy Analysis in Section 5 relating to the Spatial Strategy provides full analysis of this indicator.</p> <p><b>5.</b> This information is not available for the current monitoring period. The indicator will be amended for next year's monitoring period to 'percentage of major new development within 10 minute walk from a frequent and regular bus service' and monitored accordingly.</p> <p><b>Continue to monitor SA objective.</b></p>
Housing	Provide a range of types and tenures of housing that allows people to meet their housing needs	<ol style="list-style-type: none"> <li>1. People in housing need (-)</li> <li>2. <b>Affordable home completions (+)</b></li> <li>3. <b>General market home completions</b></li> <li>4. <b>Average density of</b></li> </ol>	<ol style="list-style-type: none"> <li>1. 478 over 5 Year Period (2010 base date)</li> <li>2. 17</li> <li>3. 188</li> <li>4. 33dpha</li> </ol>	<p><b>1.</b> A new Local Housing Market Assessment (LHMA) is being prepared in accordance with the revised Welsh Government methodology. This will be published in time for the next monitoring period.</p>



Headline	Objective	SA Indicators	Data	Commentary															
		<p>housing permitted on allocated sites</p> <p>5. The number of dwellings permitted and completed on strategic sites as identified in policy S3.</p> <p>6. Number of affordable dwellings built through rural exception schemes</p> <p>7. Number of dwellings provided in accordance with the settlement hierarchy set out in Policy S2</p> <p>8. Housing land supply</p>	<p>5. 370 dwellings permitted, 0 completed</p> <p>6. 0 completed (1 affordable dwelling permitted)</p> <p>7. See table in commentary section</p> <p>8. 5.0 Years</p>	<p>2 – 5. There were 17 affordable home completions and 188 market dwelling completions over the monitoring period. Of the allocated sites permitted the average density per hectare was 33. No strategic sites were completed over the monitoring period, however 370 dwellings were permitted on the Wonastow Road Strategic Mixed Use Site (SAH4) in Monmouth.</p> <p>6. While no rural exception affordable dwellings were completed over the monitoring period, one of the affordable dwellings was permitted through the 'build your own affordable home' scheme as a rural exception.</p> <table border="1"> <thead> <tr> <th></th> <th>2014 - 2015</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>Main Towns</td> <td>27%</td> <td>41%</td> </tr> <tr> <td>Severnside</td> <td>43%</td> <td>33%</td> </tr> <tr> <td>Rural Secondary</td> <td>6%</td> <td>10%</td> </tr> <tr> <td>Rural General</td> <td>24%</td> <td>16%</td> </tr> </tbody> </table> <p>7. The table above provides a breakdown of the 205 dwellings completed, in comparison with the settlement hierarchy set out in Policy S2. The Policy Analysis in Section 5 relating to the Spatial Strategy provides full analysis of this indicator.</p> <p>8. The Monmouthshire Joint Housing Land Availability Study (JHLAS) for the 2014 period demonstrates that based on the residual method the County had 5.0 year housing land supply.</p> <p><b>Continue to monitor SA objective.</b></p>		2014 - 2015	Target	Main Towns	27%	41%	Severnside	43%	33%	Rural Secondary	6%	10%	Rural General	24%	16%
	2014 - 2015	Target																	
Main Towns	27%	41%																	
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Rural Secondary	6%	10%																	
Rural General	24%	16%																	
Health, safety & security	To improve health and wellbeing by encouraging more	1. Quantity of amenity open spaces identified in DES2 and leisure centres (+)	1. 148 DES2 sites. 4 Leisure Centres.	1. There are 148 allocated Areas of Amenity Importance (DES2 sites) across the County covering a total of 425.6ha. A review of these sites has not yet been undertaken, although is likely to															

Headline	Objective	SA Indicators	Data	Commentary
	healthy lifestyles, and protecting people from risk that may impact on their health and/or safety			<p>commence during the next monitoring period.</p> <p>Monmouthshire has a total of 4 Leisure Centres across the County; Abergavenny, Caldicot, Chepstow and Monmouth. The spread of leisure centres provides good access for residents both within the main towns and rural areas.</p> <p><b>Continue to monitor SA objective.</b></p>
Community	To support and promote the distinctive character of local communities and community cohesion	<p><b>1. Number of community and recreation facilities granted planning permission (+)</b></p> <p><b>2. Amount of community and recreation facilities lost to other uses.</b></p> <p><b>3. Amount of public open space / playing fields lost to development which is not allocated in the development plan</b></p>	<p><b>1. 9</b></p> <p><b>2. 3</b></p> <p><b>3. 1.47ha</b></p>	<p><b>1.</b> Over the monitoring period a total of 9 applications were approved as either community or recreation facilities. Of which 3 were for a recreation use and 6 were community facilities. For further detail refer to the Policy Analysis in Section 5 relating to Community and Recreation Facilities.</p> <p><b>2.</b> A total of 3 community facilities were lost over the monitoring period. Of these, the loss of one relating to a redundant church hall provides an opportunity to enhance the local church and provide improved community facilities within the church itself, resulting in a positive impact for the local community. For further detail refer to the Policy Analysis in Section 5 relating to Community and Recreation Facilities.</p> <p><b>3.</b> During the monitoring period 4 permissions were granted on areas of open space not allocated for development in the LDP, totalling 1.47 hectares. Two of the permissions related to alternative community uses and one of the others to an affordable housing site, effectively supporting the community in alternative ways. The full details of which are noted in the Landscape, Green Infrastructure and Natural Environment Policy Analysis.</p> <p><b>Continue to monitor SA objective.</b></p>



Headline	Objective	SA Indicators	Data	Commentary
Biodiversity	Protect, value, manage and enhance healthy functioning ecosystems, habitats and natural species diversity, valuing nature conservation interests wherever they are found	<p><b>1. Developments permitted that cause harm to the overall Nature Conservation value of locally designated sites (-)</b></p> <p><b>2. Number of new developments delivering or obligations for priority BAP habitats and species (+)</b></p> <p><b>3. Hectares of ancient woodland lost to development (-)</b></p> <p><b>4. Change in areas and populations of biodiversity importance due to development</b></p> <p><b>5. Development permitted / completed that are within, or likely to adversely effect, internationally / nationally important nature conservation areas.</b></p> <p><b>6. Developments granted planning permission that cause harm to the overall nature conservation value of locally designated sites</b></p>	<p><b>1.</b> Data not available</p> <p><b>2.</b> Data not available</p> <p><b>3.</b> Approximately 0.07ha ancient woodland potentially lost to development</p> <p><b>4.</b> Data not available</p> <p><b>5.</b> Data not available</p> <p><b>6.</b> Data not available</p>	<p><b>3.</b> A small proportion of ancient woodland was potentially lost to development over the monitoring period. Of which, a very minor proportion of less than 0.01 of a hectare is included within the curtilage of a residential conversion, whilst it is not conditioned that this will be retained it is noted within the application that as part of the natural screening it will be reinforced. The other application relates to horticulture and will result in the loss of approximately 0.06ha of Ancient Woodland. This portion of land does not however benefit from a local nature conservation designation and no concerns relating to its loss were subsequently raised.</p> <p><b>1 - 2 &amp; 4 - 6.</b> The remainder of these indicators are unable to be monitored as this information is not currently available and the Monmouthshire LBAP is not up to date. The potential for monitoring these indicators for the 2015-2016 period will be given further consideration in the next AMR.</p> <p><b>Continue to monitor SA objective.</b></p>
Landscape	To maintain and enhance the quality and	<p><b>1.</b> Number of trees protected by TPOs lost to development (-)</p>	<p><b>2.</b> No trees protected by TPOs lost.</p>	<p><b>2.</b> No Tree Preservation Order trees were lost to development over the period. Only one application was flagged that could have a potential impact, although appropriate conditions were put in</p>

Headline	Objective	SA Indicators	Data	Commentary
	character of the landscape, including its contribution to the setting and character of settlements			place in order to mitigate against any impact.  <b>Continue to monitor SA objective.</b>
Built Environment	To maintain and enhance the built environment for both its visual character and distinctiveness and to create a better living environment.	<ol style="list-style-type: none"> <li>1. <i>Number of new developments permitted that incorporate on-site renewable energy generation.</i></li> <li>2. <i>Number of new developments completed that incorporate on-site renewable energy generation.</i></li> <li>3. <i>Sample of planning applications granted for developments with the potential for significant design / environmental implications.</i></li> </ol>	<ol style="list-style-type: none"> <li>1. 2</li> <li>2. 0</li> <li>3. N/A</li> </ol>	<ol style="list-style-type: none"> <li>1. Two applications were permitted over the monitoring period for on-site renewable energy generation. One related to a biomass scheme and the other to a solar farm. For further detail refer to the Policy Analysis in Section 5 on Efficient Resource Use and Flood Risk.</li> <li>2. No developments were completed that incorporate on-site renewable energy generation, over the monitoring period.</li> <li>3. Members of Planning Committee attend an annual design tour. The last design tour took place in September 2014 but did not consider any applications approved under the LDP. Refer to the Policy Analysis in Section 5 on Place Making and Design for further details.  <b>Continue to monitor SA objective.</b></li> </ol>
Historic heritage	Understand, value, protect and restore, where necessary, the historic cultural heritage of the area, including features of the built and semi-	<ol style="list-style-type: none"> <li>1. <b>Number of listed building demolished (-)</b></li> <li>2. <b>Sample of planning applications granted for developments with the potential for significant impact on buildings of historic / archaeological</b></li> </ol>	<ol style="list-style-type: none"> <li>1. No listed buildings demolished.</li> <li>2. N/A</li> <li>3. One up to date Conservation Area character appraisal.</li> </ol>	<ol style="list-style-type: none"> <li>1. There were no losses to the number of listed buildings or historic sites over the monitoring period. No developments were identified over the monitoring period that adversely affect buildings/structures/sites of historic interest.</li> <li>2. Members of Planning Committee attend an annual design tour. The last design tour took place in September 2014 but did not consider any applications approved under the LDP. Refer to the Policy Analysis in Section 5 on Place Making and Design for further</li> </ol>

Headline	Objective	SA Indicators	Data	Commentary
Air	<p>natural environment</p> <p>To reduce all forms of air pollution in the interests of local air quality and the integrity of the atmosphere to protect from climate change</p>	<p><b>interest, scheduled ancient monuments and conservation areas adversely affected by development.</b></p> <p><b>3. Number of conservation areas with an up-to-date character appraisal</b></p> <p><b>1. Number of locations where air quality exceeds objective levels per annum (-)</b></p> <p><b>2. Percentage of people employed using their car/van as their main way of commuting to and from work either by driving or as a passenger (-)</b></p> <p><b>3. Proportion of people employed travelling to work by public transport, walking or cycling (+)</b></p>	<p><b>1. 6 locations across; Chepstow, Llanfoist &amp; Usk</b></p> <p><b>2. 81.4%*</b></p> <p><b>3. 16.7%*</b></p>	<p>details.</p> <p><b>3.</b> There is only one up-to-date Conservation Area Appraisal, although consultation is expected to commence on an additional 18 Draft Conservation Area Appraisals in September 2015. Refer to the Place Making and Design Policy Analysis in Section 5 for further details.</p> <p><b>Continue to monitor SA objective.</b></p> <p><b>1.</b> The annual objective level of nitrogen dioxide was exceeded in 2014 in 6 locations. Two locations were situated in Merthyr Road, Llanfoist along with two locations in Bridge Street, Usk. The remaining two locations were both in Chepstow on Hardwick Hill and Mount Pleasant. The objective levels for PM10 and PM2.5 were not exceeded over the 2014 calendar year. These along with Nitrogen Dioxide are the only pollutants monitored in Monmouthshire, due to vehicles being the main sources of pollution. Monitoring tubes are positioned in Chepstow, Llanfoist, Monmouth and Usk as these are the areas identified as having air quality issues.</p> <p><b>2 – 3.</b> The 2011 Census recorded 16.7% of people travelling to work by public transport, walking or cycling. The mode of commuting statistics are also taken from the 2011 Census identifying, 81.4% of people employed as using their car/van as their main way of commuting to and from work. Data will not be published until the next census in 2021, as a consequence a meaningful comparison will not be able to be obtained until that time. This data will subsequently remain the same in future AMRs.</p> <p><b>Continue to monitor SA objective.</b></p>

Headline	Objective	SA Indicators	Data	Commentary
Water quality	To maintain and improve the quality of ground, surface and coastal waters	<ol style="list-style-type: none"> <li>1. % of rivers reaching 'good' water quality status (+)</li> <li>2. Proportion of allocated sites and all other developments of over 10 dwellings/1ha that incorporate SUDS (+)</li> </ol>	<ol style="list-style-type: none"> <li>1. 45.45%**</li> <li>2. Data not available</li> </ol>	<p>1. The Water Framework Directive (WFD) combines ecological and chemical status in its reporting, the surface water body will need to reach good status in both elements in order to reach an overall 'good status'. The indicator has subsequently been updated to reflect this. 33 rivers were assessed across Monmouthshire in total, of which 45.45% were considered to have obtained 'good' status.</p> <p>2. The original indicator was unable to be monitored as the information was not readily available. The indicator has been amended to allow for SUDs on developments of a certain size to enable it be monitored in future AMRs.</p> <p><b>Continue to monitor SA objective.</b></p>
Water supply	To maintain the quantity of water available including potable water supplies, and ground water and river levels	<ol style="list-style-type: none"> <li>1. Proportion of groundwater bodies reaching 'good' quantity status (+)</li> </ol>	<ol style="list-style-type: none"> <li>1. 100%**</li> </ol>	<p>1. Monmouthshire sits within three groundwater bodies, the Usk Devonian Old Red Sandstone (ORS), Wye Secondary Devonian ORS and Usk and Wye southern Carboniferous Limestone. All three groundwater bodies have good status for quantity.</p> <p><b>Continue to monitor SA objective.</b></p>
Flood risk	Ensure that new development is designed and located to avoid the risk of flooding, and ensure the risk of flooding is not increased elsewhere	<ol style="list-style-type: none"> <li>1. Number of permissions for development in Flood Zones C1 and C2 not meeting all TAN 15 tests (-)</li> <li>2. Proportion of allocated sites and all other developments of over 10 dwellings/1ha that incorporate SUDS (+)</li> </ol>	<ol style="list-style-type: none"> <li>1. 1</li> <li>2. Data not available</li> <li>3. 0**</li> </ol>	<p>1. One application was granted permission for a change of use to holiday accommodation in Zone C1 floodplain over the monitoring period. The proposal was nevertheless justified, for further details in relation to this matter refer to the Efficient Resource Use and Flood Risk Policy Analysis in Section 5 of the AMR.</p> <p>2. The original indicator was unable to be monitored as the information was not readily available, the indicator has been amended to allow for SUDs on developments of a certain size to enable it be monitored in future AMRs.</p>

Headline	Objective	SA Indicators	Data	Commentary
Minerals and waste	To ensure that primary materials and minerals are managed in a sustainable way, by safeguarding mineral areas, encouraging re-use and recycling and avoiding final disposal of resources	<p><b>3. Instances where rivers experienced summer low flow (-)</b></p> <p><b>1. Number of permitted permanent non-mineral developments on safeguarded sites that do not comply with Policy M2 (-)</b></p> <p><b>2. Proportion of Monmouthshire's household waste being recycled and composted (+)</b></p> <p><b>3. Amount of waste management capacity permitted expressed as a percentage of the total capacity required as identified in the Regional Waste Plan</b></p> <p><b>4. Extent of primary land-won aggregates resources as a percentage of total capacity identified in the</b></p>	<p><b>1. 0</b></p> <p><b>2. 66.6%***</b></p> <p><b>3. 1.49ha permitted</b></p> <p><b>4. 0</b></p>	<p><b>3.</b> There are three key river monitoring stations in Monmouthshire. Both the River Usk and River Wye Gauging Stations recorded flows below the 95<sup>th</sup> percentile over the monitoring period. The River Wye recorded 12 days and the River Usk 13 days. In both instances these were below the average of 18 days per year which is used as a typical indication of summer low flows. The Grosmont Gauging Station did not record any flows below the target level over the period.</p> <p><b>Continue to monitor SA objective.</b></p> <p><b>1.</b> No applications were granted over the monitoring period that were contrary to minerals Policy M2.</p> <p><b>2.</b> Of Monmouthshire's total household waste, 66.6% was recycled or composted over the monitoring period. This provides a baseline figure for future analysis.</p> <p><b>3.</b> 1.49ha was permitted over the monitoring period, which indicates that progress is being made toward the total waste management capacity for the plan period. 32.5ha of the identified potential waste sites are remaining. For further detail refer to the Waste Policy Analysis in Section 5.</p> <p><b>4.</b> No primary land-won aggregates were extracted over the monitoring period. For further information refer to the Policy Analysis in Section 5 relating to Minerals.</p> <p><b>Continue to monitor SA objective.</b></p>



Headline	Objective	SA Indicators	Data	Commentary
Land/soil	To use land efficiently by prioritising development on previously developed land where possible, and using existing land efficiently by tackling contamination and protecting higher grade agricultural soil	<p><b>Regional Technical Statement.</b></p> <ol style="list-style-type: none"> <li><i>Proportion of development permitted on greenfield land as a percentage of all development excluding householder, change of use and agricultural buildings (nc or -)</i></li> <li><b>Amount of Greenfield land lost to development which is not allocated in the development plan</b></li> <li>Annual average densities of new housing development (+)</li> <li>Hectares of agricultural soil at Grade 3 and better that is lost to development (-)</li> </ol>	<ol style="list-style-type: none"> <li>72%</li> <li>26ha</li> <li>21dpha</li> <li>Data not available</li> </ol>	<ol style="list-style-type: none"> <li>A total of 62 hectares of development was permitted over the monitoring period, 44.7ha of which was on greenfield sites. This equated to 72% of all development (excluding householder, change of use and agricultural buildings) as being permitted on greenfield land. A high proportion is expected as Monmouthshire has limited opportunities for development on previously developed land.</li> <li>Over the monitoring period 28 permissions were granted on greenfield land not allocated for development in the LDP, totalling 26.0 hectares. The majority of the greenfield land permitted related to a solar renewable energy scheme. This type of development enables the land to be restored to its former status in the future whilst also providing land for grazing over the lifetime of the renewable energy scheme. For further detail refer to the Landscape, Green Infrastructure and Natural Environment Policy Analysis in Section 5.</li> <li>The annual average density of all new housing development equated to 21 dwellings per hectare. While the figure is lower than the LDP target of 30 dwellings per hectare, only three applications for sites of over 10 were granted permission over the monitoring period. The majority of permissions related to single infill plots in gardens, decreasing the density of developments overall.</li> <li>This information is not available for the current monitoring period. The indicator will be amended for next year's monitoring period to 'hectares of agricultural soil at Grade 3 and better that is lost to major development (excluding LDP allocations and agricultural development)' and monitored accordingly.</li> </ol>

Headline	Objective	SA Indicators	Data	Commentary
Energy	To secure energy efficiency improvements in all new buildings and encourage energy generation from renewable sources.	<p><b>1. Number of new developments permitted that incorporate on-site renewable energy generation (excludes householder, change of use and agricultural buildings)</b></p>	1. 2	<p><b>Continue to monitor SA objective.</b></p> <p>1. Two applications were permitted over the monitoring period for on-site renewable energy generation (excluding householder, change of use and agricultural buildings). One scheme related to a biomass boiler and associated biomass storage barn in order to provide 7 households in the vicinity with heat and hot water. The other related to a solar farm with a maximum output of 8.1 MW providing energy for the equivalent of 2120 average households annually. For further detail refer to the Efficient Resource Use and Flood Risk Policy Analysis in Section 5.</p> <p><b>Continue to monitor SA objective.</b></p>
Employment	Provide a range of jobs within Monmouthshire that help meet the needs of the resident workforce	<p><b>1. Net employment land supply/ development and take-up of employment land (+)</b></p> <p><b>2. Amount of employment land lost to non-employment uses</b></p> <p><b>3. Proportion of resident workforce working in Monmouthshire (+)</b></p> <p><b>4. Average travel to work distance (-)</b></p> <p><b>5. Percentage of vacant units within CSA of each town and local centre</b></p>	<p>1. Supply 46.82ha, Take-up 0.38ha</p> <p>2. 0.08ha</p> <p>3. 54.5%****</p> <p>4. 21.9km*</p> <p>5. Abergavenny: 5.1%, Caldicot: 9.2%, Chepstow: 9.0%, Monmouth: 8.3%, Magor: 9.1%, Raglan: 0%, Usk: 7.8%</p>	<p>1. The Employment Land Background Paper identified 46.8ha of employment land available across the County. Whilst sufficient land is available, the take-up rate of employment land was limited to 0.38ha over the monitoring period.</p> <p>2. No land designated specifically for employment was lost over the monitoring period to other uses. One application was however approved for the change of use of a portakabin immediately adjacent an identified business and industrial site. The proposed use related to a nursery, which whilst not an employment use would provide a valuable community facility. For further information refer to the Economy and Enterprise Policy Analysis in Section 5.</p> <p>3 – 4. The travel to work statistics are taken from the Welsh Government identifying 54.5% of Monmouthshire’s population remaining in their own area for work, this sets the baseline for future comparative analysis. The average travel to work distance is</p>

Headline	Objective	SA Indicators	Data	Commentary																																								
Wealth creation	Raise prosperity and quality of life by developing a more self-sustaining local economy encouraging indigenous growth	<p><b>1. Range of SAE1/SAE2/Identified Mixed Use Sites available, distribution and size (+)</b></p> <p><b>2. Planning permissions granted for employment use by settlement</b></p> <p><b>3. Planning permissions granted for employment use by sector</b></p> <p><b>4. Proportion of resident workforce working in Monmouthshire (+)</b></p> <p><b>5. Number of people in-commuting to Monmouthshire****</b></p> <p><b>6. Number of people out-commuting from Monmouthshire****</b></p> <p><b>7. Tourism expenditure (+)*****</b></p> <p><b>8. Number of rural</b></p>	<p><b>1.</b> See table in commentary section</p> <p><b>2.</b> Main Towns: 9.70ha, Severnside: 0.39ha, RSS: 0.3ha, Rural General: 0.25ha</p> <p><b>3.</b> See table in commentary section</p> <p><b>4.</b> 54.5%*****</p> <p><b>5.</b> 19,200</p> <p><b>6.</b> 19,600</p> <p><b>7.</b> £173.15Million</p> <p><b>8.</b> 7</p> <p><b>9.</b> 10</p> <p><b>10.</b> 5</p>	<p>21.9km. Data will not be published until the next census in 2021, as a consequence a meaningful comparison will not be able to be obtained until that time. This data will subsequently remain the same in future AMRs.</p> <p><b>5.</b> The vacancy rates in the Central Shopping Areas (CSA) for all of the County's town and local centres are below the UK rate (13% March 2015, Local Data Company). For full details refer to the Retail Policy Analysis in Section 5.</p> <p><b>Continue to monitor SA objective.</b></p>																																								
			<p><b>1.</b> The table below identifies the range of employment sites across the County by location along with the size of the sites available. While a large proportion of land is located in Magor there is distribution across the Main Towns and some of the Rural Secondary Settlements.</p> <table border="1"> <thead> <tr> <th>Site Reference</th> <th>Site Name/Location</th> <th>Site Use Class</th> <th>Remaining land available (ha)</th> </tr> </thead> <tbody> <tr> <td>SAE1a</td> <td>Wales One, Magor (west)</td> <td>B1</td> <td>4.0</td> </tr> <tr> <td>SAE1b</td> <td>Quay Point, Magor</td> <td>B1/B2/B8</td> <td>16.3</td> </tr> <tr> <td>SAE1c</td> <td>Gwent Europark, Magor</td> <td>B8</td> <td>13.3</td> </tr> <tr> <td>SAE1d</td> <td>Westgate, Llanfoist</td> <td>B1/B2</td> <td>5.0</td> </tr> <tr> <td>SAE1e</td> <td>Ross Road, Abergavenny</td> <td>B1/B2</td> <td>1.5</td> </tr> <tr> <td>SAE1f</td> <td>Newhouse Farm, Chepstow</td> <td>B2/B8</td> <td>4.0</td> </tr> <tr> <td>SAE1g</td> <td>South Woodside, Usk</td> <td>B1</td> <td>1.3</td> </tr> <tr> <td>SAE1h</td> <td>Pill Row, Caldicot</td> <td>B1/B8</td> <td>1.0</td> </tr> <tr> <td>SAE1i</td> <td>Beaufort Park, Chepstow</td> <td>B1</td> <td>0.42</td> </tr> </tbody> </table>	Site Reference	Site Name/Location	Site Use Class	Remaining land available (ha)	SAE1a	Wales One, Magor (west)	B1	4.0	SAE1b	Quay Point, Magor	B1/B2/B8	16.3	SAE1c	Gwent Europark, Magor	B8	13.3	SAE1d	Westgate, Llanfoist	B1/B2	5.0	SAE1e	Ross Road, Abergavenny	B1/B2	1.5	SAE1f	Newhouse Farm, Chepstow	B2/B8	4.0	SAE1g	South Woodside, Usk	B1	1.3	SAE1h	Pill Row, Caldicot	B1/B8	1.0	SAE1i	Beaufort Park, Chepstow	B1	0.42	
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Headline	Objective	SA Indicators	Data	Commentary
				<p>Policy Analysis in Section 5.</p> <p><b>9 – 10.</b> A total of ten tourism schemes were approved over the monitoring period. Planning permission was consequently approved for the loss of 5 facilities. The Visitor Economy Policy Analysis in Section 5 provides full detail of the type of tourism facilities gained and lost over the monitoring period.</p> <p><b>Continue to monitor SA objective.</b></p>

\* Figure derived from Census 2011

\*\* Natural Resources Wales

\*\*\* Wastedataflow – Natural Resources Wales

\*\*\*\* Welsh Government Commuting Statistics (2014)

\*\*\*\*\* Monmouthshire STEAM Report (2015)

**Deleted SA Indicators – These indicators will not be monitored in future Annual Monitoring Reports.**

Headline	Deleted SA Indicator	Reason for deletion
Accessibility	Proportion of new development where a green travel plan is prepared (+)	Green travel plans are generally only required for major developments. This is covered in the policy analysis section for Strategic Policy S16 relating to s106 agreements. It is therefore not necessary to retain this as a separate indicator.
Biodiversity	Length of hedgerows lost to development (-)	This information is not readily available. This type of data is not included as standard in the planning application process. It would be too onerous to measure this indicator.
Landscape	Length of linear features (including hedgerows) lost to development (-)	This information is not readily available. This type of data is not included as standard in the planning application process. It would be too onerous to measure this indicator.
Landscape	Area of woodland and other land cover lost to development (-)	This information is not readily available. Part of the indicator is nonetheless covered by the indicators referring to Ancient Woodland and Tree Preservation Orders. It is not necessary to include this as a separate indicator.
Landscape	Area of new development in the AONB not directly related to its management (-)	This indicator has been discounted as it is not considered appropriate or necessary. It is difficult to define and on reflection is not considered to be measurable.
Built Environment/ Water Supply/ Flood Risk/ Energy	Number of dwellings that comply with the national Code for Sustainable Homes standard (+)	Amendments were made to Part L of Building Regulations (Conservation of Fuel and Power) on energy efficiency in July 2014. TAN22 was subsequently deleted by the Welsh Government and Section 4.12 of PPW was revised to delete the national development management policy relating to sustainable building standards. This indicator is no longer relevant.
Minerals and waste	Number of non-residential development (of 1ha or more/1000sqm or more) built to meet BREEAM national standards (+)	Amendments were made to Part L of Building Regulations (Conservation of Fuel and Power) on energy efficiency in July 2014. TAN22 was subsequently deleted by the Welsh Government and Section 4.12 of PPW was revised to delete the national development management policy relating to sustainable building standards. This indicator is no longer relevant.
Energy	Proportion of demolition waste re-used on site (+)  Meet targets for renewable energy generation in Wales (+)	This information is no longer readily available, Code for Sustainable Homes and BREEAM pre-assessment reports which would have contained this type of information are no longer required, due to the amendments to Part L of Building Regulations as noted above.  This indicator is considered to be too broad, it cannot be monitored effectively. An indicator relating to new developments incorporating renewable energy is already monitored. It is not considered necessary to retain this as a separate indicator.

## 7 Conclusions and Recommendations

- 7.1 This is the first AMR to be prepared since the adoption of the Monmouthshire LDP and provides a short term position statement on the initial impacts of the LDP. The key conclusion is that while it is difficult to determine definitive trends in policy performance, good progress is being made in delivering the identified targets/ monitoring outcomes and policies and there is no evidence to suggest the need for a full or partial review of the LDP at this early stage in its implementation. The findings of this report provide for future comparative analysis in successive AMRs and the monitoring of the policy framework over a longer period will enable trends to be identified and firmer conclusions drawn.
- 7.2 Welsh Government procedural guidance 'Local Development Plans Wales (LDPW), 2005', (para 4.3) sets out seven questions that the AMR should address. The issues included in these questions have been considered throughout the AMR as part of the analysis of the monitoring data.
- 7.3 This section concludes the findings of the monitoring process and directly responds to the LDPW questions, ensuring that the procedural guidance is fully addressed.

### Does the basic strategy remain sound?

- 7.4 The evidence collected through the AMR process indicates that progress is being made with the implementation of the spatial strategy and it remains sound at this time. It is, however, difficult to determine definitive trends at this stage as this is the first monitoring period.

### What impact are the policies are having globally, nationally, regionally and locally?

- 7.5 The LDP Policy and SA/SEA monitoring frameworks provide a baseline position and very preliminary conclusions over the first year of the Plan's implementation. Future AMRs will examine impacts over a longer period and by comparative analysis will be able to evidence the emergence of trends at different spatial scales. The evidence to date shows that the Plan is delivering sustainable development and delivering the Council's objective of building sustainable, resilient communities. The global, national, regional and local impact is therefore considered to be positive in this first monitoring period.

### Do the policies need changing to reflect changes in national policy?

- 7.6 Section 3 contains contextual information outlining the changes to national planning policy guidance and technical advice which have taken place over the monitoring period. Whilst these changes will need to be incorporated into any future review of LDP policies they are not considered to be of a scale that requires reconsideration of the Plan strategy or individual policies at this time.

**Are the policies and related targets being met or is progress being made towards meeting them, including publication of relevant supplementary planning guidance?**

7.7 Section 5 provides a detailed assessment of how the Plan’s strategic policies, and associated supporting policies, are performing against the identified key monitoring targets and outcomes and whether the LDP strategy and objectives are being delivered. This has enabled the Council to make an informed judgement of the Plan’s progress in delivering the targets/monitoring outcomes and policies during this monitoring period. The table below provides a visual overview of the effectiveness of the Plan’s policies during the monitoring period based on the traffic light rating used in the assessment:

Targets / monitoring outcomes* are being achieved	<b>46</b>
Targets / monitoring outcomes* are not currently being achieved but there are no concerns over the implementation of the policy	<b>27</b>
Targets / monitoring outcomes* are not being achieved with subsequent concerns over the implementation of policy	<b>0</b>
No conclusion can be drawn due to limited data availability	<b>6</b>

\*For those indicators with no target/trigger the monitoring outcomes are assessed and rated accordingly

**Key Findings**

7.8 The analysis demonstrates that many of the indicator targets and monitoring outcomes are being achieved (green traffic light rating). The most significant findings in relation to these are as follows:

**Strategy and Housing**

- Progress is being made towards the implementation of the spatial strategy. It is, however, difficult to determine definitive trends at this stage as this is the first year that the LDP has been operative.
- The 2015 Monmouthshire Joint Housing Land Availability Study demonstrates that the County has a 5.0 year housing land supply, meeting the identified target. This target will require close future monitoring to identify trends and/or issues that may need to be addressed.
- 519 dwelling units were granted planning permission; 167 (32%) of these were for affordable homes.

- 1 strategic housing site has been granted planning permission at Wonastow Road, Monmouth for 370 dwellings, including 120 affordable units.
- Affordable housing policy targets being met in relation to planning permissions in the main towns and Severnside settlements.

The majority of dwelling units granted planning permission were in the main towns. This is attributable to the permission for the LDP strategic mixed-use site at Wonastow Road, Monmouth which accounted for the vast majority of total residential permissions during the monitoring period. As the LDP's other allocated residential sites are progressed it is anticipated that more meaningful analysis of strategy and policy performance will be possible.

### **Economy and Enterprise**

- The County has a total of 46.8 ha of employment land available, indicating that sufficient employment land is maintained to meet the identified take up rate.
- There has been some progress in terms of employment permissions within the County, predominantly in the main towns, with permissions granted for a range of employment uses on protected, non-allocated and strategic mixed-use employment sites (10.65 ha). There are a number of schemes at pre-application stage which will be reported on in next year's AMR.
- A number of rural diversification and rural enterprise schemes have been approved (7).
- The Council approved proposals for a total of 17 tourist accommodation units comprising 10 self-catering holiday cottages/apartments and 7 yurts.

### **Retail and Community Facilities**

- Vacancy rates in the central shopping areas in all of the County's town and local centres are below the national average.
- The proportion of A1 retail uses within the towns' Primary Shopping Frontages generally accord with the thresholds identified in the draft Primary Shopping Frontages SPG.
- A total of 9 community and recreation facilities have been granted planning permission.

## Environment

- 28% of all development permitted was on brownfield land (excluding householder, change of use and agricultural buildings). Given the limited opportunities for development on brownfield land in Monmouthshire the percentage achieved is considered positive and provides a baseline figure for future comparative analysis.
- There has been no loss of listed buildings or historic sites and no development permitted which would have an adverse impact on the historic environment
- Progress is being made towards the total waste management capacity for the LDP period and there has been no reduction in the minerals land bank

7.9 The achievement of targets / monitoring outcomes for these indicators suggests that the policy framework is operatively effectively allowing appropriate development to take place. However, as this is the first monitoring period the conclusions drawn are very preliminary.

### Supplementary Planning Guidance

7.10 Progress has been made in the preparation of supplementary planning guidance to help to facilitate the interpretation and implementation of LDP policy which is detailed in Section 3. SPG preparation will continue in the next monitoring period.

### Where progress has not been made, what are the reasons for this and what knock on effects may it have?

7.11 The analysis demonstrates that there are no policy indicator targets / monitoring outcomes which are causing concerns over policy implementation (red traffic light rating). There are, however, a number which are not currently being achieved but with no corresponding concerns over policy implementation (amber traffic light rating). Further investigation has determined that there are justified reasons for the performance recorded and this is not representative of any fundamental issues with the implementation of the policy framework or strategy at this time. The most significant findings in relation to these are as follows:

## Housing

- 205 new dwelling completions were recorded, 17 of which were affordable. Residential completions, including affordable housing, have been slow to deliver in this first year the LDP has been operative. Sites completed have been small in number, often residual from the UDP. It is anticipated that the completion rate will increase over the remainder of the Plan period as allocated housing sites, which accord with the spatial strategy, obtain permission and are developed.



- There has been limited progress with the delivery of LDP allocated housing sites with only one strategic housing site acquiring planning permission at Wonastow Road, Monmouth. Given the development constraints associated with many of the remaining strategic sites, the trigger date of gaining permission for all sites by the end of 2014 is perhaps rather ambitious particularly since the LDP has only been operational since February 2014. External influences such as the economic climate may also have impacted on the slower than anticipated progress of the strategic sites through the planning process. Nevertheless, good progress is being made on these strategic sites which will be reported on in next year's AMR.

### **Economy and Enterprise**

- While sufficient employment land is available across the county, the take up rate of allocated SAE1 employment land was limited over the monitoring period (0.38ha), with no planning permissions approved on identified strategic employment sites (SAE1 sites). This may be reflective of the Welsh economy in recent years and any conclusions are only preliminary at this time.
- A total of 5 tourism accommodation facilities were lost to alternative uses.

### **Transport**

- There has been some progress towards the delivery of Local Transport Plan schemes, with elements of particular schemes completed or likely to be completed in 2016.

### **Community Facilities**

- A total of 3 community/recreation facilities were lost to alternative uses.

7.12 While the data collected indicates that the triggers for these indicators/monitoring outcomes have been met, the policy analysis demonstrates that these were justified within the context and requirements of the LDP policy framework.

7.13 This is the first year the LDP has been operative and the primary reason for the apparent slow delivery in some areas. Furthermore, at this preliminary stage in the LDP's implementation it is difficult to determine conclusive trends as to which policies are performing as expected and which are not. Continued close monitoring in future AMRs will help to identify more definitive trends in the performance of the Plan's strategy and policy framework.

### **What aspects, if any, of the LDP need adjusting or replacing because they are not working as intended or are not achieving the objectives of the strategy and/or sustainable development objectives?**

7.14 In view of the evidence gathered through the monitoring process, the Council does not consider that any aspects of the Plan need adjusting or replacing at this time.

**If policies or proposals need changing, what suggested actions are required to achieve this?**

- 7.15 The Council does not consider that any aspects of the Plan need adjusting or replacing at this time.

**Sustainability Appraisal (SA) Monitoring**

- 7.16 Section 6 expands the assessment of the performance of the LDP against the Sustainability Appraisal (SA) monitoring objectives. There is an overlap between some of the LDP and SA indicators helping to demonstrate how the LDP monitoring and SA monitoring are interlinked.

- 7.17 Some of the most notable findings specific to the SA during the current monitoring period include:

- 6 locations where annual objective levels of nitrogen dioxide were exceeded
- 16.7% people travel to work by public transport, walking or cycling
- 100% groundwater bodies have 'good' quantity status
- 45.5% rivers reached 'good' water quality status
- 66.6% Monmouthshire's total household waste being recycled and composted
- 4.9% increase in tourism expenditure (£173 million)
- No trees protected by Tree Preservation Orders were lost due to development

- 7.18 The SA monitoring provides a short term position statement on the performance of the Plan against a number of sustainability indicators. As such it provides a baseline for comparative analysis from which future AMRs will be able to evidence the emergence of trends.

**Recommendations**

- 7.19 There is no evidence to suggest that there is a need for a full or partial review of the LDP at this early stage in its implementation. This is the first year the LDP has been operative and is the first AMR to be prepared following the adoption of the Plan. This AMR provides the baseline data for future comparative analysis and preliminary conclusions from which future successive AMRs will be able to evidence the emergence of trends.

- 7.20 Recommendations:

1. No action is required at present in terms of a full or partial plan review.
2. Submit the 2015 first AMR to the Welsh Government by 31 October 2015 in accord with statutory requirements. Publish the AMR on the Council's website.

3. Continue to monitor the Plan through the preparation of successive AMRs. Close monitoring will be necessary to determine the effectiveness of the Plan's spatial strategy and policy framework particularly in relation to housing delivery including strategic housing site allocations, the delivery of affordable housing and the progress on strategic employment sites.
4. Prepare the 2016 second AMR, report to Planning Committee and submit to the Welsh Government by the required deadline, 31 October 2016.

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## Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

<p><b>Name of the Officer</b> completing the evaluation Jane Coppock</p> <p><b>Phone no:</b> 01633 644256 <b>E-mail:</b> janecoppock@monmouthshire.gov.uk</p>	<p><b>Please give a brief description of the aims of the proposal</b></p> <p>Submit the adopted Monmouthshire Local Development Plan (LDP) first Annual Monitoring Report (AMR) to the Welsh Government in accord with statutory requirements and to publish the Report on the Council's website.</p>
<p><b>Name of Service</b></p> <p>Planning (Planning Policy)</p>	<p><b>Date Future Generations Evaluation form completed</b></p> <p>15/09/2015</p>

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**Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	<p><i><b>Informative:</b> The LDP was adopted by the Council in February 2014 and sets out the Council's vision and objectives for the development and use of land in Monmouthshire, together with the policies and proposals to implement them over the ten year period to 2021.</i></p> <p><i>As part of the statutory development plan process the Council is required to prepare an Annual Monitoring Report (AMR). The AMR monitors the effectiveness of the LDP strategy and policies. It allows the Council to assess the LDP's impact on the social, economic and environmental well-being of the County and identifies any significant contextual changes that might influence the plan's implementation or review.</i></p>	




Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	<p><i>The AMR records the effectiveness of the LDP strategy and policies against an established monitoring framework, including a range of sustainability objectives. As such the purpose of an AMR is to <b>record</b> impact rather than make a direct impact <b>on</b> characteristics.</i></p> <p><i>In order to monitor LDP performance consistently, plans needs to be considered against a standard set of monitoring indicators and targets. These are contained within the LDP Monitoring Framework prepared in accord with Welsh Government regulations and guidance.</i></p> <p><i>The findings of this first AMR have been analysed. The key conclusion is that there is no need for a review of the Plan at this time. This is the first year the LDP has been operative, its impacts will therefore be limited and any findings preliminary.</i></p> <p><i>The AMR is required to be prepared each year following plan adoption, providing an annual evaluation of plan performance and year by year comparison. The findings of this first AMR provide a baseline for future comparative analysis from which emerging trends may be identified and reported on.</i></p>	
<p><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p><i>The LDP strategy seeks to increase employment opportunities within Monmouthshire; the policy framework protects existing employment sites and allocates additional land for employment use.</i></p> <p><b>Positive:</b> The AMR monitors the implementation of the Plan as a whole, including employment policies.</p> <p><b>Negative:</b> None.</p>	<p>Continue to monitor employment land supply and take up throughout the County through the annual Employment Land Survey undertaken by the Planning Policy Service. The data from this survey will inform the 2016 AMR. The results of the AMRs will identify trends and allow remedial action to be taken, if necessary, to ensure the LDP objectives are being delivered, those objectives being directly related to creating a prosperous Wales.</p>
<p><b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p><i>The LDP strategy seeks to maintain and enhance biodiversity within Monmouthshire; the policy framework protects existing sites and promotes green infrastructure.</i></p>	<p>Continue to monitor biodiversity throughout the County to inform the 2016 AMR.</p> <p>The Planning Policy Service will liaise with the Countryside Service to seek a way forward to monitor indicators for which data is currently</p>



Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	<p><b>Positive:</b> The AMR monitors the implementation of the Plan as a whole, including biodiversity impacts.</p> <p><b>Negative:</b> None.</p>	<p>unavailable and report on in the 2016 AMR. The results of the AMRs will identify trends and allow remedial action to be taken, if necessary, to ensure the LDP objectives are being delivered, those objectives being directly related to creating a resilient Wales.</p>
<p><b>A healthier Wales</b> People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p><b>Positive:</b> The AMR monitors the implementation of the Plan as a whole. The sustainability appraisal/strategic environmental appraisal measures LDP impact on a range of sustainability indicators including air and water quality.</p> <p><b>Negative:</b> None.</p>	<p>Continue to monitor sustainability indicators throughout the County to inform the 2016 AMR. The results of the AMRs will identify trends and allow remedial action to be taken, if necessary, to ensure the LDP objectives are being delivered. Creating healthy communities forms part of delivering sustainable development.</p>
<p><b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected</p>	<p><b>Positive:</b> The AMR monitors the implementation of the Plan as a whole, including the spatial strategy.</p> <p><b>Negative:</b> None.</p>	<p>Continue to monitor indicators to inform the 2016 AMR. The results of the AMRs will identify trends and allow remedial action to be taken, if necessary, to ensure the LDP objectives are being delivered. Creating healthy communities forms part of delivering sustainable, resilient and cohesive communities.</p>
<p><b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing</p>	<p><b>Positive:</b> The AMR monitors the implementation of the Plan as a whole. The sustainability appraisal/strategic environmental appraisal measures LDP impact on a range of sustainability indicators. Preparation of the AMR allows the Council to assess LDP impact on the social, economic and environmental well-being of the County.</p>	<p>The SA/SEA monitoring frameworks provide a baseline position. Future AMRs will examine LDP impacts over a longer period and evidence the emergence of any trends at different spatial scales.</p> <p>Continue to monitor indicators to inform the 2016 AMR.</p>

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	<b>Negative:</b> None.	
<p><b>A Wales of vibrant culture and thriving Welsh language</b>            Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation</p>	<p><b>Positive:</b> The AMR monitors the implementation of the Plan as a whole, including impact on community facilities. The Welsh language impact is a material planning consideration and was fully considered during the adoption of the LDP via the SA/SEA process.</p> <p><b>Negative:</b> None.</p>	<p>Continue to monitor indicators throughout the County to inform the 2016 AMR. Recent legislative changes via the Planning (Wales) Act 2015 mean that further regulations and guidance on the Welsh language will be produced. Those requirements will be fully considered in the next AMR.</p>
<p><b>A more equal Wales</b>            People can fulfil their potential no matter what their background or circumstances</p>	<p><b>Positive:</b> Preparation of the AMR allows the Council to assess LDP impact on the social, economic and environmental well-being of the County.</p> <p><b>Negative:</b> None.</p>	<p>Continue to monitor indicators throughout the County to inform the 2016 AMR. The results of the AMRs will identify trends and allow remedial action to be taken, if necessary, to ensure the LDP objectives are being delivered. Creating a more equal Wales forms part of delivering sustainable development.</p>



2. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Balancing short term need with long term and planning for the future</p>	<p><i>We are required to look beyond the usual short term timescales for financial planning and political cycles and instead plan with the longer term in mind (i.e. 20+ years)</i></p> <p>This first AMR measures short term impacts since Plan adoption and provides a baseline for future comparative analysis. Sustainable development is central to the adopted LDP.</p>	<p>Successive AMRs will be prepared on an annual basis, providing both an annual evaluation of plan performance and year by year comparison from which emerging long term trends may be identified and reported on. This will inform the evidence base for the next LDP.</p>
 <p>Working together with other partners to deliver objectives</p>	<p>The AMR measures plan implementation and delivery. The LDP was prepared through extensive engagement with a wide range of internal and external stakeholders.</p>	<p>The Council will continue to monitor and report on in the 2016 AMR and will consider actions required in light of the AMR findings. If the AMRs indicate that the Plan's objectives are not being delivered, a Plan review might be triggered. Reasons for the Plan not delivering would be analysed and, as applicable, greater partnership working and collaboration implemented if current working is identified as a cause of a problem or greater collaborative work would lead to an improvement, this will be acted upon.</p>
 <p>Involving those with an interest and seeking their views</p>	<p><i>Who are the stakeholders who will be affected by your proposal? Have they been involved?</i></p> <p>The LDP was prepared through extensive engagement with a wide range of internal and external stakeholders.</p>	<p>There is no requirement to undertake consultation on this AMR. The findings of future AMRs could lead to an LDP review. Any review of the LDP will be taken forward through extensive stakeholder engagement, expanding on the methods used previously.</p>

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>The AMR demonstrates the extent to which the LDP strategy and objectives are being achieved and whether the plan's policies are functioning effectively. Emerging trends may be identified and appropriate action considered at an early stage.</p>	<p>The AMR considers whether a full or partial review of the LDP is necessary and may trigger Plan review ahead of any formal statutory review requirement.</p>
 <p>Integration</p> <p>Positively impacting on people, economy and environment and trying to benefit all three</p>	<p><i>There is space to describe impacts on people, economy and environment under the Wellbeing Goals above, so instead focus here on how you will better integrate them and balance any competing impacts</i></p> <p>The AMR measures the impact of the LDP on the social, economic and environmental well-being of the County.</p>	<p>Future AMRs will examine LDP impacts over a longer period and evidence the emergence of any trends at different spatial scales. Delivering sustainable development (social, economic and environmental) is central to the LDP.</p> <p>Continue to monitor indicators to inform the 2016 AMR.</p>

**3. Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below.

<b>Protected Characteristics</b>	<b>Describe any positive impacts your proposal has on the protected characteristic</b>	<b>Describe any negative impacts your proposal has on the protected characteristic</b>	<b>What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?</b>
Age	The AMR includes indicators that monitor health and access to community facilities and open space. These matters affect all of our communities but could disproportionately affect children and elderly people who may have limited ability to travel greater distances.	None	The AMR includes indicators that monitor health and access to community facilities and open space.
Disability	The AMR includes indicators that monitor health and access to community facilities and open space. These matters affect all of our communities but could disproportionately affect people with disabilities who may have limited ability to travel greater distances.	None	The AMR includes indicators that monitor health and access to community facilities and open space.
Gender reassignment	None	None	N/A
Marriage or civil partnership	None	None	N/A
Race	None	None	N/A
Religion or Belief	None	None	N/A
Sex	None	None	N/A
Sexual Orientation	None	None	N/A

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Welsh Language	None	None	This and successive AMRs will measure the impacts of the LDP on a range of social, economic and environmental indicators. Emerging regulations and guidance on the Welsh language will be fully considered in the next AMR (these documents do not yet exist).

4. Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities? For more information please see the guidance note <http://hub/corporatedocs/Democratic%20Services/Equality%20impact%20assessment%20and%20safeguarding.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	None	None	N/A
Corporate Parenting	None	None	N/A

5. What evidence and data has informed the development of your proposal?

An extensive range of data sets have been used to prepare the AMR, from a wide range of sources both internal and external to the Council. These are clearly referenced in the document, but include:

The Development Management planning application database and Monmouthshire County Council publications including:

- Monmouthshire LDP 'Retail Background Paper', May 2015  
<https://www.monmouthshire.gov.uk/app/uploads/2015/07/2014-Retail-Background-Paper-May-2015.pdf>
- Monmouthshire LDP 'Employment Background Paper', June 2015.  
<https://www.monmouthshire.gov.uk/app/uploads/2015/07/Employment-Land-Background-Paper-June-2015.pdf>
- Monmouthshire 'Joint Housing Land Availability Study', July 2015.  
<https://www.monmouthshire.gov.uk/app/uploads/2015/07/JHLA-Study-2015-Final.pdf>

Additional data has been provided by colleagues in the Conservation, Countryside, Economic Development, Housing, Waste and Transport Services.

External sources of data include Welsh Government, Cadw, Natural Resources Wales.

2015

**6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?**

*This section should give the key issues arising from the evaluation which will be included in the Committee report template.*

**Positive** - The AMR is a positive tool for monitoring the effectiveness of the LDP and ultimately determining whether any revisions to the plan are necessary. It aims to demonstrate the extent to which the LDP strategy and objectives are being achieved and whether the plan's policies are functioning effectively. It allows the Council to assess the impact of the LDP on the social, economic and environmental well-being of the County and identifies any significant contextual changes that might influence the Plan's implementation or review.

This is the first AMR to be prepared since the adoption of the LDP and is based on the period 27 February – 31 March 2015. Future AMRs will be based on the financial year (01 April – 31 March). As this is the first year the LDP has been operative and this is the first AMR to be prepared, the impacts of the Plan can only be limited in nature and any conclusions preliminary at this early stage of plan implementation. This AMR provides a baseline for future comparative analysis from which successive AMRs will be able to evidence the emergence of trends.

**Negative** – None. There are no implications, positive or negative, for corporate parenting or safeguarding.

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**7. Actions. As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.**

What are you going to do	When are you going to do it?	Who is responsible	Progress
N/A			

**8. Monitoring: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.**

<b>The impacts of this proposal will be evaluated on:</b>	In 2016 the second AMR will be prepared and reported to Planning Committee and Cabinet Member prior to 31/10/2016. This is the deadline for AMR submission to the Welsh Government in line with statutory requirements.
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**DC/2010/00670**

**RESIDENTIAL DEVELOPMENT OF 8 UNITS, COMPRISING OF A 1 BED FLAT, A 2 BED FLAT ABOVE FOUR CAR PORTS AND 6 NO THREE-BEDROOM HOUSES AND ALL ASSOCIATED WORKS**

**LAND TO THE REAR OF 34 TO 39 CROSS STREET, OFF BEILI PRIORY, ABERGAVENNY**

**RECOMMENDATION: APPROVE**

Case Officer: Kate Bingham

Date Registered: 05/10/2010

## **1.0 APPLICATION DETAILS**

This is a full application for eight new residential units on land to the rear (west) of 34 - 39 Cross Street. The proposed units will comprise of 1 x one bedroom flat, 1x two bedroom flat and 6 x two/three bedroom houses. The buildings are proposed to be a mix of two and two and a half stories with varying ridge levels.

The site is currently a private car park used by the staff of the shops on Cross Street and residents of the flats above. It is bounded to the north and east by a public car park. To the south is the Swan Hotel car park. It is proposed that the dwellings will utilise the existing access off Beili Priory which is itself accessed off Monk Street with only a pedestrian link to the adjacent public car park.

The site is within a Conservation Area and is also adjacent to the Grade II\* listed Gunter Mansions. The site is also within a zone C2 flood plain.

## **2.0 RELEVANT PLANNING HISTORY**

None

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### Strategic Policies

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

### Development Management Policies

H1 – Residential Development in Main Towns  
HE1 – Development in Conservation Areas  
EP1 – Amenity and Environmental Protection

DES1 – General Design Considerations  
MV1 – Development and Highway Considerations  
NE1 – Nature Conservation and Development  
SD3 – Flood Risk

## **4.0 REPRESENTATIONS**

### **4.1 Consultations Replies**

Abergavenny Town Council – recommend refusal.

Acknowledged that the scale of the development had been reduced but concerns were still expressed about the traffic issues at the Monk Street entrance to the lane. It was also felt that with several historic buildings adjacent to the site, the development would not enhance the area.

Natural resources Wales – have commented that it is ‘unlikely to maintain objection’.

Note that during the 1% (1 in 100 year) plus climate change (CC) event, flood depths within the site are predicted to be up to 220mm (with an average of 70mm across the site) for the defended scenario. For the 1% plus CC and 0.1% (1 in 1000 year) events, flood depths are predicted up to 380 mm (average 160mm across the site) for the undefended scenario, which for this site is considered the worst case scenario. This has been reflected in the Flood Risk/Drainage Statement. TAN15 requires development to be flood free in the 1% plus CC flood event and we note that the proposed floor levels will be set to at least 400mm above the existing ground levels local to each individual plot as indicated in Appendix B, Drawing Number 014032-02 Revision A. As such the proposed residential dwellings will be flood free in the 1% plus CC flood event. However, we note that the remainder of the development i.e. shared access and car parking areas, is predicted to flood during the 1% plus CC event albeit to shallow depths (generally 300mm or less) and at low velocities. TAN15 requires all development to be flood free during the 1% plus cc flood event. Therefore, this aspect of the proposed development is not in line with TAN15. However, in this instance, in view of the shallow depths of flooding predicted and the fact that existing overland flow routes are to be maintained following the development we are unlikely to maintain our objection.

During the 0.1% (1 in 1000 year) event the site will flood up to a maximum depth of 380mm with low velocities. This depth of 380mm is within the indicative tolerable conditions set out in A1.15 of TAN15.

Should it be necessary to evacuate the site during a flood it is considered that egress on foot and by vehicle will be achievable due to the low flood hazard rating.

Minor revisions to FCA also requested on 18/9/14.

Dwr Cymru - Welsh Water – recommended that no buildings were brought into beneficial use prior to the upgrading of the Waste Water Treatment Plant and suggest three standard conditions.



Glamorgan Gwent Archaeological Trust – has no objection to the positive determination of the application subject to a condition.

We have received further details of this application, including the report on the archaeological evaluation. The results of this show that further archaeological mitigation is necessary, but can be achieved with the attachment of a condition.

The evaluation was undertaken by GGAT Projects, and the report (reference 2015/030, April 2015), noted that five evaluation trenches were opened within the proposed development area, two of which were archaeologically sterile and three of which encountered a variety of complex archaeological remains. Roman deposits which are identified as a well preserved road, with associated finds, were located in the north west of the site. Medieval deposits which may relate to fishponds and included organic remains were identified in the south east of the site; stratified post-Medieval deposits at a shallow depth overlay Medieval remains, the later probably relating to buildings shown on historic mapping.

Clearly the proposed development will impact upon the archaeological resource and will encounter further Medieval and post-Medieval remains, as well as Roman. The provision of the report on the evaluation means that there is sufficient information to provide your Members with advice in regard to the importance of the archaeological resource in the application area and the impact of the proposed development on it. Consequently, we have no objection to the positive determination of the current application but recommend that a condition is attached to any planning consent that is granted ensuring that any archaeological features that are disturbed by the works are identified, fully investigated and recorded. The detail of this will need to be worked out in relation to locations of buildings and foundations, services and landscaping to balance the depth of the archaeological remains with the depth of the proposed works. This will then provide the detail needed to mitigate the impact of the proposal; this may entail the full excavation and recording of some features, as well as ensuring that groundworks are undertaken under archaeological supervision in other areas. Given the nature of some of the features identified, there should be provision for sampling, particularly of organic material and anaerobic deposits; which given the findings so far are likely to be encountered; together with suitable contingency arrangements to ensure the provision of sufficient time and resources to ensure that archaeological features and finds located are excavated and recorded, and that the post-excavation work is undertaken.

We recommend that the condition should be worded in a manner similar to the model given in Welsh Office Circular 60/96, Section 23:

*No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.*

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

All archaeological work must meet the Standard and follow the Guidance of the Chartered Institute for Archaeologists (CIfA) and it is our policy to recommend that it is undertaken by a Registered Organisation or a MCIfA level Member with CIfA ([www.archaeologists.net/ro](http://www.archaeologists.net/ro) and [www.archaeologists.net/codes/ifa](http://www.archaeologists.net/codes/ifa)).

MCC Housing Officer - Confirm that we will accept the offer of one 4 person 2 bed house as low cost homeownership at 50/50. This means that the developer will be paid either 50% of ACG Band 4 or 50% of market value, whichever is the lesser, by the RSL.

MCC Highways – is uncomfortable about supporting the application without confirmation of a satisfactory safety audit.

The site is a rear car park area for the shops fronting onto Cross Street. It is accessed over a very narrow public highway that currently offers no turning facility. Passing provision within the public highway is not provided. This highway serves a number of dwellings as well as rear access to Cross Street. A private car park leased to the authority as a car park forms the boundary to the highway opposite the site.

The proposal is for 8 dwellings within the service yard to the rear of the shops. No alternative servicing facility has been provided or parking provision for the shops or rooms above. Swept paths for small refuse vehicles have been shown but the turning area is over private land and extremely tight. It would be impossible to turn a service vehicle such as a commercial delivery, gas, electric and other general service vehicles wholly within the highway. The site will not be accessible for delivering of building materials without using the internal area off the site for turning. There is no provision for passing of two vehicles along the length of Beili Priory. I consider that the site cannot offer a safe egress/access for the number of dwellings proposed. A safety audit must be provided should you be minded to support the proposal to prove that safety is sustainable in this location.

MCC Tree Officer – no objections.

The trees within the proposed development consist of one Goat Willow and nine self-seeded Sycamore. They are shown numbered 1 to 10 on the plan within the tree report submitted with the application. In my opinion, none of the trees merit protection with a Tree Preservation Order for the following reasons;

- With the exception of tree 1 which is growing on MCC land outside the site all of the other trees appear to be self-seeded.
- Trees 2 to 6 are growing out of the top of a crumbling stone wall.
- Trees 7, 8 and 9 are adjacent to a single block wall which divides the application site from the car park of the Swan Hotel. In particular, trees 8 and 9 are tight up against the wall and a significant crack has appeared in the wall as a result.
- Tree 10 is a Goat Willow pollard with little or no landscape value.

The main views into the site are from the main A40 road to the south; the bus station car park to the east and the Priory church car park to the north east. From each of

these view-points the trees on the application site are obscured to varying degrees due to the presence of mature MCC owned trees on the perimeter of the site.

Due to a combination of the above factors it is not considered appropriate to protect any of the trees within the application site. However, any trees intended for retention must be fenced off in accordance with British Standard 5837 *Trees in Relation to Construction Recommendations 2005*.

SEWBREC Search Results – Various species of bat recorded foraging/commuting within the vicinity of the site.

#### 4.2 Neighbour Notification

No formal objections received to date.

#### 4.3 Other Representations

Abergavenny and District Civic Society - Recent press coverage regarding this planning application has prompted us to review the 2010 planning application that has never been determined. At that time the Society was dormant and not commenting on applications.

The site in question was part of the curtilage of listed buildings 34, 36, 37-39 (consec) Cross Street when listed Grade II and II\*. A change of ownership may have more recently separated the application site from these buildings but it appears to have no effect on structures that would require Listed Building Consent. Clearly consideration of this proposal requires special regard to be paid to the setting of these important listed buildings, which have notable historic value as well as architectural interest. It is particularly relevant that the Grade II\* buildings, commonly known as the ‘Gunter Mansion’, originally faced east on to the application site. Early maps show no buildings fronting the lane. In our view the proposals for eight dwellings on this site will detract from the setting of these listed buildings; a lesser number might be arranged so as not to do so, and offer the potential to enhance the setting, consistent with LDP policy HE1 on development in conservation areas.

Other matters that appear not to be fully resolved are:

- archaeological considerations, where recent investigations appear to justify further explorations and possibly some protection of finds, especially the Roman road;
- the adequacy of off-highway access arrangements for larger vehicles needing to visit the site (and we understand that at least one Cross Street business is serviced via Beili Priory);
- the need to safeguard access from Beili Priory to carry out very necessary works on the listed buildings;
- the adequacy of flood protection, though this may be within levels of acceptable risk;
- uncertainties regarding the location of the Cibi Brook culvert which may affect the feasibility of the proposals.

We are unsure about the amended elevations that have raised floor levels to avoid flood risk and lowered the ridge line, but replaced the 19thC style vertical sliding sash

windows that dominate the Conservation Area (see the Conservation Area Appraisal para 7.7.4) with earlier squarer casements and the dormers with Velux-type windows. Historically this simple, more cottagey, style with square windows in a slightly arched opening, probably set flush with the rendered wall, is probably now absent at Abergavenny and a shallower roof pitch might be typical. Attention to details will be important; plain doors and a minimal canopy would be necessary.

We object to the proposals primarily because of their detrimental effect on the setting of important listed buildings. Our objection might be overcome if the rear of the site could be arranged differently and a substantial landscaped buffer could be provided between the development and the listed buildings. This would require the two bedroom units over car ports to be omitted along with the visitor parking (unnecessary with a public car park very close). These revisions would also allow the location of the Roman road and the Cibi culvert to be established, with the former protected from building.

As you know, the ‘Gunter Mansion’ is one of the town’s most historically significant buildings and we believe that this application is an opportunity for creative development management that would assist the fulfilment of its tourism potential as well as enhancing the Conservation Area.

#### 4.4 Local Member Representations

Cllr Prosser – requests that the application is considered by the full planning committee in the light of the discovery of a Roman Road in the vicinity.

### **5.0 EVALUATION**

#### 5.1 Principle of Development

The application site is within the development boundary of Abergavenny where new residential development is acceptable in principle under Local Development Plan Strategic Policy S1 subject to detailed planning considerations.

#### 5.2 Visual Amenity and Impact on the Conservation Area

The proposed scheme has been designed to replicate a traditional form of development rather than take a modern approach. A terrace of 6 two and a half storey three-bedroom dwellings is proposed to front Beili Priory. The terrace will be linked by a first floor one bed flat with access beneath. The access will lead to a parking and turning area and a two storey building that will house a two bed flat at first floor with garaging below.

There is a mix of architectural styles within the vicinity of the site including the Victorian Swan Hotel and the much older Gunter Mansions together with more modern flats further north west on the opposite side of Beili Priory. The Abergavenny Conservation Area Appraisal describes the area encompassing Beili Priory as the historic core of the town characterised by varied storey heights and stepped roof lines reflecting the gradient of the roads.

It is considered that the proposed new development should not compete visually with the buildings on Cross Street and therefore effort has been made to keep the ridge height of the proposed new dwellings to a reasonable height while also ensuring the scheme is financially viable in terms of the number and size of the units. As a result, the character of the proposed development is more akin to the smaller properties along Beili Priory rather than the buildings on Cross Street. External materials are proposed to be traditional: rendered walls, brick detailing and natural slate roofs. The scale, design and layout of the proposed development are considered to be appropriate in this setting but the detailing of the buildings will be critical to the overall success of the scheme. As such it is suggested that the window details and materials are conditioned.

### 5.3 Impact on Listed Building/ Conservation Area

The application site is immediately adjacent to the grade II\* listed Gunter Mansions with the rear elevation of this building forming the boundary with the site. Gunter Mansions form part of the street frontage of Cross Street but the building is grade II\* listed for its interior which contains rare and historically important 17<sup>th</sup> Century decorative plaster ceilings. However, externally the original part of the building is also distinctive with the elevation facing the application site being stone with two projecting gables.

As existing, the parking area for the shops and flats on Cross Street abut an unfortunate modern rendered single storey flat roofed extension running along the length of the building. On the proposed plans, this area is to be retained for parking for Cross Street with the only change being to the surface, together with some tree planting. Whilst a landscaped buffer between the listed building and the application site would be preferable, given that there is no change of use of this area proposed, it would be unreasonable to insist upon this or refuse the application on this basis. In the longer term it is hoped that the modern extension will be removed from the listed building which would result in the creation of additional space around the building, separate from the application site. The proposal, while adding a modern development in relatively close proximity to the rear of Gunter Mansions, would leave a reasonable space to leave the ability to ‘read’ the rear of the historic building (particularly to its northern end), would enhance the area visually by replacement of the unkempt parking area and would sit as an attractive feature in its own right – especially provided high quality, traditional materials and detailing such as reveals and robust sub-cills are employed. As such, the proposal is not considered to harm the setting of the listed building and indeed, would enhance the character and appearance of the Conservation Area.

### 5.4 Residential Amenity

The nearest neighbouring residential properties are on the upper floors of the properties on Cross Street, including a long gable projection to the west of the site. As a result, no habitable room windows are proposed in the side elevations of the proposed flat at the rear of the site. Similarly, no windows are proposed in the northern elevation of this building as this would lead to a lack of privacy for the proposed terrace element of the development. The upper floors of Gunter Mansions to the rear of the application site are currently vacant and have been for some time. It is

not therefore considered that the proposed development would harm local residential amenity. Even if occupied subsequently, it is not unusual in dense, urban areas for privacy distances to be reduced, and this is could be reasonably recued to around 13-15m as proposed here between the rear of the first floor of Gunter Mansions and the front elevation of plot 8.

#### 5.5 Access and Parking

Contrary to the comments from the Highway Officer, the site is not a service area or formal parking area for the shops fronting onto Cross Street. It is private vacant land over which tenants of the buildings on Cross Street have a right to pass over to get to ad hoc parking spaces behind the shops. The rest of the site is currently uncontrolled and used (unlawfully) by others to park. As a result, the properties on Cross Street are serviced from the front. Formalised parking is proposed in this application for use by tenants of the shops of Cross Street which would be an improvement.

As the site is uncontrolled and used informally, there is currently a relatively high turnover of vehicles accessing the site (as shown in the Transport Statement accompanying the application). Use of the site for 8 units with 14 car parking spaces is unlikely to lead to a significant change in vehicle numbers using Beili Priory. Given the current use of the site, it is not therefore considered that it would be reasonable to insist upon the submission of a safety audit to prove that safety is sustainable in this location as suggested by the Highways.

While the number of parking spaces falls below the required amount as stated in the Parking Guidelines, given the proximity of the site to a large public car park and town centre location, it is considered that the parking provision is adequate. There would also be an additional eight visitor spaces for use by tenants of Cross Street that may not always be fully utilised and would be likely to be vacant outside normal business hours.

The construction of the development, including the delivery of building materials can be controlled via a Construction Method Statement or Management Plan that can be a condition of any consent.

In their comments the highway officer was concerned that the turning area for larger vehicles is over private land and extremely tight. The applicant maintains that vehicles are varying sizes can turn within the site and do not have to use the highway to turn as there will be no gates preventing public access.

#### 5.6 Flooding

The site is within a zone C2 flood plain and therefore new residential development (vulnerable) is in conflict with Policy SD2 of the Local Development Plan. However, it is often necessary to undertake individual site studies to assess the existence, or not, and height of floodwaters. In the case of this site, NRW have undertaken recent studies that reveal that at worst case scenario flooding would be at a depth of 380mm for both the 1 in 100 and 1 in 1000 flood events. The lowest floor level proposed is 150mm above this level. As such the proposed residential dwellings will be flood free in a flood event.

The remainder of the development i.e. shared access and car parking areas, is predicted to flood at levels of generally 300mm or less and at low velocities. TAN15 requires all development to be flood free during the 1 in 100 flood event. Therefore, this aspect of the proposed development is not in line with TAN15. However, in this instance, in view of the shallow depths of flooding predicted and the fact that existing overland flow routes are to be maintained following the development it is concluded that it would be unreasonable to refuse the application on this basis.

It should be noted that NRW has advised that it would not be likely to be able to substantiate an objection to the proposed development on flooding grounds.

Additionally the Cibi Brook is indicated on NRW plans as passing through the application site via a culvert. The layout of the proposed development has been arranged in such a way as to provide clearance between the culverted Cibi Brook and the nearest dwelling (plot 8). However, it will also be necessary to verify the exact location of the culvert prior to construction work commencing.

#### 5.7 Archaeology

During the application process, the Council's archaeological advisors, GGAT recommended that the application be deferred pending an archaeological site investigation. This was undertaken earlier this year and uncovered a well preserved Roman Road and also some medieval and post medieval artefacts. Although this is an important find, following the investigative work already undertaken, GGAT have no objection to the positive determination of the application but recommend that a condition is attached to any planning consent that is granted ensuring that any archaeological features that are disturbed by the works are identified, fully investigated and recorded. This will then provide the detail needed to mitigate the impact of the proposal which may entail the full excavation and recording of some features, as well as ensuring that groundworks are undertaken under archaeological supervision in other areas.

#### 5.8 Affordable Housing/ Section 106 Heads of Terms

In line with Local Development Plan Strategic Policy S4, provision should be made within the proposed development for 35% of the dwellings to be affordable subject to an appropriate viability assessment. This calculates as 2.8 (rounded up to 3) dwellings. In the case of this site, financial figures provided by the applicant and tested by the housing officer and external independent consultant, evidence that the site has exceptional build costs. 'Normal' build costs allow for the construction of a basic dwelling including and some external works to a standard specification on a serviced greenfield site. In this case it is acknowledged that abnormal foundations are required and as the site is brownfield and used as a car park remediation and remodelling will also be required to facilitate the development thereof, along with some infrastructure improvements. On this basis, when the figures are run through the Development Appraisal Toolkit (DAT) the Residual Value (RV) of the site shows that the scheme is not viable with 3 affordable houses. When the exercise was repeated with 2 affordable units the results showed that the scheme remained very borderline and other Section 106 obligations would have to be lost. Therefore, after

much discussion between the applicant and the Council's housing officer, it was agreed to accept one 2 bed house for low cost homeownership at 50/50 (50% of ACG). The other Section 106 contributions agreed are £31,360 towards public open space provision and £5,984 for children's play.

#### 5.9 Response to Town Council representations

The objections relating to access and effect on the setting of the adjacent historic buildings are considered under pars. 5.3 and 5.5 above.

#### 6.0 **RECOMMENDATION: APPROVE SUBJECT TO SECTION 106 AGREEMENT**

##### Conditions:

1	This development shall be begun within 5 years from the date of this permission.
2	The development shall be carried out in accordance with the list of approved plans set out in the table below.
3	Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.
4	No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.
5	Foul water and surface water discharges shall be drained separately from the site.
6	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995, as amended (or any order revoking and re-enacting that Order with or without modification) no development within Parts 1 and 2 of Schedule 2 to the Order, shall be carried out on land to which this permission relates, without express planning permission having first been obtained from the Local Planning Authority.
7	No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
8	Details of the proposed windows, doors, reveals, headers and cills to a minimum scale of 1:20 including elevations, vertical and horizontal sections with larger scale details to sufficiently describe the proposed units shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.
9	No development shall take place until the written approval of the Local Planning Authority has been obtained to the proposed materials to be used for the external surfaces of the [walls [and roof(s)] of the development hereby permitted and no materials other than those approved shall be used unless otherwise agreed in writing by the Local Planning Authority. Where samples are to be agreed, these 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
10	All rainwater goods shall be of cast metal and matt painted and remain as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Informatives - Please note that this application is subject to a Section 106 Legal Agreement

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**DC/2013/00456**

**CHANGE OF USE TO THE STORAGE AND REPAIR OF LIGHT MOTOR VEHICLES; STORAGE AND REPAIR OF UP TO TWO HGV MOTOR VEHICLES AND A TRAILER; RETENTION OF VEHICLE WASHING AREA AND ANCILLARY PARKING**

**LAND INCLUDING NEW BARN WORKSHOPS, TINTERN ROAD, ST ARVANS**

**RECOMMENDATION: REFUSE**

Case Officer: Philip Thomas

Date Registered: 27 June 2013

- 1.0 This application was deferred at the Committee meeting held on 4<sup>th</sup> August 2015 to enable the applicant to consider additional green infrastructure mitigation including the removal of the adjacent builders yard area and that the amended application be re-submitted for consideration by the October 2015 Planning Committee. The related planning application for the retention of the builders yard and associated works (DC/2012/00613) was resolved to be refused by Committee at the August meeting although before the decision could be issued the applicants withdrew the application. In the meantime, the Council has served an enforcement notice to secure the removal of the builders yard and associated works, including the gates and hardstanding area.
- 2.0 There has been no response from the applicants in relation to the submission of additional green infrastructure which was required to be submitted in readiness for consideration at today's meeting. In the event that insufficient mitigation has been offered to offset the harm caused by the retention of this development to the landscape character of this sensitive location then the application is re-presented for refusal on the basis of the previous recommendation to the August meeting, subject to modification to the reason for refusal as set out below. To be clear, it is considered that to mitigate successfully the effects of the site on rural surroundings the following areas would need to be greened up:
  - the site of the builders yard (planning permission for the retention of which was subject to a Committee resolution to refuse at the August meeting and the site is subject to an Enforcement Notice);
  - the areas of hardstanding south-west of the access road/ current route of the public right of way;
  - there should be additional planting in front of the walled enclosure to screen the development from the public right of way;
  - the triangular area to the south-east of the workshop building (and the unsightly palisade fence removed); and in addition
  - the existing gates to the workshop would need to be replaced with a means of enclosure of a more rustic nature, possibly a traditionally designed timber gate, with an agricultural character.
- 3.0 There has been a letter of complaint/ objection from a third party which is presented in full as an appendix to this report. While several of the issues raised relate to code of

conduct / procedural matters which are not relevant to be considered within the scope of this report there are several planning matters identified which warrant a response.

- 4.0 The objection cites other local policies that have not been referred to as follows:
- 4.1 Policy ENV6 - noise (*a UDP policy now superseded by policy EP1 of the LDP*); *the issue of noise is considered later in this report in par.7 below.*  
ENV14 - lighting (*a UDP policy now superseded by policy EP3 of the LDP*); *this is considered under nature conservation issues/ policy NE1 below.*  
S16 transport  
S11 visitor economy  
NE1 nature conservation  
DES3 advertisements (N.B. this application relates to retention of use and associated works and the impact of any associated advertisements would have to be considered under a separate application for express consent to display an advertisement).
- 4.2 In respect of LDP policy S16 this states that all planning applications for developments which are likely to have a significant impact on trip generation and travel demand must, as appropriate, be accompanied by a Transport Assessment, etc.,. It continues, ‘development that is likely to create significant and unacceptable traffic growth in relation to the capacity of the existing road network and/ or fails to provide a safe and easy access for road users will not be permitted unless appropriate proposals for related improvements to the highway system, etc., are made. It is noted in the context of this site that the Highway Authority are satisfied with the level of information submitted within the application (a transport assessment has not been requested for this scale of development) and that it considers the existing access off the A466 to be acceptable in highway safety terms. The application is not therefore considered to be contrary to Policy S16 of the LDP.
- 4.3 In relation to LDP policy S11 this sets out that development proposals that would have an unacceptable adverse impact on features and areas of tourism interest and their settings, or that would result in the unjustified loss of tourism facilities will not be permitted. The Wye Valley AONB is renowned for its tourism appeal. The retention of the use of the site would, without adequate landscape mitigation, result in an adverse impact on the local landscape that is integral to the wider area’s appeal to tourists. As such, it is agreed that this policy should be referred to in the landscape-based reason for refusal.
- 4.4 Policy NE1 is relates to nature conservation. The Council’s ecologist has been consulted on the applications at the site and has offered no objection to the proposal, being satisfied that the proposal would not have an adverse effect on the nearby nature conservation designation (a Special Area of Conservation - SAC). Subject to a condition concerning control of any new lighting (beyond the existing, low-key PIR lighting at the site) it is considered the proposal is acceptable and in accordance with policy NE1.
- 5.0 In relation to the site history, the objector contends that the site area of the original permission 21850 was only 0.08ha. Having checked the planning history records, the application form completed by the agent did suggest the site was 0.08ha. However,

this is contradicted by the approved site plan which shows a site that equates broadly to the present site of DC/2013/00456 and DC/2012/00613 which has a significantly larger site area (around 0.7 ha). The objector also suggested that the original permission, 21850, did not refer to any successors in title having rights to continue the approved use after the applicants for application 21850 had ceased using the site. However, successor in title, occupiers and lessees are specified in clause 6 of the section 52 agreement accompanying and forming part of the 1985 permission.

6.0 There is criticism that the officer report in relation to DC/2013/00456 suggests that Cadw's comments have been offered and referred to as a formal response to the planning application. It is explicitly stated in the report that Cadw's observations were made in response to an EIA screening process, and should be taken in that context.

7.0 The objector also makes reference to the lack of a noise assessment to support the application, suggesting the process would be flawed without such a document. Although no noise assessment was formally requested for the retention of this B2 use, some reference and acknowledgement of context is appropriate here. As mentioned previously, the application is for retention of a repair garage use and as the use has been in place for some years (albeit unauthorised) it has been able to be monitored by staff in the Council to gauge its impact on amenity. Although a point contested by the objector, Council staff monitoring the B2 use have found the use in general to be low key and one which has presented only sporadic disturbance in relation to noise. Numerous noise-related complaints have been received from the residents however investigations by Environmental Health colleagues have not found there to be a statutory nuisance, and unannounced visits by planning officers have not provided evidence of noise disturbance. It is acknowledged that the objector has posted YouTube footage showing, on one occasion, a car roof being removed with an angle grinder, in the yard area. This matter is a material planning consideration. However, officers consider that, were Planning Committee minded to approve this application, noise concerns could be mitigated and addressed by imposing planning conditions. Conditions could be imposed to limit the use of the site (including vehicle movements of all vehicles associated with the site, including the HGV vehicles) to reasonable hours and to exclude working on Sundays and Bank Holidays. In addition, conditions could be imposed to ensure there is no outside servicing or repair of vehicles and that the garage doors are kept shut during the operational hours of the business could be reasonably imposed.

8.0 In the light of the above, it is considered that the proposed retention of use should be refused as per the previously presented reason, but with the additional policy reference regarding Policy S11 – visitor economy. Reference has also been added to the utilitarian palisade fencing at the site which is unsightly in this rural location. Therefore the reason for refusal now offered should read:

‘The development, which can be clearly seen from a public right of way that leads to and from the Piercefield Park historic parkland, includes the external storage of utilitarian equipment and vehicles of variable condition, and features utilitarian entrance gates and fencing of a significant scale, that, without substantial green infrastructure / landscape mitigation (that is not offered as a part of this planning application), causes unacceptable harm to the local landscape, which forms part of the Wye Valley Area of Outstanding Natural Beauty (AONB). The development is

therefore contrary to Policies S11, S13, S17, LC4, LC5, GI1, RE2 and DES1 of the adopted Local Development Plan (LDP).’

## **PREVIOUS REPORT (4<sup>th</sup> AUGUST 2015 MEETING)**

### **1.0 APPLICATION DETAILS**

- 1.1 This application has been remitted back to the Council to re-determine following the decision of the High Court to quash the planning permission granted on 4<sup>th</sup> October 2013. This application seeks the retention of the use of buildings at New Barn Workshops for the storage and repair of light motor vehicles; storage and repair of up to 2 HGV motor vehicles and a trailer; retention of a vehicle washing area and ancillary parking.
- 1.2 There is a separate planning application DC/2012/00613 for change of use to builders’ storage currently being considered which relates to land adjoining this site.
- 1.3 The application has been screened for the need to submit an Environmental Impact Assessment. The Council’s decision was that the proposal would not be likely to have significant environmental effects by virtue of factors such as its nature, size or location, so that an EIA was not required in this instance.

### **2.0 RELEVANT PLANNING HISTORY**

N.B. The applications below relate to both the application site and the adjacent site for the storage of building materials:

A21850 – erection of a garage for a commercial vehicle. Approved 08.02.1985

DC/2011/00697 – Change of use of existing workshop and adjacent land, to now include for the maintenance of motor vehicles and storage of building materials, in addition to the commercial vehicles granted consent under ref A21850. Approved 14/12/2011 Decision Quashed by the High Court of Justice

DC/2012/00243 – Revision to previous consent (ref DC/2011/00697) to allow the storage of metal containers and amendment to operating hours within the area designated for the storage of building materials. Introduction of an office unit for use in conjunction with the workshops and installation of new gates and landscaping. Withdrawn

DC/2012/00445 – Proposed change of use for existing workshop and adjacent land, to now include for the maintenance of motor vehicles and storage of building materials and equipment, in addition to the commercial vehicles granted consent under ref A21850 – Withdrawn

DC/2012/00594 – Certificate of Lawful Use of land for vehicle repairs. Withdrawn

DC/2012/00613 – Change of use to allow for the storage of builders materials, construction machinery and equipment, including metal storage containers and

retention of security gates. Decision to approved by Council was quashed in July 2014 by the High Court of Justice

DC/2012/00886 – Variation of condition 11 of planning permission A21850. Approved on 06/02/2013; Decision quashed by the High Court of Justice; remitted back to Council to determine but later withdrawn by applicant.

### **3.0 NATIONAL PLANNING POLICY**

Section 85 of the Countryside and Rights of Way Act 2000 states:-

“In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.”

Planning Policy Wales (7<sup>th</sup> Ed.)

Par. 5.3.5 ‘The primary objective for designating AONBs is the conservation and enhancement of their natural beauty. Development plan policies and development management decisions affecting AONBs should favour conservation of natural beauty, although it will also be appropriate to have regard to the economic and social well-being of the areas. Local authorities, other public bodies and other relevant authorities have a statutory duty to have regard to AONB purposes.’

Par. 5.3.6 ‘National Parks and AONBs are of equal status in terms of landscape and scenic beauty and both must be afforded the highest status of protection from inappropriate developments. In development plan policies and development management decisions National Parks and AONBs must be treated as of equivalent status. In National Parks and AONBs, development plan policies and development management decisions should give great weight to conserving and enhancing the natural beauty, wildlife and cultural heritage of these areas.’

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

S8 (Enterprise & Economy); S13 (Landscape, Green Infrastructure & Natural Environment); S17 (Place Making & Design); DES1 (General Design Considerations); LC1 (New Built Development in the Open Countryside); LC4 (AONB); LC5 (Protection and Enhancement of Landscape Character); GI1 (Green Infrastructure); EP1 (Amenity and Environmental Protection); Policy RE2 (Conversion or Rehabilitation of Buildings in the Open Countryside for Employment Use); Policy M2 (Minerals Safeguarding Areas)

#### **SUPPLEMENTARY PLANNING GUIDANCE**

Wye Valley AONB Management Plan 2009-2014

This plan sets a vision and a policy framework for the protection and enhancement of the natural beauty of the AONB. The Plan sets out that the purposes of the AONB designation are:-

- The primary purpose of designation is to conserve and enhance natural beauty
- In pursuing the primary purpose of designation, account should be taken of the needs of agriculture, forestry, and other rural industries, and of the economic and social needs of local communities.
- Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment
- Recreation is not an objective of designation, but the demand for recreation should be met so far as this is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses.

#### Draft Wye Valley AONB Management Plan 2014-2019

The draft sets out that most of the issues in the 2009-2014 Plan are still relevant, and the emerging version aims to build on and develop the approach of the previous one, updating and making changes where necessary, and setting out current priorities and actions. The Strategic Objectives in the last Plan have been reviewed and in some cases updated or refined. An Action Plan is also produced to ensure that these Strategic Objectives are implemented.

The Plan 'is intended to provide guidance and strategic objectives, giving support and direction to help steer positive landscape change, particularly to those bodies that make up the Wye Valley AONB Joint Advisory Committee and the wider AONB Partnership. It also provides guidance to the many landowners, residents and visitors in the area. The Management Plan is thus for all the bodies and individuals whose actions affect the AONB and who can play an important part in helping to conserve and, where appropriate, enhance the outstanding landscape of the lower Wye Valley, for the benefit of both current and future generations. However this Plan does not provide all the answers for the next five years. It addresses the implications for the conservation and enhancement of the natural beauty of the area. Meanwhile it complements a range of plans, strategies and programmes that cover other aspects in the administrative areas covering the Wye Valley AONB. In this context it articulates the value of the landscape and the added value brought by the designation and the role of the partners in the AONB in supporting society's needs through an integrated approach to land management.'

Par. 2.2.1 of the draft plan provides 'a 20 year vision and remains a true encapsulation of how we want the AONB to be in 15 years' time and beyond:

The Wye Valley Area of Outstanding Natural Beauty (AONB) will be a landscape

- that continues to evoke inspiration in a wide range of people
- where some degree of change is accepted and its impacts accommodated through positive management including effective adaptation to and mitigation of climate change



- where the distinctive mix of steep valley sides and rolling hills, covered with ancient and semi-natural woodland, mixed farmland, and scattered settlement dominate the landscape along with the meandering river
- where the natural and historic assets are in good order, in fully compatible uses, and not denigrated by unsuitable change
- with a robust mosaic of inter-connected semi natural habitats for native wildlife, particularly around grassland, wetland and woodland
- providing functioning services and resources for society, including flood storage, food, timber, tourism and minerals
- which provides work for local people, who make good use of the varied resources the area has to offer
- where both visitors and residents are able to enjoy the area, particularly for sustainable tourism, recreation and informed appreciation of the historic and natural environment, with minimal conflict or disturbance from other users
- where association with the Wye Valley continues to benefit the surrounding villages, market towns and counties
- supported by the good will, pride and endeavour of local people, visitors, and the public, private and voluntary sectors
- worthy of its designation as an internationally important protected landscape.’

#### **4.0 REPRESENTATIONS**

##### **4.1 Consultations Replies**

St Arvans Community Council – Approve. There have been only minor changes to the previous scheme; the Community Council considers its earlier comments to be valid and these are set out below:

Whilst recommending approval, please note the following observations:

- 1) St Arvans’ CC comments on the previous application were considered still valid and should be revisited
- 2) Taking into account the business proposed on the site, MCC Planning Department should apply appropriate hours of use restrictions

If consent is given with conditions, the Community Council would like to be consulted should application be made to discharge or change them in any way.

MCC Public Rights of Way Officer – the alignment of Footpath No. 32 is wrongly depicted on the revised application drawing (no. 112/501D). The legally recorded alignment of the path runs through the site of the proposed development and is obstructed by it. This is not consistent with the information submitted in the Design & Access Statement.

Countryside Access is however in receipt of an application and is currently processing an order that would resolve the issue but until such time that the order is confirmed the legally recorded alignment will remain obstructed if consent is granted.

Importantly, public path orders are not guaranteed to succeed. If unsuccessful it is possible that Countryside Access will require the legal alignment of the path is made available.

Natural Resources Wales – no objection, but wish to make comments as follows:

Protected Landscape – site is within AONB. The landscape appraisal and assessment from Jellard Associates is welcomed; having reviewed the appraisal it is considered

that the proposal would not be likely to have a significant adverse effect on the AONB or the setting of Piercefield Historic Landscape. However, there are likely to be some adverse effects locally, which could be mitigated in the long term by a landscape scheme. It is therefore requested that a condition for a long term Landscape Management Plan be imposed on any permission granted. The landscape management plan should be reviewed every ten years. The proposals should adhere to the Development Strategic Objectives within Section 6 of the Wye Valley AONB Management Plan 2009-2014.

The site is in close proximity to the Wye Valley Woodlands Special Area of Conservation (SAC). The Lesser horseshoe bat is a designated feature of the SAC and also a European Protected Species. This species of bat is light sensitive and inappropriate lighting can have a negative effect on both flight-lines and foraging behaviour. A condition for a lighting plan is requested.

The storage of waste building material may require an Environmental Permit from NRA unless an exemption applies. The applicant is advised to contact NRW for further advice. A Planning Advice Note is also attached for the applicant's attention.

AONB Officer – no comments received in relation to the most recent consultation process, but previously recommended the application be refused unless additional tree and hedge screening could be guaranteed through conditions attached to any planning permission that may be granted.

Biodiversity – I note that this application is for retention of the existing use and development has already occurred at the site.

The site is very near to the Wye Valley Woodlands SAC. It is not considered that there is a mechanism for direct or indirect impact upon this site.

There should be no further lighting (further to that illustrated on lighting plan and photographs dated Nov 2013) without written approval of the Council. Please secure this through an appropriately worded planning condition.

The Ramblers Association – No comments received. See observations in relation to associated application DC/2012/00613.

MCC Highways – agrees that their previous comments still apply - I would offer no adverse comments to this proposal and therefore have no highway objections subject to the following conditions:

The application site outlined on plan 1123/702 [now updated by plan Rev. c] shall hereby be required to retain visibility splays for the benefit of the existing vehicle access off the A466 connecting into the applicant's site. Nothing which may cause an obstruction to visibility shall be placed, erected or grown in the visibility splay areas.

The application site outlined on plan 1123/702 shall hereby retain vehicle access via the existing A466 access connecting into the applicant's site. A suitable turning area immediately south of the application site access, within ownership of the applicant, shall be retained free from obstruction to ensure all vehicles that enter the site are able to turn and access the County highway in forward gear

MCC Environmental Health – Whilst some noise from vehicle repairs, jet washing and vehicle movements on and off the site has the potential to be audible at the

nearest residential property, I am not in a position to substantiate a level of problems on which to base an objection.

In order to minimise any disturbance at the nearest residential property I would recommend that any approval is subject to the following conditions:

1. The hours of operation shall be limited to:

For the repair of motor vehicles:

08.00 to 19.00hrs Monday to Friday

08.00 to 13.00hrs Saturdays.

No operating on Sundays or Bank Holidays.

- For the movement of Heavy goods vehicles on and off the site:

06.00 to 19.00hrs Monday to Friday

06.00 to 13.00 Saturdays

2. I would also recommend that the advice issued by Natural Resources Wales is conditioned as follows:

- Any effluent from the vehicle wash area must be disposed of appropriately. If any detergents are used, the system must be sealed and all effluent tankered away to a licensed site. If no detergents/chemicals are used, the effluent must be passed through an interceptor and then disposed in conjunction with an appropriate consent or exemption from Natural Resources Wales if required.

3. In 2014 this department received complaints of smoke nuisance following the installation of a solid fuel heating appliance at the premises. This appliance was subsequently removed from the premises. However I would recommend that any approval was subject to the following condition:

- Prior to the installation of any solid fuel heating appliance details of the proposed installation and measures to be taken to minimise impact at neighbouring properties from smoke/odour to be submitted to and approved in writing by the Local Planning Authority.

Open Spaces Society – No comments received.

Cadw (response to EIA screening process) - This proposal is located immediately adjacent to the historic park and garden known as “PGW (Gt) 40 Piercefield Park and the Wyndcliff”, which is included in the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales. The relevant area is shown outlined in blue on the attached plan.

Although the application area is located immediately adjacent to this grade 1 registered historic park, it is not in any of the identified essential views. The application area will not be visible, or will be screened from view by the topography, a stone wall and existing vegetation from the majority of the registered park, although close views are possible. The impact, therefore, is likely to be no more than local.

The application area is also located outside the Registered Lower Wye Valley Landscape of Outstanding Historic Interest (HLW (GT) 3 The Lower Wye Valley). There will be limited close views of the application area from the edge of the registered landscape but in Cadw’s opinion these will constitute, at most, a local impact.

This development will have no direct impact on any of the historic assets identified and any impacts to their settings can be assessed through the planning process. Cadw consider that this impact is not significant enough, on the historic environment as a whole, to warrant an environmental impact assessment.

MCC - Principal Landscape & Countryside Officer

I have looked at the proposals and offer the following comments.

New Barn Workshop Monmouth DC/2013/00456

The site is situated within the Wye Valley AONB and is identified as being of outstanding value for its visual and sensory and cultural aspects and of high value for its historical and geological aspects and moderate value for its landscape habitats. It is also situated within the Piercefield Historic Park and Garden, and on the edge of the lower Wye Valley Landscape of Outstanding Historic Interest.

The site is further highlighted in the Landscape sensitivity and capacity assessment 2010, (LLCA ST02) as of "High" sensitivity and "Low" capacity for development due to location and proximity to the historic park and garden being situated on rising open ground, abutting the Conservation area and within the AONB.

It is clear therefore that the site is a sensitive one situated on an open rising backcloth to the settlement of St Arvans with mature trees of woodland on the skyline defining the edge of views north east out of the settlement, located within and adjacent to a plethora of landscape and historical designations.

In terms of the AJA report the following are my thoughts;

1. The assessment of the LANDMAP aspect area needs further interpretation and explanation as to why for example the change of use will have no impact not to just state this.

2. I would disagree that the site is well enclosed by tree and hedgerow cover in all locations, in particular views from the PROW close to the site within Piercefield would clearly be visible. This really needs to be more clearly represented and addressed. Although it is accepted that visibility of the site in more intermediate and distant locations (with the benefit of the mature parkland trees and surrounding vegetation) does help offset the visual impact in the wider landscape.

3. The suggestion that the site is discreetly located I would disagree with, as it is clearly situated on open rising ground, although in recent years it is acknowledged that the front of the site (outside of this application but part of the second application) along the A466 has been enclosed by an incongruous non-native leylandii treeline – out of character with the rural setting. Whilst the park wall affords some screening and the tree planting alongside of it will in time provide some benefit – it was felt that this was insufficient and did not offer adequate screening to mitigate the intrusive metal fencing and ancillary structures associated with the garage operations. Further it was noted on site that some of the trees planted had died and had not been replaced.

4. The proposal that the existing vegetation as it exists in this application would remain unchanged is disappointing in view of the above issues and fails to take account of the LDP new policy on Green Infrastructure (GI).

5. The summary of overall conclusions in relation to impact on landscape character is therefore incomplete based on the above points raised and the sensitivity of the site has not been fully assessed by the incorporation of the sensitivity and capacity study. Further the ancillary structures and adjacent builders yard create a cumulative impact which in combination with the garage itself would appear to have a detrimental impact on landscape character.

6. In terms of impacts on the AONB it is acknowledged that a building has been present/ or in the vicinity of this site for a long period of time. However the reports reference to a "strong landscape screen" of leylandii is inappropriate and incongruous within this rural setting and its operation jars with the parkland character clearly defined by its setting and surrounding designations. Localised views are significant in

this instance due to the proximity of the site in relation to a PROW through such distinctive historic parkland. The PROW are a well-used recreational resource sitting on the edge of a landscape designated for its natural beauty for which Piercefield is promoted as part of picturesque valley tour. Significant mitigation would therefore be required to offset these issues.

#### Conclusions

It is clear the site is located in a sensitive location based upon the above assessment. However in view of the lawfulness of the buildings, means of enclosure and hard surfaces at the site, it is considered that with careful controls of ancillary structures, a comprehensive GI masterplan and management plan to take account of the whole site, the proposal could be accommodated within this location assuming the following was satisfactorily provided and agreed.

- Further assessment of the reasons and justification as to why the proposal won't have an impact taking into account the sensitivity and capacity assessment.
- Submission of a GI context and opportunity plan, a GI masterplan and GI management plan this will need to be for the whole site including the adjacent yard application as based upon the newly adopted GI SPG – available to view on the Councils LDP website.
- The GI masterplan would need to rational operational structures to minimise impacts and planting would need to be incorporated to address this. I would also anticipate strict conditions in relation to heights, gates, signage, lighting and the use of the hard standing areas particular restricting the storage of containers or other large scale structures.

#### Existing Builders Yard DC/2012/00613

The sensitivity and constraints affecting this site are same as for the above application. As there is clearly repetition in relation to the impacts on all the designations, I would therefore refer to my points 1-6 as also being relevant to this application. However I am of the view that the proposed builder's yard represents an unacceptable extension and detrimental cumulative impact in combination with the proposed garage use. The boundary planting whilst offering screening is inappropriate for this rural area and the storage units and metal gates contribute to the added sense of industrialisation of this sensitive rural landscape.

Conclusion - It is therefore considered that this site should be restored as a green space and incorporated as part of the GI mitigation in support of the change of use for the garage application.

Further response of the Council's Principal Landscape & Countryside Officer:

14.7.15 St Arvans: New Barn Workshop Planning Application DC/2013/00456 and Existing Builders Yard DC/2012/00613

The Council's Landscape Officer provided comments in relation to the AJA response [the applicants' landscape consultants]. The AJA observations are in normal text and the Council's Landscape Officer's comments in response to these are in italics below:

First bullet point: further assessment of the reasons and justification as to why the proposal won't have an impact taking account the sensitivity and capacity assessment  
1.2 Para 2.2 of the Monmouthshire Landscape Sensitivity and Capacity Assessment 2010 states 'Sensitivity is taken to mean the sensitivity of the landscape capacity itself, irrespective of the type of change which may be under consideration.' Para 2.3 defines 'capacity' as 'the ability of a landscape to accommodate different amounts of

change for a development of a specific type'. It is clear from the references throughout the Landscape and Sensitivity report that the type of development which the capacity refers to is housing development. Therefore we would argue that this study is of limited relevance to the particular planning application given that it is not for a housing development. Nevertheless we have set out below our analysis of the proposed development in relation to the sensitivity and capacity study.

*Comment from MCC's Landscape & Biodiversity Officer - For clarity the definition of Landscape sensitivity as per the MCC sensitivity & Capacity study 2010 paragraph 2.3 actually states;*

*"Sensitivity is taken to mean the sensitivity of the landscape itself, irrespective of the type of change which may be under consideration. It is a combination of the sensitivity of the landscape resource [including its historical and ecological features and elements] and the visual sensitivity of the landscape [such as views and visibility]. For the purposes of this study it also includes landscape value [including designations]. For example, an undesignated very gently sloping landscape with large arable fenced fields and trees may have a lower sensitivity than a steeply sloping pastoral landscape with small fields and strong hedgerow and tree cover."*

*(I think the consultants quote has included a typo.)*

*This is not the same as is suggested above. The assessment of sensitivity is independent of the type of development, it is only capacity that is specific to housing development. Also for clarity the assessment of the LLCA areas (Local Landscape character areas) provides a more detailed LCA assessment based upon the LANDMAP approach but to a level 4/5 assessment. The MCC Study is therefore still relevant. Further whilst the proposal is not a housing development the scale and usage of the garage and builders yard would represent a more intensive use, as the garage comprises a building and multiple car parking, the builders yards comprising stacked containers often to a similar height to a single storey dwelling. A small housing development could be less intrusive and more compatible to the location, the capacity assessment could therefore be considered to be useful and relevant to some degree.*

1.3 The site is covered by the Main Villages and H4 Settlements section of the study. It falls within the St Arvans Local Landscape Character Area (LLCA) ST02, the evaluation of which is high sensitivity and low capacity (for relevant plans from study see Appendix at back of this AJA report)

1.4 The key characteristics for this area are described as:

- Landform sloping to the west and south across Piercefield Park and sloping very steeply to the Wye to the east.
- Chepstow race course, playing field, arable and pasture with predominantly rectilinear fenced boundaries.
- Strong deciduous woodland to east [pSAC and SSSI] and scattered trees to the north and parkland trees.
- The area provides a generally simple, open rising backcloth to the settlement.
- Mature trees of woodland on skyline defines edge of view north east out of settlement.
- In Wye Valley AONB and in registered historic park- Piercefield Park.

- Listed structure - The Temple Doors; on the edge of Lower Wye Valley Landscape of Outstanding Historic Interest.

1.5 Under the heading of Landscape Sensitivity – and the evaluation of high – the entry states:

The area has high sensitivity as it lies within an historic park and garden - Piercefield Park, is open on rising ground abutting the Conservation Area and also is in the AONB close to the steep Wye Valley wooded slopes.

1.6 However, although a considerable part of this LLCA is within the Registered Historic Park, the site is outside. The site not only lies beyond the boundary but it does not form any part of designated Significant Views out of the park (see Appendix for CADW Registered Park Entry)

*Comment - It is acknowledged that the site does not form part of a designated significant view – but it does form part of sweeping views towards the AONB which forms the landscape setting/backdrop to the Park and Garden.*

1.7 Also, while much of the Registered Park within this LLCA is ‘open on rising ground’ the entry fails to mention that the eastern edges of the LLCA are within the extensive areas of woodland which form much of the Park. As far as the application site is concerned it is not on the open rising land. It is within a wooded fringe beyond the park edge. Topographically it lies in more of a transitional area between the gently rising open parkland and more steeply rising ground to the north up to Gaer Hill.

*Comment - It is quite clear that the land is gently rising otherwise the views and vistas evident when walking along the site would not be possible. Historically the site would have been woodland fringe (19th century) – however over the years this has diminished and the site has become more open.*

1.8 While the north western edge of the LLCA abuts the St Arvans Conservation Area, the site does not. The track leading to the workshop and builders yard is approximately 150m from the eastern edges of the Conservation Area and separated by significant tree cover.

1.9 So in terms of landscape sensitivity the actual site is not typical of the wider LLCA. Given the relatively enclosed and small scale nature of the site, the fact it is not in the Registered Park and separate from the Conservation Area, we would argue that the site is significantly less sensitive than the wider LLCA.

*Comment - The LLCA has been assessed based upon the LANDMAP methodology and its process supported through the LDP inquiry – the incorporation of the site within the LLCA is sound and based upon a clear and transparent methodology ( see extract of the LLCA) – the above assessment is not based upon such a complete impartial methodological study.*

1.10 Moving on to the issue of ‘Capacity’. Here is what the Sensitivity and Capacity Study entry says:

Housing capacity: low. The area has a low capacity for housing and it is within an historic park, is open and rising in character and relates to the Conservation Area within the AONB.

Note again that the type of development to which capacity refers is for housing. Capacity, as we noted in Para. 1.2 is ‘the ability of a landscape to accommodate different amounts of change for a development of a specific type’ [our emphasis]. The

evaluation of 'low' is for housing and it applies as a general evaluation for the whole LLCA. The Workshop development is not new housing but a workshop development based around the remnants of New Barn, a historic structure which is shown on the 1886 OS Survey Map. The planning application being considered is for a building of similar mass and scale to what had been in existence for at least 130 years, set discretely on a small partly enclosed site beyond the Piercefield Registered Park boundary. We believe the capacity for such a development, if focussing specifically on this site, is significantly higher than the general evaluation of 'low'.

*Comment - I have acknowledged that the capacity assessment for the MCC study has been done for housing however the type and form of development is of a industrial nature which in some respects could be considered of having greater impact than housing in this rural setting. I acknowledge that the principle of the garage is accepted however the intensification of the site to extend to a builders yard on the side of it is not typical or in keeping with the sites development which the historical mapping clearly indicates and would lead to a cumulative impact.*

Second Bullet Point: Submission of a GI context and opportunity plan, a GI masterplan and GI management plan this will need to be for the whole site including the adjacent yard application as based upon the newly adopted GI SPG – available to view on the Council's website.

1.11 We have had a telephone conversation with the landscape officer on the 25 June 2015. Our understanding from that call was that a full suite of GI information was not required given the small size of the application site. We were recommended to prepare a GI plan focussed on planting mitigation. With this in mind we have produced a GI Infrastructure plan 2392.10 (see Appendix) which provides detail of the substantial planting mitigation now proposed by the applicant together with descriptions of the GI objectives.

1.12 We believe that these proposals address the landscape concerns in the officer's consultation memorandum. While we maintain our view that the development is discretely sited, with significant tree and hedgerow providing a substantial screen in the wider views, the proposed 5m belt along the southern boundary will reinforce that screening effect and will be particularly beneficial in views from the PRow which runs close to the site.

1.13 The plan also proposes the medium/longer term removal of the conifers and replacement with native planting.

1.14 These elements will contribute to biodiversity including enhanced wildlife links.

*Comment - I had said that I would generally be happy with this level of information for the proposed garage/workshop and that the area currently being used as a builder's yard be returned to an open grassland as mitigation for the garage operations. I also said I would require a GI management plan in support and that there should be a Landscape and Biodiversity focus to the mitigation and management (detailed planting information can be conditioned). In terms of the actual mitigation – I have made it clear that the builders yard should be removed, regraded and restored to its original use as rough grassland surrounded by the existing hedge/treeline together with the removal of the coniferous treeline (which I*



*note has been suggested and I welcome). The planting belt to the south is positive but some thought should be given to the car park/storage areas which has been concreted over and left unfinished. Planting within the boundary of the garage itself should also be considered to offset the visual impact of operations.*

Third Bullet Point: The GI masterplan would need to rational operational structures to minimise impacts and planting would need to be implemented to address this. I would also anticipate strict conditions in relation to height, gates, signage, lighting and the use of hard standing areas particular restricting the storage of containers or other large scale structures.

1.15 Again we would draw attention to our understanding that the officer does not require a full suite of GI info for a site of this scale. However, we would also make the following specific points in relation to this element of the consultation comments

- The landscape mitigation plan will provide a strong planting framework for the development which is in keeping with the wider surroundings.

*Comment - The GI Masterplan as it should be called (not landscape mitigation plan) needs to incorporate the restoration of the builders yard to a greenspace in keeping with its historical use. The principle of development here is not acceptable based upon LDP policy and the cumulative impact of the two employment operations side by side which has created an intensity of use not characteristic of the local landscape character.*

- The existing sheet steel gates would be clad in timber panels and this will be a significant visual enhancement for those using the adjacent PROW.

*Comment - Unfortunately simply cladding the gates will not be enough to offset the industrial nature of the proposal. The principle of this development hasn't been accepted and therefore the users of the PROW should be experiencing what the site originally was – a greenfield.*

- Signage and lighting and the use of hard standing areas can be controlled by condition

*Comment - Agreed.*

- We believe that the issue of the storage of containers is more applicable to the Builder's Yard planning application.

*Comment - The builders yard impacts upon the garage / workshops and results in a cumulative impact.*

1.16 We have also reviewed the officer's concerns in points 1- 6 of her memorandum and believe that most of these are addressed in our commentary above. However the issue of interpretation of LANDMAP in point 1 needs a little further explanation. We do feel that we have given explanations for why the change of use will not have significant impacts on the different LANDMAP Aspect Areas. We believe the issue is more that the officer is disputing our view of the current screening of the site and its 'discrete' siting. Hopefully we have addressed those concerns above with the now proposed GI Infrastructure planting

1.17 In summary, we believe that the proposed workshops does respect the guidance of the landscape sensitivity and capacity study and, with the proposed GI infrastructure planting recommendations, would have no unacceptable effects on overall landscape character, or on the AONB Landscape and on the setting of the Registered Park and Gardens of Piercefield Park.

*Comment - As stated above – additional mitigation is required, in particular the restoration of the builders yard to a green field, as GI mitigation to help offset the impacts of the garage operations and reduce the intensification/ cumulative impact of the proposal in this sensitive rural location.*

## 2. Existing Builders Yard DC/2012/00613

2.1 We realise that the landscape officer is opposed in principle to this development but we will address the landscape and visual issues which she raises:

The sensitivity and constraints affecting this site are the same as for the above [Workshops] application. As there would be clearly repetition in relation to the impacts on all the designations, I would therefore refer to my points 1-6 as also being relevant to this application

2.2 We would agree with the Officer's general premise of similarity and our comments on the Workshops application also apply to this application. This site is equally well screened from the wider landscape designation – indeed arguably more so because of the additional screening effect of the workshop facilities.

*Comment: The screening that has been allowed to grow up in particular the coniferous planting is incongruous with the setting. The proposals are insufficient to overcome the intensification / industrialisation of use in combination with the garage/workshop and car parking areas that have incrementally spread across this site.*

*However, I am of the view that the proposed builder's yard represents an unacceptable extension and detrimental cumulative impact in combination with the proposed garage use. The boundary planting whilst offering screening is inappropriate for this rural area and the storage units and metal gates contribute to the added sense of industrialisation of this sensitive rural landscape.*

2.3 We have addressed the issue of the conifer boundary planting and the metal gates in our comments above on the Workshop application and we believe the applicant's proposals should allay the Council's concerns.

*Comment - As per my points made above.*

2.4 The site is tucked behind between the boundary planting and the Workshops. This location tight against the Workshop with a high degree of screening which will mean that cumulative effects of this small scale development would be minimal.

2.5 In summary, we believe that effects of this proposed development, when taken with the Workshop proposal, are acceptable in landscape and visual terms.

*Comment - The proposal will have an impact on a small scale but incrementally fundamentally changes the character of the landscape through a creeping urbanising effect – the effects are local in scale but this should not diminish the significance of their impact.*

MCC Development Plans - Strategic Policy S8 relating to enterprise and economy provides some support in principle for the proposal subject to detailed planning considerations.

The site is not allocated as an identified employment site under Policy SAE1 of the Monmouthshire LDP. The proposal cannot be considered under Policy E3 as this Policy is

aimed at new, non-speculative, single-site users that cannot be accommodated on existing or proposed industrial or business sites within the County. The site is located in the open countryside, Policy LC1 contains a presumption against new-build development in the open countryside although identifies those type of developments involving new build that might be acceptable if justified in policies S10, RE3, RE4, RE5, RE6, T2 and National Planning Policy. None of these policies appear to be applicable. Policy LC1 also contains a number of detailed criteria that should be considered.

The site is located in the Wye Valley AONB; as a consequence Policy LC4 must be referred to. Policies EP1 and DES1 should also be taken into consideration in relation to Amenity and Environmental Protection and General Design Considerations respectively.

Further to this it should be noted that the site is located in a minerals safeguarding area as designated in Policy M2. There is however a need to provide a buffer to protect existing residential dwellings in the locality from the impact of minerals working, as a consequence, minerals extraction would not be feasible in this location. The development would not sterilise land beyond the existing buffer zone site as the proposal does not relate to a residential use. In any event this application is largely for a change of use and will not sterilise any potential mineral deposits, there is therefore no conflict with Policy M2.

Finally the site is located in close proximity to the Piercefield Historic Park and Garden, as there is no specific local planning policy in relation to this designation it is important to ensure Strategic Policy S17 relating to place making and design is considered along with supporting policies DES1 and EP1 as noted above. Chapter 6 of Planning Policy Wales relating to Conserving the Historic Environment must also be considered.

#### 4.2 Neighbour Notification

Seven individual emails/ responses from a local resident citing, inter alia, inaccuracies in the submitted Design & Access Statement that refer to previous uses on the site that were not lawful, the successful challenges at the High Court regarding the Council's previous decisions to approve similar proposals at the site, adverse impact on the AONB and historic parkland, as well as adverse impacts on the health and well-being of the neighbour and her property from noise, light pollution, general disturbance, breach of opening hours and smoke from an unauthorised flue at the premises (since removed).

Two emails from staff working at the local cattery citing problems concerning loss of amenity including the harm caused by the smoke from the unauthorised flue to humans and animals at Mistletoe Cottage and the harm caused by the untidy nature of the uses on walkers' enjoyment of the footpath network and wider AONB.

A further fourteen separate grounds of objection have been submitted by another local resident on: Policy S13 (LDP), Other Policies, Transport, LDP Policy DES1, Existing Use, Ecology, Environmental Health, Tourism, Policies, Landscape Assessment, Public footpaths, Residential Amenities and St Arvans Community Council representations; for ease of reference these have been reproduced in full as an appendix to this report. That resident also submitted an email referring to a video link of the unauthorised development.

Previous objection received from the Chair of the Monmouthshire branch of CPRW :-

*The planning status of the uses carried out on this site would appear, from the various representations received by the Council, to be in question. Doubt must therefore be*

*cast on whether this application should be treated as a change of use rather than as a fresh one. If the latter the proposed commercial development would clearly conflict with those national and local planning policies that seek to protect the countryside and attractive landscape of this part of the Wye Valley AONB. This is a landscape that should be afforded the highest form of protection. Even if treated as a change of use, this application would represent an undesirable intensification of unsightly commercial and industrial type uses in the countryside close to a public footpath. Such uses would be more appropriately located in an industrial or commercial area close to or in an established settlement.*

4.3 Local Member Representations - application to be presented to Planning Committee

## 5.0 EVALUATION

The main issues relating to this application are:

- Planning History
- Visual impact upon the Wye Valley Area of Outstanding Natural Beauty (AONB) including Development Plan and Green Infrastructure issues
- Residential Amenity
- Public Footpath, access and parking
- Other issues
- Socio-economic considerations
- Change of recommendation from the previous recommendations and determinations of the planning application

### 5.1 Planning History

Much of the wider site (which largely encompasses the sites under DC/2012/000613 and DC/2013/00456) was originally granted permission in February 1985 under A21850 for a commercial garage / workshops for the storage and repair of vehicles solely owned by the applicant at the time and any successors in title. Any wider use for vehicles not owned by the applicant would have required the permission of the Planning Authority. A section 52 agreement (now s.106 of the 1990 Act) was signed to ensure an existing non-conforming use of a building at Parkfield, St Arvans for commercial vehicle storage and repair ceased and the building could only be used for storage of up to two private motor vehicles, and be used as a domestic garage in relation to the dwelling, Parkfield, once the building permitted on the current application site was completed. In later years it is evident from aerial photography (2000 and 2005) that the wider application site was used as a bus / coach depot, although this was not authorised. It is evident that uses have changed over time and the land is no longer in use for the purpose it was granted planning permission in 1985. The workshop building (and related stone walls) on the site has been in place since the 1980s and is therefore lawful as operational development in planning terms. The builder's yard was created by the levelling of land and the erection of the industrial style metal gates in 2012. Previously, aerial photography suggests this area was largely undisturbed but was used casually to store a vehicle upon, and later a storage container was located on the part of the site nearer the workshop building (as seen in a 2010 aerial photo). It is also apparent that the historical planning permission granted in 1985 did not envisage this area being developed but being maintained as a

largely green space serving as screening for the approved workshop use (A21850), although it is appreciated that the applicants carried out the work to form the builders yard as part of planning application DC/2011/00697, initially approved by the Council and then quashed. There was also evidence of a non-metalled track crossing the site. The conclusion is that there is no lawful use subsisting on the land, while the workshop building, areas of hardstanding and stone walls relating to the application DC/2013/00456 are lawful owing to the passage of time.

## 5.2 Visual impact upon the Wye Valley Area of Outstanding Natural Beauty (AONB) including Development Plan and Green Infrastructure issues

Having regard to the adopted Local Development Plan (LDP), Strategic Policy S8 provides broad support for business development that supports sustainable economic growth, but includes the caveat that all proposals will be considered against detailed planning considerations including the need to protect natural and built heritage, which themselves bring benefits for the economy, tourism and well-being. The site is not allocated for employment use in the Plan and is in the open countryside where Policy LC1 contains a presumption against new-build development although it identifies those types of developments involving new build that might be acceptable if justified in policies S10, RE3, RE4, RE5, RE6, T2 and National Planning Policy. None of these policies appear to be applicable. However, the re-use of existing buildings in the countryside is supported in general by Policy RE2 of the LDP, subject to criteria including the form, bulk, general design of the proposal respect the rural character and design of the building, where the building is more isolated and prominent the more stringent will be the design requirements with regard to...service provision and curtilage especially if located in the AONB, the proposal including curtilage and access is in scale and sympathy with the surrounding landscape and does not require the provision of unsightly infrastructure and ancillary buildings.

Policy LC4 sets out that within the AONB, any development must be subservient to the primary purpose to conserve and enhance the natural beauty of the area. A list of criteria is included in the policy including considering the long term effect of the proposal and the degree to which its nature and intensity is compatible with the character, purpose and overall management of the AONB, and the degree to which design, quality and use of appropriate materials harmonise with the surrounding landscape and built heritage.

Policy LC5 lists a range of criteria against which proposals would be considered in relation to their landscape impact. Development would be permitted provided it would not have an unacceptable adverse effect on the special character or quality of the County's landscape by, inter alia, causing visual intrusion, significant adverse change in the character of the built or natural landscape, or by being insensitively and unsympathetically sited in the landscape or by introducing or intensifying a use which is incompatible with its location.

Policy GI1 indicates that development proposals will be expected to maintain, protect and enhance Monmouthshire's diverse green infrastructure network by:

a) Ensuring that individual green assets are retained wherever possible and integrated into new development. Where loss of green infrastructure is unavoidable in order to

secure sustainable development appropriate mitigation and/or compensation of the lost assets will be required;

b) Incorporating new and /or enhanced green infrastructure of an appropriate type, standard and size. Where on-site provision of green infrastructure is not possible, contributions will be sought to make appropriate provision for green infrastructure off-site.

In broad terms, the principle of re-using the building and associated land for employment is acceptable under Policy RE2 subject to considering the impact of the proposal upon acknowledged interests such as the need to conserve and enhance the natural beauty of the AONB, neighbour amenity, access being acceptable and safe and biodiversity interests being safeguarded.

One of the main issues, indeed it is a statutory duty, is to consider the visual impact the retention of this change of use and related development would have upon the natural beauty of the Wye Valley Area of Outstanding Natural Beauty (AONB).

The AONB Office commented on the application previously and recommended that the application be refused unless additional tree and hedge screening could be guaranteed through conditions attached to any planning permission that may be granted.

This is a retrospective application so that the situation can be seen on site. Site inspections have been carried out many times, most of which were unannounced visits without the company of the applicant and the agent in order to gain some insight into the nature of the proposal. During the site inspections, the access / public path leading to the site was kept clear of building materials and vehicles. The workshop buildings are set back with a surfaced courtyard area to the front bounded by stone walls. The forecourt gates are generally open in the day, as are the workshop doors, so that the site is clearly visible from the public footpath. In previous visits the forecourt has been generally empty with few cars within it relating to the repair garage, although the latest tenants are parking a greater number of cars in there, suggesting a higher level of activity is taking place. The area to the east of the workshop, separated by a palisade fence, is a triangular area, hard surfaced and bounded to its east by the stone wall to Piercefield Park, that is being used to park cars (and is proposed for parking purposes in this application, subject to modification by the Green Infrastructure Plan submitted by AJA for the applicants). This triangular area does not appear to have been included within the original limits of the planning approval under A21850 although it has been hard surfaced for many years and the engineered surface would be immune from enforcement action.

Along the eastern boundary of the commercial garage site is a row of recently planted trees to provide a screen, when mature, although some of these saplings appear to have failed and the screening is ineffective at present. The forecourt gates of the workshop themselves are bare metal and are of a utilitarian, industrial character that does not sit well within this sensitive landscape in the AONB.

The Council's Landscape Officer notes, 'The suggestion that the site is discreetly located I would disagree with, as it is clearly situated on open rising ground, although in recent years it is acknowledged that the front of the site...along the A466 has been

enclosed by an incongruous non-native leylandii treeline – out of character with the rural setting. Whilst the park wall affords some screening and the tree planting alongside of it will in time provide some benefit – it was felt that this was insufficient and did not offer adequate screening to mitigate the intrusive metal fencing and ancillary structures associated with the garage operations. Further it was noted on site that some of the trees planted had died and had not been replaced.... I am of the view that the proposed builder's yard represents an unacceptable extension and detrimental cumulative impact in combination with the proposed garage use. The [evergreen] boundary planting whilst offering screening is inappropriate for this rural area and the storage units and metal gates contribute to the added sense of industrialisation of this sensitive rural landscape...it is therefore considered that this site should be restored as a green space and incorporated as part of the green infrastructure (GI) mitigation in support of the change of use for the garage application.'

In response the applicants have submitted mitigation in the form of a GI Infrastructure Plan which sets out the following:

- A 5m wide belt of native species planting alongside the stone wall to the Piercefield Estate and the stone wall to the east/ south-east of the workshop building to create a stronger visual screen to the workshop and builders yard;
- the planting of long term native tree and shrub belts on either side of the entrance lane to the overall site, and the medium / longer term removal of the ornamental (conifer) trees as soon as the new native tree and shrub belts have become established, the area of conifers to be replaced by a grassed verge;
- the existing native hedges to the A466 would remain;
- the two entrance gates (for workshop and builders yard) would be clad in timber panels.

The Council's Landscape & Biodiversity Officer has commented that 'I had said that I would generally be happy with this level of information for the proposed garage/workshop and that the area currently being used as a builders yard be returned to an open grassland as mitigation for the garage operations. I also said I would require a GI management plan in support and that there should be a Landscape and Biodiversity focus to the mitigation and management (detailed planting information can be conditioned). In terms of the actual mitigation – I have made it clear that the builders yard should be removed, regraded and restored to its original use as rough grassland surrounded by the existing hedge/treeline together with the removal of the coniferous treeline (which I note has been suggested and I welcome). The planting belt to the south is positive but some thought should be given to the car park/storage areas which have been concreted over and left unfinished. Planting within the boundary of the garage itself should also be considered to offset the visual impact of operations.'

The Landscape Officer continues, 'The GI Masterplan as it should be called (not landscape mitigation plan) needs to incorporate the restoration of the builders yard to a greenspace in keeping with its historical use. The principle of development here is not acceptable based upon LDP policy and the cumulative impact of the two employment operations side by side which has created an intensity of use not characteristic of the local landscape character.... Unfortunately simply cladding the gates will not be enough to offset the industrial nature of the proposal. The principle

of this development hasn't been accepted and therefore the users of the PROW should be experiencing what the site originally was – a greenfield.... The screening that has been allowed to grow up in particular the coniferous planting is incongruous with the setting. The proposals are insufficient to overcome the intensification / industrialisation of use in combination with the garage/workshop and car parking areas that have incrementally spread across this site.... The proposal will have an impact on a small scale...through a creeping urbanising effect – the effects are local in scale but this should not diminish the significance of their impact.'

It is considered that the observations of the Council's Landscape Officer are reasonable and accurate in this context and that the proposed GI mitigation proposals would not prevent harm to the landscape which is part of the wider AONB. It is concluded that insufficient mitigation by way of fresh soft landscaping has been offered by the applicants to assimilate the repair workshop into this particularly sensitive landscape. The 5m belt of planting alongside the eastern stone wall is welcomed, as are the proposals alongside the access to replace the inappropriate conifer planting, but the retention of the builders yard would maintain a harmful, visual presence in the area, and would omit a vital part of the mitigation required to integrate any use of the workshop into the landscape. Prior to the engineering works being carried out to form the builders yard there was a substantial line of vegetation along the eastern boundary of what is now the builders yard, which helped soften and screen the workshop site. This was removed to form the builders yard. The absence of this landscaping adds to the view that the use of the workshop building and associated land would only be rendered acceptable in this sensitive setting by the restoration of the land that is presently the builders yard to a green space. In addition, hardstanding areas to the south of the building would benefit from being reduced by further landscaping which would help to screen the workshop and gates from views from the south (the Racecourse and St Arvans). It is presumed that the triangular area to the east of the workshop would no longer be used for parking as the new planting shown on the GI Infrastructure Plan would close off the area from its southern gated access, although the intention for the longer term use of this area is not clear from the aforementioned Plan. This area would benefit from being grass seeded and the area planted up in front (east) of the unsightly palisade fencing to soften the edge of the workshop site, as viewed from the public right of way to the immediate south.

The retention of the use as a repair garage and associated uses mitigated by the (insufficient) green infrastructure proposals set out by the applicant's landscape consultant on drawing 2392.10, are considered to be more harmful to the natural beauty of the AONB than the impact of the current use ceasing and the site either reverting to the permitted (and very restricted) use, granted in 1985, or ceasing altogether. The degree of harm is considered to be such as to warrant refusal of this application without the degree of mitigation identified by the Council's Landscape Officer.

On careful assessment, it is considered that the retention of this proposal without sufficient landscape mitigation would conflict with the overriding objective to conserve the natural beauty of the AONB and thus, the proposal is considered to conflict with Policy LC4 of the adopted LDP. The proposal would also conflict with the LDP policies S13 (Landscape, Green Infrastructure & Natural Environment), GI1 (Green Infrastructure), RE2 (The Conversion & Rehabilitation of Buildings in the



Open Countryside for Employment Use) criteria c) and e), and LC5 (Protection and Enhancement of Landscape Character); in addition, the proposal is considered to be contrary to the primary objective of the AONB Management Plan to conserve the natural beauty of the area.

In relation to LDP Policy DES1 the insufficiently mitigated use of the workshops is not considered to contribute towards a sense of place or respect the existing form, scale, siting, massing, materials and layout of its setting.

### 5.3 Residential Amenity

It is known that at the neighbouring property, Mistletoe Cottage, there is an established commercial cattery business along with a horse walker, manege and stables adjacent to the boundary of the application site.

There has been a long history of complaint about the operation of both the builder's yard and vehicle repair workshop from the neighbouring householder including noise, disturbance, smoke (from an unauthorised flue – since removed from site), breach of working hours, car breaking, and so on.

MCC Environmental Health have been consulted on the application and commented that previous conditions in respect of the application were recommended by this department given the potential for noise disturbance at the nearest residential property. These were:

‘Having reviewed the above application, whilst some noise disturbance from the development is likely from time to time I do not envisage a level of problems on which to base an objection. However, given the proximity of the nearest residential property I would recommend that any granting of permission is subject to the following condition:

The hours of operation including vehicle movement to and from the site shall be limited to between the hours of:

-08:00am – 18:00pm Monday to Friday

-08:00am – 13:00pm on Saturday

-No operating on Sundays or Bank Holidays

The current application requests an extension to the hours of operation as follows:

Between 07.30 and 19.00hrs Monday to Friday

Between 08.00 and 13.00hrs Saturday

At no time on a Sunday or on a public holiday

Having considered the proposed extension to the hours of operation I am not in a position to substantiate an objection to the proposed development. However I would recommend that any approval is subject to the following conditions:

1. The hours of operation including vehicle movement to and from the site shall be limited to between the hours of:

Between 07.30 and 19.00hrs Monday to Friday

Between 08.00 and 13.00hrs Saturday

At no time on a Sunday or on a public holiday’

Given the impact of the use of the site as a vehicle repair workshop so far, there would not appear to be grounds to base an objection to its retention owing to any significant adverse effects on residential amenity. Any nuisance reported by the

neighbour to the EHO relating to the effects of smoke from the unauthorised flue at the workshops was resolved with the removal of the flue.

It is thus considered that subject to careful control of the hours of operation of the business, there would not be likely to be significant harm caused to residential amenity by the proposed development.

A 2m high fence to the north of the site has been constructed and forms a reasonable screen to Myrtle Cottage's curtilage.

It is concluded that although complaints have been received regarding noise disturbance, insufficient evidence has been provided to officers in the Council's Environmental Health team to substantiate the complaints and support any enforcement action involving cessation of the unauthorised use on amenity grounds. Moreover, no significant noise disturbance was witnessed by officers during their numerous unannounced visits to the site.

The proposal is considered to comply with Policy EP1 of the adopted LDP, especially having regard to the control measures that could be imposed by planning condition to limit the proposed use on site.

#### 5.4 Public Footpath, Access and Parking

It is proposed to utilise the existing access to serve the proposed vehicle repair use. It is considered that there is reasonable visibility at the access onto the A466 together with ample space within the site for turning and parking. There is a public footpath that shares the existing access driveway to the application site off the A466 and has done for many years and the route would remain unaltered and would therefore be open for use and free from obstruction. However, the route of this footpath is shown on the definitive map as crossing the builders yard site (DC/2012/00613) rather than along the access driveway that is within the application site of DC/2013/00456. There is a current application lodged with MCC that may resolve the issue but until such time that the order is confirmed the legally recorded alignment will remain obstructed if consent is granted. Public path orders are not guaranteed to succeed. If unsuccessful it is possible that MCC would require that the legal alignment of the path is made available.

Given that this matter is being progressed by the applicant, it is considered that this aspect has been reasonably addressed and a commodious route for the right of way along the path it has run along for many years, can be accommodated.

#### 5.5 Other issues

The Council has been pressed by objectors to take enforcement action against both the unauthorised vehicle repair use and the storage of building materials. The applicants have the right to apply retrospectively to regularise the use of the site and associated structures. Since the application has been submitted and is under consideration it has been considered to be inappropriate and unreasonable to take enforcement action before the determination of this and the associated application DC/2012/00613.

As regards concerns about biodiversity matters, the Council's Biodiversity and Ecology Officer has noted the proposal is for the re-use of an existing building and storage (parking) areas at the site. While it is noted that the site is very near to the Wye Valley Woods SAC (Pierce, Alcove and Piercefield SSSI) it is not anticipated that this scheme will have an impact on this site or any of its interest features. The Biodiversity Officer recommends a condition to control any additional lighting should consent be granted. NRW concur that there should be no external lighting without the written permission of the planning authority and a lighting plan would be required.

This proposal is located immediately adjacent to the historic park and garden known as Piercefield Park and the Wyndcliffe, which is included in the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales. Although the application area is located immediately adjacent to this grade 1 registered historic park, it is not in any of the identified essential views. The application area would not be visible, or will be screened from view by the topography, a stone wall and existing vegetation from the majority of the registered park, although close views are possible. The impact, therefore, is likely to be no more than local and is not considered to harm the registered park itself, although for the reasons set out above, there would be localised harm to the AONB as a result of the development's proximity to the public right of way, without the additional landscape mitigation that has been identified.

The application area is also located outside the Registered Lower Wye Valley Landscape of Outstanding Historic Interest (HLW (GT) 3 The Lower Wye Valley). There will be limited close views of the application area from the edge of the registered landscape but in Cadw's opinion these will constitute, at most, a local impact.

## 5.6 Socio-economic considerations

The overriding necessity in the AONB is to conserve the natural beauty of the area. It has already been explained above, why in the absence of more comprehensive landscaping and restoration of disturbed areas the proposal is considered to harm the natural beauty of the AONB. The AONB Management Plan refers to another purpose which is 'in pursuing the primary purpose of designation, account should be taken of the needs of agriculture, forestry, and other rural industries, and of the economic and social needs of local communities.' The AONB designation in itself does not preclude employment uses such as this proposal. The acceptability of the proposal will be dependent on the impact of the proposed development and its longer term effects. These have been considered above and it has been concluded that despite the fact the building and walls are lawful on the site, the proposal would introduce visual intrusion in the form of parking of vehicles and outside storage of materials such as vehicle parts and tyres, which would extend an industrial type storage use into the open countryside without sufficient screening and softening. Combined with the impact of the builders yard, the use currently proposed would be more visually intrusive than the lower key, restricted consent granted for the applicant's own vehicle(s) in the mid-1980s. This would harm the natural beauty of the AONB and would conflict with the overriding purpose of conserving and enhancing the area's natural beauty and as such, would far outweigh the benefits secured to local employment by the proposal.

5.7 Change of recommendation from the previous recommendations and determinations of the planning application

As Members will recall, previously this application (together with DC/2013/00456) was recommended for approval subject to conditions, under the local policy framework provided by the Unitary Development Plan (now superseded by the adopted LDP – February 2014). Since then the application decision was successfully challenged under the judicial review process by a third party, who was also successful in relation to two earlier decisions regarding this site. The challenges were successful in that the Council relied on two key areas that were legally flawed, namely, it was argued by the Council there was a fall-back position concerning the area relating to the builders yard whereby this area could be used for agricultural storage without the need for planning permission (this view wrongly set the bench mark for the acceptability of a storage use on the two sites too low, especially in such a sensitive location) and secondly that there was a flawed reliance on structures being lawful on the builders yard site i.e. the storage containers (the Court judgement found, ‘the activities on the site during the relevant period did not have the degree of permanence and/or fixed relationship with the land itself so as to be regarded as building operations. It was therefore a 10 year as opposed to a 4 year period for enforcement action which needed to be considered.... I consider, having regard to the location of this land, within the area of outstanding natural beauty, and the planning policies against which these applications fell to be judged, that the taking into account of such an erroneously identified baseline of itself necessarily involved the taking into account of an immaterial consideration of sufficient significance to dictate the quashing of *both the grants of permission* [my italics] by which the consideration of such an erroneous baseline is in fact tainted.’ Again, this meant the planning authority set the baseline too low in assessing the acceptability of both the builders yard and the fresh use of the workshop building and associated land for a different use to that originally granted on this site, particularly in the context of the site’s location in the AONB.

Moreover, the LDP policies are different to the previous UDP policies and in particular Policies S13, LC5 and GI1 provide a framework against which development should be considered and where appropriate, mitigated, to be rendered acceptable. In this instance, the site is in a particularly sensitive location and the offer of mitigation in the form of green infrastructure to soften and screen the development is not sufficient to integrate the unauthorised use of the site into the landscape. In addition, in the light of the High Court judgement the baseline to consider the acceptability of the proposals for both DC/2012/00613 and DC/2013/00456 are considerably higher than previously applied, and consequently the proposal has been more rigorously considered against the statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the AONB (s.85 of the CROW Act), and Development Plan policies including Policy LC4 (Wye Valley AONB) and LC5 (Protection and Enhancement of Landscape Character).

Should Planning Committee resolve to refuse this planning application, it is proposed to issue an enforcement notice requiring the unauthorised use for the storage and repair of light motor vehicles; storage and repair of up to two HGV motor vehicles and a trailer; retention of vehicle washing area and ancillary parking to cease and all associated equipment and vehicles to be removed.

## **6.0 RECOMMENDATION: Refuse**

1. The development, which can be clearly seen from a public right of way that leads to and from the Piercefield Park historic parkland, includes the external storage of utilitarian equipment and vehicles of variable condition, and features utilitarian entrance gates of a significant scale, that, without substantial green infrastructure / landscape mitigation that is not offered as a part of this planning application, causes unacceptable harm to the local landscape, which forms part of the Wye Valley Area of Outstanding Natural Beauty (AONB). The development is therefore contrary to Policies S13, S17, LC4, LC5, GI1, RE2 and DES1 of the adopted Local Development Plan (LDP).

*(For the avoidance of doubt, the above reason for refusal is superseded by that set out in paragraph 8.0 above).*

Informative:

It appears that the legal alignment of Public Footpath No 32 may be unavailable at the site of the proposed development. Public Right of Way No 32 must be kept open and free for use by the public at all times, or alternatively, a legal diversion or stopping-up Order must be obtained, and confirmed prior to any development further impacting on the availability of the path and/or to remove any existing problems.

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Amandla House ,  
Marcross,  
Vale of Glamorgan  
CF611ZG

12th August 2015

Dear Mr Mathews,

This is a formal and urgent complaint.

The planning committee meeting on the 4th August 2015, particularly in regards to application DC/2013/00456 was in breach of the Planning Codes of Conduct (PCC)for Monmouthshire. These were not adhered to, and the principles of fairness constancy and objectivity were not met. The PCC states:

*1.1 "Monmouthshire County Council will seek to adopt best practice in its administration of the planning process. It recognises that the general public expects the Council to subscribe to the principles of fairness, consistency and objectivity. Members of the Planning Committee have a key role in ensuring that these principles are followed and the Council has stated that the Planning system must be fair and open. Elected Members are critically important in arbitrating between competing arguments."*

*1.2 The town and country planning system involves the Council taking decisions about private proposals for the development and use of land, but in the public interest. Planning law requires that all planning applications be determined in accordance with the adopted development plan unless material planning considerations indicate otherwise. The Council must also take account of representations made by members of the public, in as far as they relate to material planning considerations.*

At the committee meeting for this application there was no discussion at all about the relevant UDP policies. I wrote a huge amount detailing the relevant UDP polices and nothing was said about any of these in breach of the above.

*PCC 1.3 "As planning affects people's lives and private interests it can be very contentious. It is therefore important that members of the public understand the system and has confidence in its integrity and transparency, and that Members and Officers avoid impropriety or even the suspicion of impropriety."*

Please take time to review the planning committee meeting of the 4th August 2015. There was a fair amount of mirth going on during the determination of these applications,

considering this planning committee and officers had got the law wrong on 4 separate occasions. The members were trying to find ways to pass this application, rather than deal with them objectively. Why wasn't policy looked at and discussed at all? I certainly was given the impression of impropriety, as would the average man in the street.

### *PCC 2.1 Planning Committee Members*

*Planning Committee members should:*

- *act fairly and openly and avoid any actions which would give rise to an impression of bias*
- *approach each planning application/issue with an open mind*
- *carefully weigh up all relevant planning issues before making a decision*
- *make decisions purely on planning grounds in the public interest and not favour, or appear to favour, any person, company, group or locality. In this respect, while Committee Members have a special duty to their Ward constituents, including those who did not vote for them, their over-riding duty is to the whole community.*
- *ensure that the reasons for their decisions are clearly stated*

The members certainly did not act fairly and certain gave the impression of Bias.

Clearly these applications were not approached with "an open mind" nor were all the relevant planning issues weighed up at all. The planning grounds were not discussed at all.

The reasons for deferment were not clearly given. The planning reasons for this deferment were not discussed. Indeed Councillor Murphy made a valid point when he said *"if we refuse it (DC/2013/00456) the applicant can come up with a fresh scheme which may be successful we will have to see on its merits. So if we are in any doubt we don't defer we refuse it."*

The application as put before the planning committee was recommended for refusal, the application should have been refused. The applicant could then choose to put forward an alternative application. Or go to appeal. Ill remind you these applications have remained undetermined, and with no enforcement since the permissions we quashed in July 2014.

The applicant has had over 4 months since the landscape officer comments were made to change his application, the determinations were held up all this while whilst he prepared a response. Why has he been granted a deferment to alter this scheme yet again? You could do this with all applications, but the committee does not. Bias has therefore been shown in favour of this application.



3.0 *In considering applications and in advising Members and the public on planning policy, the determination of planning applications, enforcement and other planning matters, Planning Officers shall: -*

- *act fairly and openly and avoid any actions which would give rise to an impression of bias*
- *approach each planning application/issue with an open mind, avoiding pre-conceived ideas*
- *carefully weigh up all relevant planning issues*
- *make decisions purely on planning grounds having regard to the development plan and other material considerations*
- *give professional, objective and consistent planning advice*
- *provide a comprehensive and accurate analysis of the planning issues*
- *abide by the Royal Town Planning Institute's Code of Professional Conduct*

*And:*

9.0 Officers' Reports to the Planning Committee

9.1 *All Planning matters considered by the Planning Committee will be the subject of full evaluation by officers and will include a recommendation. Such reports shall be comprehensive, but succinct in setting out the key planning (and legal) issues to be considered (in terms of the provisions of the development plan and other material planning considerations), the substance of any representations received and any relevant planning history.*

The following are serious flaws in the planning report nor brought up by officers nor members at the committee meeting:

The fundamental aspect that is not taken into account in the planning report nor at the committee meeting is that developments are for B2 use.

B2 use is not is not permitted next door to residential properties.

This has not been addressed at all, no mitigating factors have been offered that mitigate this.

This is clearly set out in Policy, the definition of B2 Use :*"General Industrial. B2 building use is for the carrying on of an industrial process other than one falling within class B1 above or within classes B3 to B7 below."*

The relevant section this refers to here is: *"B1 (c) for any industrial process, being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit."*

If the activities were permitted next door to a residential property, and these activities are directly on the border of our residential property, the class would be B1 but it is not, it is B2.

Mr Thomas accepted this at the meeting I had with him, Mr Tranter and Councillor Webb when he admitted B2 use should not be next door to a residential property because of the harm it does to the amenity. Again I point out very clearly how close our property is.

<https://www.youtube.com/watch?v=7bJlrdKZEoU>

The assessment done in regards to the detrimental impact this development would have upon the residential property is also therefore seriously flawed.

In regards to the comments from the Environmental Health Officer, it is totally irrational that the recommendation for hours to prevent disturbance, can be altered for the same operations with no other change in circumstance.

In the grounds for the Judicial Review ruled upon by the High Court, it was stated:

*"It was irrational to impose weaker planning conditions to protect against potential harm to the AONB and to Mr and Mrs Hatcher as neighbours than had been placed on the earlier, quashed, consents"*

The EHO previously stated: *"Although I am not in a position to object to the development in principle, given the proximity of the neighbouring property to this development I do anticipate noise to emanate from activities associated with repair and maintenance of vehicles to cause a level of disturbance likely to result in complaints of noise nuisance to this department"*

The first Judicial Review expands upon the noise impact:

*"The EHO's advice was that noise nuisance complaints were likely so the proposal would generate significant levels of noise. ENV6 required the developer to submit information prepared by a suitability qualified person on the likely noise impact. That was not done and the committee were not aware that this part of the policy was breached. Indeed, there was no technical assessment of noise impacts at all. The committee lacked the necessary information to assess the noise impacts. They also failed to take into account the test for determining whether the application should be refused because of noise impacts."*

There has still been no noise impact assessment done to date. Therefore the noise impact has not been assessed. Reliance on the EHO is not sufficient. For the EHO to act he must personally observe a level of noise likely to cause a "statutory nuisance". This is a certain

level of noise over a prolonged period. Not a level of disturbance. This assessment should be made in planning applications by the planners, they cannot rely on the EHO. He is only interested in Statutory nuisance. A completely different standard compared to the harm on the amenity. This is a rural peaceful location, introduction of industrial B2 use will by definition cause significant disturbance. A huge number of disturbances have been reported to MCC in regards to these sites. these cannot be ignored. In regards to the comments from the Environmental Health Officer, it is totally irrational that the recommendation for hours to prevent disturbance, can be altered for the same operations with no other change in circumstance.

There is no mention in these Environmental Health Officers reports in regards to protecting the amenity of the AONB. This is of particular significance considering that a Public Right of Way goes through both sites and the users of those footpaths would be considerably impacted by the activities on site.

It is stated to prevent disturbance that the hours of operation including vehicle movements, for DC/2012/00613 restricted to 0800-1800 Monday-Friday and 0800-1300 on Saturdays.

Bizarrely the Environmental health Officer, considers differently the hours for DC/2013/00456, the site directly next door to DC/2012/00613 and that shares the same access and which is as close to the property.

For this site he considers that hours 0600-1900 Monday-Friday and 0600-1300 on Saturdays are acceptable for HGV vehicle movements.

This is simply not rational nor consistent.

For previously quashed permissions for the same operations, to prevent disturbance the condition was placed that "The premises shall not be used for the approved purposes outside the following times; 08.00 - 18.00 Monday to Friday and at no time on a public holiday."

These needed to be the recommendation now.

It was also previously recommended that servicing of vehicles only occurs within the garage buildings and that the doors are kept shut whilst work is carried out. Also that there is no burning of any material on site, a condition the EH Officer admits has been blatantly ignored by the applicant.

These previous recommendations cannot now be ignored. There is an inconsistency between what the EHO says between these 2 sites, he stresses on the Builders site that the hours include any vehicle movements. Then he irrationally allows an HGV to enter and leave the site well outside of those hours, if as he states disturbance will be caused by vehicle

movement, as these sites share an access road the same must apply to both sites.

However the operations proposed, cause an unacceptable amount of disturbance to the residential property next door irrespective of hours of use, conditions cannot mitigate this.

This is supported by the classification given to these activities of B2 use.

This should have been the conclusion in the planning report.

The report also concluded: that although complaints have been received regarding noise disturbance, insufficient evidence has been provided to officers in the Council's Environmental Health team to substantiate the complaints and support any enforcement action involving cessation of the unauthorised use on amenity grounds. Moreover, no significant noise disturbance was witnessed by officers during their numerous unannounced visits to the site.

The disturbance was observed at the site at the site visit I had with Mr Thomas Mr Tranter and Councillor Webb Further the lights were pointed out, the dust from the hard surfaces and the spray from the pressure washer.

<https://www.youtube.com/watch?v=7bJIrdKZEoU>

Since 2011 to date in 2015, there has been only six other unannounced site visits. Based on this Monmouthshire has stated that it has not witnessed any excessive noise or disturbance.

And yet it has received detailed statements from me and my wife, including the evidence to support the statements, which demonstrate the disturbance and harm being done by these breaches. I can provide the breaches we have reported these shows the huge extent of the harm being done.

The conclusion implied by Monmouthshire Council, *"that there is no excessive noise or disturbance"* is a simply untrue.

The six other site visits are at the end of this complaint some detail:

### **Footpath**

There is also serious flaws in the way the public footpath issue is dealt with. The report contradicts itself several times. It is a legal duty placed upon the Council to keep public highways free of obstruction. It is an obligation that planning applications show the correct line of the foot path. Monmouthshire Rights of Way Improvement Plan says:

*"There are approximately 100 paths in Monmouthshire where development has not taken into account public rights of way and have subsequently encroached upon or obstructed them. All such paths now require enforcement action. Rights of way guidance is required to ensure planners and developers are aware of their responsibilities and the issues involved in*

*developing on or near to a public path. The Local Access Forum and others have said that the achievement of an up to date and accessible Definitive Map and Statement should be a high priority"*

There is the maxim "*once a highway, always a highway*"

Once a highway has come into being by whatever means it continues indefinitely no matter whether it is used or not.

Mr Justice Joyce said in the case of *Harvey v Truro RDC* :

*"Mere disuse of a highway cannot deprive the public of their rights. Where there has once been a highway no length of time during which it may not have been used will preclude the public from resuming the exercise of the right to use it if and when they think proper".*

The planning policy regarding this has not been used in this report:

Planning permission and public rights of way ROW circular 9

*"7.1 Proposals for the development of land affecting public rights of way give rise to two matters of particular concern: the need for adequate consideration of the rights of way before the decision on the planning application is taken and the need, once planning permission has been granted, for the right of way to be kept open and unobstructed until the statutory procedures authorising closure or diversion have been completed."*

The report states *"Also, it is advised that MCC Countryside Access is in receipt of an application and is currently processing an order that may resolve the issue but until such time that the order is confirmed the legally recorded alignment will remain obstructed if consent is granted."*

Where is this application? It should be on the planning report.

The report goes on:"Public path orders are not guaranteed to succeed. If unsuccessful it is possible that MCC would require that the legal alignment of the path is made available."

Therefore until it is moved it must be considered as being as existing.

## **History**

The report is again seriously flawed, this has been dealt with before in the Judicial Reviews accepted by the council. So this mistake should simply not be happening again.

The reports states

"Much of the wider site (which largely encompasses the sites under DC/2012/000613 and DC/2013/00456) was originally granted permission in February 1985 under A21850 for a commercial garage/ workshops for the storage and repair of vehicles solely owned by the

applicant at the time and any successors in title"

This is not true at all. The site granted permission was for a mere 0.08 hectares, considerably less than stated here. It was a private garage for commercial vehicles not a commercial garage, further it was granted as a personal permission for the applicant only, no one else and hence no successor, and for no other business, which included no storage.

Mr Thomas stated that the 1985 permission included the use "*solely owned by the applicant at the time and any successors in title*" This has been dealt with at Judicial review. The permission was a personal permission for the applicants at the time only. That's it, no successor in title for the application site.

DC/2012/00456

The report also erroneously states for DC/2013/00456 "A 2m high fence to the north of the site has been constructed and forms a reasonable screen to Myrtle(SIC) Cottage's curtilage".

No it doesn't, this is wrong there is no fence by this site. This was clearly pointed out to Mr Thomas, Mr Tranter and Councillor Webb, on the site visit on the 28th February 2015 (this video has been referred to earlier) just how very close this development is to our property showing them the hedge, as the border which was explained to him was not in the control of the applicant. He could clearly see the elevated position of the residential property compared to that of the workshop site, this should have been taken into consideration in this report.

Other policies brought up but not referred to by the report nor at committee meeting:

ENV 14 lighting, Policy S16 - Transport, Policy S11 – Visitor Economy Policy NE1 – Nature Conservation and Development Policy DES3 – Advertisements

In the committee report Mr Thomas assesses the effect the proposal will have on the historic landscape, he quotes, without reference part of a report from CADW:

*"This proposal is located immediately adjacent to the historic park and garden known as Piercefield Park and the Wyndcliffe, which is included in the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales. Although the application area is located immediately adjacent to this grade 1 registered historic park, it is not in any of the identified essential views. The application area would not be visible, or will be screened from view by the topography, a stone wall and existing vegetation from the majority of the registered park, although close views are possible." (This differs from what the landscape officer wrote.) "The impact, therefore, is likely to be no more than local and is not considered to harm the registered park itself, although for the reasons set out above, there would be localised harm to the AONB as a result of the development's proximity to the public right of way."*

What he does not make clear is that this report was written by CADW when asked about the need for an Environmental Impact Assessment. Not for an assessment the site would have upon the historic landscape. The report says:

*"Cadw's role in the planning process is not to oppose or support planning applications but to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled ancient monuments or Registered Historic Parks and Gardens.*

*It is a matter for the local planning authority to then weigh Cadw's assessment against all the other material considerations in determining whether to approve planning permission. The advice set out below relates only to those aspects of the proposal, which fall within Cadw's remit as a consultee.*

*Our comments do not address any potential impact on the setting of any listed building, which is properly a matter for your authority. These views are provided without prejudice to the Welsh Government's consideration of the matter, should it come before it formally for determination. Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), technical advice notes and circular guidance. PPW explains that the desirability of preserving an ancient monument and its setting is a material consideration in determining a planning application whether that monument is scheduled or not. Furthermore, it explains that where nationally archaeological remains, whether scheduled or not, and their settings are likely to be affected by proposed development, there should be a presumption in favour of their physical preservation in situ. Paragraph 17 of Circular 60/96, Planning and the Historic Environment: Archaeology, elaborates by explaining that this means a presumption against proposals which would involve significant alteration or cause damage, or which would have a significant impact on the setting of visible remains.*

*This advice is given in response to a screening request as to the need for an environmental impact assessment to be produced to accompany a planning application for retrospective planning consent for the proposed change of use of the site to the storage and repair of light motor vehicles. Storage and repair of up to two HGV motor vehicles and a trailer. Retention of vehicle washing area and ancillary parking."*

## **6.0 Lobbying of Members of the Planning Committee**

6.1 *Lobbying is the process by which applicants and their agents, neighbours, non-Committee Members and other interested parties seek to persuade Councillors on the Planning Committee to come to a particular decision. It is a legitimate part of the planning process for them to approach Members of the Planning Committee as these discussions can help Members to understand the issues and concerns. As stated in the Nolan Committee*

*Third Report: "it is essential for the proper operation of the Planning system that local concerns are adequately ventilated"*

6.2 *In responding to approaches of this kind, Committee Members shall follow the 9 principles outlined in Paragraph 2.1 above and may wish to make a record of the discussion, but may also: -*

*Explain the potentially conflicting position they are in if they express a final opinion on a proposal before consideration at the Committee/by the Corporate Director*

*Explain the procedures by which representations can be made; that the public can speak at the Committee (subject to a number of conditions being met), should the application come to the Committee for decision, and that a decision will be taken only when all relevant planning considerations have been taken into account*

*Explain the kinds of planning issues that the Council can take into account*

*Report issues raised to the Officers or direct the public to the Officers so that their views can be considered*

*Advise the public to contact non-Committee Members who may be able to represent local views with less restraint*

6.3 *Where a Committee member feels that he/she has been unreasonably or excessively lobbied on a particular proposal he/she shall make a declaration at Planning Committee on that application that he/she has been lobbied. However, that member shall still be able to speak and vote on the application if the guidance in Section 2 is adhered to.*

I lobbied my local councillor, councillor Webb, she attended a meeting with me and Mr Thomas and Mr Tranter, (please see the video of this meeting url above). At no time during this meeting nor before or after did Mrs Webb ever explain she has a conflict of interest in regards to this site. Yet at the planning meeting she declared an interest and left.

So this "*legitimate part of the planning process*" was denied me. But I did not know this until the meeting itself. I would like to know what interest Mrs Webb declared so as not to be present.

*"it is essential for the proper operation of the Planning system that local concerns are adequately ventilated"*

My concerns were clearly not adequately ventilated.

10.0 **Procedure at Planning Committee**



*Planning Committee members will then debate the application, commencing with the local member if a member of Planning Committee*

- *When proposing a motion either to accept the officer recommendation or to make an amendment the member proposing the motion shall state the motion clearly*
- *When the motion has been seconded the Chair shall identify the members who proposed and seconded the motion and repeat the motion proposed. The names of the proposer and seconder shall be recorded.*
- *An officer shall count the votes and announce the decision*

My local member as shown above declared an interest and ducked out of the meeting.

The motion was not stated clearly, no member proposed the motion and no member seconded the motion. The chair therefore did not identify anyone. No Officer appeared to count the decision. No one knew why they were deferring Councillor Haywood said "we don't give a reason why we are deferring "

**This is in serious breach of the codes of conduct.**

## **12.0 *Planning Committee Decisions Contrary to Officer Recommendation***

*12.2 It is important that full clear and convincing reasons are set out when any planning decision is made. Where an application is determined in accordance with the officer recommendation the officer report meets this requirement. However, when members determine against officer recommendation the only record of the debate is the minutes. It is therefore essential that members' reasons are recorded and that the minutes of meeting incorporate a full, clear and convincing statement of the reasons.*

The reasons for going against the planning Officers recommendation were not clear at all (see above) It is hinted it maybe to give the applicant a chance to mitigate the visual impact now DC/2012/00613 has been refused( although at this point it had been voted to be refused but had not been refused) As Phillip Thomas says in his e-mail of the 10th August "The applicant have since withdrawn the application DC/2012/00613 which means they will not now be appealing the Committee decision, as the formal decision notice had not been issued before the withdrawal."

If the formal decision notice had not been issued, the reason for deferring "because it had been refused" is not relevant.

More importantly there was no planning reason that, because DC/2011/00613 had been refused, it would have any effect on mitigating the already assessed impact of

DC/2013/00456. As was clearly seen by Mr Thomas Mrs Webb and Mr Tranter, at the site visit of the 28th February,( <https://www.youtube.com/watch?v=7bJIrdKZEoU> ) the visual impact of the site cannot be mitigated by planting, due to the topography, position of the footpaths, need for access and land not in control of the applicant. This was also the conclusion of MCC's Landscape Officer. He should have made this very clear to the committee members. The views from the West (the site of DC/2012/00613)were not significant on the impact upon the AONB for application DC/2013/00456

*12.3 Where planning permission is refused contrary to officer advice, members should be aware of the risk of an award of costs being made against the Council at a subsequent appeal. Advice on the award of costs is contained in Welsh Office Circular 29/93. Paragraph 9 of Annex 3 is relevant.*

*"Planning authorities are not bound to adopt, or include as part of their case, the professional or technical advice given by their own officers, or received from statutory bodies or consultees. But they will be expected to show that they had reasonable planning grounds for taking a decision contrary to such advice; and they were able to produce relevant evidence to support their decision in all respects. If they fail to do so, costs may be awarded against the authority."*

***The planning Officers recommendation was to refuse simply there was no planning reason not to do this.***

### **Enforcement**

There has been no enforcement upon this site since the permissions were quashed in July 2014. I have complained about this constantly. In my complaint to the ombudsman, the reasons for not perusing enforcement was this report, submitted to the ombudsman by MCC this was for both sites as late as July 2015. See appendix 2

Now read the planning reports. These completely contradict the reasons given in the enforcement report for not taking enforcement action. The enforcement report is biased in favour of the applicant.

Further harm is clearly identified to the AONB by these sites as they stand. Therefore immediate enforcement should have been taken, this should have been brought before the committee before any decision was made. The failure to do so is in clear breach of the PCC.

***Chris Hatcher***

## **Appendix 1 The 6 site visits in detail:**

1. 6th March 2012 by Guy Delemare;; *"At the time of my visit I noted one person on site, a Mr Good who was operating a JCB to clear the area at the side of the workshops and was in the process of laying down a tarmac surface in this area.*

*I firstly stated to him the concerns that have been raised about the hours of operation on this site. He informed me that initially he was unaware of these conditions, but would now not undertake any work before 8am and stated that he would normally be finished by 4.30-5pm*

*Turning to the issue of the containers, at the time of my visit I noted 2 freight containers within the area he was working in, both of which I was informed contained building materials. One of these was within the hatched area on the marked plans and one of which was not. I have requested that the container outside this area be removed as soon as possible.*

*Shortly after returning to this office I received a phone call from the site owner, Mr John Stephens regarding my visit. Again I have asked him to the remove this container nearest to the boundary and also informed him of the requirements of the breach of condition notice that was served earlier this year and indeed the conditions that were attached to the original planning consent."*

2. 2nd April 2012 by Paula Clarke;; *"Visited site 2 April, the BCN has not been complied with, all the materials have not been moved to approved area and landscaping not done. Advised owner and Mr Hatcher that the Council would commence prosecution proceedings for non-compliance."*

This was never done, as the applicant applied for a new planning permission and no action was therefore taken.

3. 12 February 2013 by Paula Clarke; *"There was no-one on site at the builders yard. There was a worker in the office of the car repair garage however no work was being undertaken either in the garage or outside.*

*Builders yard – there were no builders materials stored outside of the approved area; no materials stored in excess of 2 metres in height; the shipping containers were within the approved area. There were 4 vehicles in the yard however there was no indication that these were not in connection with the use as a builders yard."*

Vehicles had no permission to be there, they were not construction machinery nor building materials, the shipping containers were outside of the double hatched area and there were materials over 2m in height. I had photographic proof of this.

*"Car repair garage – there was no evidence of a car wash facility on the site."*

This was an outright lie. On the latest application the applicant has applied to retain the very wash facility Mrs Clarke claims is not there. I had photographic evidence of it in situ and video of it being used.

*"There were 2 vehicles being offered for sale in the premises, this is considered to be ancillary to the main use of the site and does not constitute a material change in use requiring planning permission"*

Again this is a factually wrong. The selling of vehicles is a separate activity.

*"There were no vehicle repairs being done outside the building. The landowner has been advised of the need for planning permission for the small office building and has stated his intention to submit an application for its retention."*

Therefore the office building had no planning permission.

*"The landowner has advised that the container on the land to the east of the repair garage has been there for many years and is now lawful, it does appear to have been in situ for many years. It is the landowners intention to show that the container is lawful and immune from enforcement action."*

The certificate of lawful use failed. The container is outside of the area for which planning has been applied. We proved this container( the rear half of a van) had not been there for 10 years with photographic evidence. The applicant has never proved the container is lawful and immune from enforcement. And yet it is still not enforced against to date.

*"With regard to the hours of operation, the owner of the repair garage has stated that his normal hours are 8.45 till 5.00. However one of the landowners keeps his vehicle on the site which is collected around 7am. I have been advised that the applicant intends to appeal against the hours of operation imposed on both sites to allow for continuation of these practices"*

So by the applicants own admission the hours conditions, set to preserve the amenity of our property against disturbance, were being broken. Remember the council has stated that the applications can be made acceptable by imposing conditions, therefore not enforcing them causes recognised harm.

*"Furthermore I understand you have applied for judicial review to seek the quashing of the recently approved planning permissions therefore any enforcement action is unlikely to be taken until the resolution of these courses of action."*

We had not applied for Judicial Review at this point but only sent a pre-action protocol to which the council had not responded. The pile of earth referred to on the map as "noise

bund" is not in the location shown on the map. This had given a much larger area for the storage of building materials than was given permission. This is very clearly visible to Mrs Clarke on her site visit but not mentioned.

4. 18th February 2013- site visit by Paula Clarke;: *" I visited the site unannounced again on 18th February however no breaches of conditions were found at the builders yard site which was locked up. No materials were seen outside of the approved area, the containers were within the approved area and no materials were stored higher than 2 metres."*

See above the breaches here were very clear to see.

*"A vehicle was being worked on in the garage building, there were no vehicles being maintained outside of the building. The photograph stated to be attached to your email of 17th February was not attached, however I saw no "development" on site which would require the benefit of planning permission."*

And yet the applicant applied for permission at a later date for the wash facility Mrs Clarke said she could not see.

*"The container appears to have been sited in excess of 4 years and is now lawful, the container is visible on the Council's aerial photograph in 2000."*

It is up to the applicant to prove the container has lawful use(see above where it is stated by Mrs Clarke this will be done). Mrs Clarke now lies about this container, the requirement is for it to have been sited for 10 years not 4 years as Mrs Clarke as a qualified Planning Officer should have been very aware of. It could only be considered as being 4 years if they are *"by virtue of their size, permanence and physical attachment to the land are considered to be operational development"* There is no possible way the rear end of a van can fall into this description, therefore it is clearly 10 years.

*"I wrote to the landowner on 14th February requiring the removal of the tyres and car parts from this area. This area has been used for the parking of vehicles in excess of 20 years, as evidenced by the Council's aerial photographs dating back to 1991 and is not within the area covered by the recent permissions."*

Yet again Mrs Clarke is lying. She wrote the CLUED report so knows full well that this area does not have lawful use. She states it is outside of the current area applied for. So why is enforcement action not taken? An area with no permission and none applied for.

*"I have found no evidence of any breaches of the conditions at the site. However, as stated previously your agent has written to the Council requiring it to consent to the quashing of the permissions. Any further claims of breaches of the conditions must be accompanied by firm evidence in order to justify further site visits."*

Firm evidence has been supplied by photographs, video and witness statements, including admissions by the applicants themselves. Mrs Clarke chooses to ignore all this evidence.

Indeed in response to Mrs Clarkes e-mail I responded thus;(Exb.8): *"I have evidence of these breaches, all on video since the permissions were granted.*

*This is of course a massive size of file, would the edited high lights be suffice? How do I get this to you?*

*The size of the building storage area is there awaiting measurement, it is much larger than that granted permission. But I have photographs too.*

*The Office is clearly in sight when you visited but is also on the video and in photographs.*

*The owner of the site admitted to breaching the time conditions, but I can still provide video proof. There are clearly vehicles in the builders storage area that are not "construction machinery" they were there when you made your visits. However I'll include photographs of these too."*

5. 15th March 2013 Paula Clarke: *"I undertook a further unannounced site visit on Friday however there was no noise whatsoever emanating from the building or the site; one vehicle was being worked on inside the building. The site was clean and tidy however there was a pile of stone outside the gate of the builders yard which I have required to be removed."*

I reported the following breaches on the 15th March 2013 with video evidence):

*"15th March 2013 Friday*

*0639 on site*

*0646 HGV leaves site*

*0732-0749 Builders storage area in use."*

Also on the 15th March I met and walked the site with the AONB Officer , I responded to Mrs Clarke observation thus(Exb.8): *"You claim on your visit on Friday that the site was "clean and tidy".*

*I too visited the site on Friday with the AONB officer, I think I'd beg to differ, there is junk throughout the Builders Yard, clearly visible through the hedge and hole in the gate.*

*I showed him where they are cleaning cars, the cars for sale, the Office, the areas being used without permission, all clearly in view from the Public footpaths.*

*Why on your site visit have you not noticed these?*

*There was indeed a pile of stone this is a breach as are the piles of building materials to the South on an area not included in the Permission."*

6. 9th April 2014 Mrs Clarke;(Exb.8) *" I would advise you that I visited the site yesterday and spoke with the occupier of the garage workshop. He advises that he attended the site Monday evening to drop a car off, he did not go into the workshop and the garage was not open for business. This does not constitute a breach of condition which would require enforcement action."*

The hours conditions are very clear, this was use of the site outside of those hours.

*"I would remind you that I advised you that the container on the eastern side of the workshops was lawful in my email to you dated 20 February 2013."*

## **Appendix 2**

### *ENFORCEMENT REPORT*

#### *Non-Publication*

*This report contains information which, if disclosed to the public would reveal that the Authority proposes to give under any enactment a Notice under or by virtue of which requirements are imposed on a person (Paragraph 13(a) of Schedule 12A to the Local Government Act, 1972).*

#### *LO CASE DETAILS*

*There has been a series of planning applications and permissions relating to this site which has resulted in two planning consents granted in February 2013 under ref DC/2012/00613 and DC/2012/00886 being quashed by the High Court and remitted back to the Council to redetermine. Application DC/2012/00886 has been withdrawn by the applicant and a new application ref DC/2013/00456 has been submitted.*

*DC/2012/00613 relates to the "Change of use to allow for the storage of builders materials, construction machinery and equipment, including metal storage containers and retention of security gates".*

*DC/2013/00456 relates to "Proposed change of use from the storage and maintenance of commercial vehicles to the storage and repair of light motor vehicles. Storage and repair of up to two HGV motor vehicles and a trailer. Retention of a portable office, vehicle washing area and ancillary parking."*

*The site is currently being used for the previously approved purposes, however as the permissions have been quashed the uses are currently unauthorised and in breach of planning control.*

## **2.0 PLANNING HISTORY**

*A21850 Erection of a garage for storage and maintenance of commercial vehicles - Approved 08/02/85 Section 52 agreement.*

*DC/2011/00697 Change of use of existing workshop and adjacent land, to now include for the maintenance of motor vehicles and storage of building materials, in addition to the commercial vehicles granted consent under ref A21850 - Permission granted but quashed by the High Court and remitted back to the Council to redetermine. Withdrawn 05/09/12*

*EI 3/023 Use of land for builders yard, storage of metal containers and gates; storage and repair of lights motor vehicles, 2 HGVs and trailer, office, wash area and ancillary parking.*

*Land at New Barn Workshops, St Arvans, Monmouthshire St Arvans E12/014 Breach of conditions imposed on planning permission DC/2011/00697.*

*BCN served 25/01/2012 however planning permission quashed and notice fell away.*

*DC/2012/00243 Revision to previous consent (ref DC/2011/00697) to allow the storage of metal containers and amendment to operating hours within the area designated for the storage of building materials. Introduction of an office unit for use in conjunction with the workshops and installation of new gates and landscaping Withdrawn*

*16/05/12*

*DC/2012/00445 proposed change of use for existing workshop and adjacent land, to now include for the maintenance of motor vehicles and storage of building materials and equipment, in addition to the commercial vehicles granted consent under Ref A21850 - Withdrawn 11/12/12*

*DC/2012/00594 Certificate of Lawful Use of land for vehicle repairs Withdrawn 25/10/12*

*DC/2012/00613 Change of use to allow for the storage of builders materials, construction machinery and equipment, including metal storage containers and retention of security gates. Permission granted but quashed by the High Court, remitted back to the Council to redetermine.*

*DC/2012/00886 Variation of condition 11 of planning application 21850 Permission granted but quashed on appeal, remitted back to the Council to redetermine but withdrawn on 03/06/13*



*DC/2013/00456 Proposed change of use from the storage and maintenance of commercial vehicles to the storage and repair of light motor vehicles. Storage and repair of up to two HGV motor vehicles and a trailer. Retention of a portable office, vehicle washing area and ancillary parking. Current application*

#### **GUIDANCE**

*Procedural guidance on the use of various powers available to local planning authorities is provided in Welsh Office Circular 24/97 Enforcing Planning Control. National guidance on planning enforcement is provided in Planning Guidance (Wales): Planning Policy and supplemented by Technical Advice Note (Wales) 9 Enforcement of Planning Control.*

*Responsibility for determining whether unauthorised development should be allowed to continue or should be enforced against rests with the local planning authority. In considering whether enforcement action should be taken, the decisive issue for the local planning authority should be whether the breach of planning control would unacceptably affect public amenity. Enforcement action should be commensurate with the breach of planning control. The effect on public amenity is considered at Para 5.0.*

*Paragraph 12 of TAN 9 states that "where a LPA considers that an unauthorised development could be made acceptable by the imposition of conditions it should invite the owner or occupier of the land to submit an application for planning permission". In this case the owners have submitted planning applications in an effort to gain the necessary permissions which are now being considered by the Council.*

*Paragraph 23 of TAN9 states that "where a LPA considers that an unauthorised development is causing unacceptable harm to public amenity, and there is little likelihood of the matter being resolved through negotiations or voluntarily, they should take vigorous enforcement action to remedy the breach urgently, or prevent further serious harm to public amenity". In this case the owners of the site have submitted planning applications in an effort to gain planning permission for the use of the site. In line with the above guidance it is the Council's usual practice not to take enforcement action whilst a planning application for the unauthorised development is being considered by the Authority. (*

#### **0 PLANNING POLICY**

*The relevant policies are:RE1*

*Proposals for the conversion or rehabilitation of existing buildings in the open countryside to employment use will be permitted provided that all conditions are met.*

*C2 Within the Wye Valley AONB any development must be subservient to the over-riding necessity to conserve the natural beauty of the area.*

*ENV1 General development considerations.*

## **ASSESSMENT**

*In this case, as can be seen from the above planning history, conditional planning permission has previously been granted for the current uses on the site, albeit that these consents have been quashed by the High Court. From discussions with Counsel it is considered that the buildings on the site are lawful, however there is no current lawful use of the buildings or site. The site itself has been in use for many years for various uses such as coal yard; bus depot and storage and maintenance of commercial vehicles which is a material consideration. The site is currently split into 2 separate uses. The western part of the site is occupied as a builder's yard and is used for the storage of builder's materials and containers.*

*The buildings to the east of the site and its yard areas is in use as a car repair garage. Complaints have been received from the occupiers of the dwelling to the north regarding early morning vehicle movements; vehicles being maintained outside the buildings; the existence of a wash area and office building and breaches of conditions imposed on the quashed permissions. It is claimed that the uses on the site give rise to noise nuisance and disturbance.*

*Evidence has been provided by the owners to show that an operator's licence for 2 vehicles and 1 trailer has been in existence since at least 1993. Currently 1 lorry is being collected from the site around 7am returning in the evening, this practice appears to have been carried on for many years. Unannounced site visits have been carried out by officers who have not witnessed any excessive noise or disturbance emanating from the site. The advice from the environmental health officer is that whilst some noise disturbance from the development is likely from time to time, he does not envisage a level of problems on which to base an objection. Given the proximity of the nearest property he recommends suitable conditions be imposed. No alterations to the buildings are intended or have been earned out. It is considered that provided suitable conditions are imposed the use of the buildings and the site would not cause harm to the residential amenity of the neighbouring property and therefore comply with policies RE1; ENV1 and DES1.*

*With regard to the impact upon the Wye Valley AONB. the site is well screened from the A466 by mature tree planting. There is an existing mature row of vegetation along the northern boundary; substantial planting to the south and new planting has been undertaken along the eastern boundary. Public Footpath no. 32 runs through the site and when the gates to the builder's yard are open the site is visible to members of the public using the footpath. However the site is not readily visible in the wider setting of the AONB and the*

*degree of visual impact is considered to be localised. It is considered that provided suitable conditions are imposed the development would not be contrary to Policy C2.*

#### **5.0 RECOMMENDATION**

*In conclusion of the above, it is considered that the unauthorised development can be made acceptable by the imposition of conditions, therefore in line with Government advice, enforcement action is not expedient at present whilst the current planning applications are outstanding and remain to be determined.*

**ENF REPORT EI 3/023**

**PC/10/07/2013**

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**DC/2014/01519**

## **PROPOSED CONVERSION OF REDUNDANT AGRICULTURAL BUILDINGS 2, 3 AND 4 INTO RESIDENTIAL USE – TWO DWELLINGS**

**FIVE LANES FARM, CAERWENT**

**RECOMMENDATION: APPROVE**

Case Officer: Prospero

Registered: 5<sup>th</sup> March 2015

### **1.0 APPLICATION DETAILS**

- 1.1 This application site is located to the west of the road leading from Carrow Hill north to the A48. The site is concerned with two redundant single storey stone barns located to the south of Five Lanes Farmhouse and the converted attached barn that was granted planning permission (DC/2013/00670). The barns are separated from the farmhouse by an existing access/yard area. The site is located within the open countryside, a Special Landscape Area (SLA) and also within a Source Protection Zone 1 (SPZ1).
- 1.2 The eastern wall of Barn 2 forms the boundary wall of the site with the adjacent highway.
- 1.3 It is proposed to convert Barn 2 into a two bedroom dwelling and Barn 3 into a three bedroom dwelling. This includes:
  - Removal of existing timber and sheeting lean-to from inside the L shape on Barn 2;
  - replace existing walls (currently timber posts with timber or metal sheet cladding) with oak structural posts and insulated timber clad walling in-between;
  - re-use of the existing openings with the exception of a new window and door to the south west elevation.
  - Remodel the existing roof above the pigsty to form a low double pitch, finished in slate
  - All stone walls to be re-pointed with a lime base mortar.
  - Timber joinery and cast iron rainwater goods
  - Parking bays to be finished in local stone chippings
- 1.4 The application was initially for the conversion of three barns however due to financial implications the proposal has been reduced to two barn conversions. The application is supported by:
  - Design and Access Statement
  - Structural Inspection Report
  - Bat Roost Inspection (visual) and Activity Survey
  - Business Re-use Statement
- 1.5 The proposal is presented to Committee because the applicant is a close relative of a County Councillor.

## **2.0 PLANNING HISTORY**

DC/2013/00670 – Barn Conversion. Approved November 2013

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### Strategic Policies

**S13** Landscape, Green Infrastructure and the Natural Environment

**S17** Place Making and Design

### Development Management Policies

**EP1** Amenity and Environmental Protection

**EP5** – Foul sewage disposal

**DES1** General Design Considerations

**H4** – Conversion / Rehabilitation of Buildings in the Open Countryside

**NE1** – Nature conservation and design

**LC5** – Protection and enhancement of Landscape Character

### Supplementary Planning Guidance

Monmouthshire Local Development Plan Conversion of Agricultural Buildings Design Guide – April 2015

## **4.0 REPRESENTATIONS**

### 4.1 Consultations responses

Caerwent Community Council – recommend approval. Believe Building 2 has been recently extended, rooflines should remain the same, natural stone should be used. Query if NRW are happy with the proposal in view of the number of aquifers in the area.

Glamorgan Gwent Archaeological Trust - requests a condition that no development shall take place until the implementation of a programme of archaeological work.

Natural Resources Wales – Initially objected to proposal as it involves non-mains drainage that poses an unacceptable risk of pollution to groundwater and no detail was supplied to demonstrate that the risks posed to groundwater could be safely managed. Since this original response, an Environmental Permit has been issued by NRW for the foul drainage and this has demonstrated that the use of non-mains drainage at this location would not cause pollution of groundwater within the Source Protection Zone.

With regards to protected species, consider there should not be a detriment to the maintenance of the favourable conservation status of the bat species present provided an appropriately worded condition requiring the implementation for the recommendations for bat mitigation as set out in Section 5.15 to 5.34 of the bat survey report.

Biodiversity - conditions recommended.

Highway Officers – recommend approval subject to conditions.

#### 4.2 Neighbour Notification:

No representations have been received.

### 5.0 ISSUES AND EVALUATION

Principle of Development

Visual amenity

Neighbour amenity

Biodiversity

Access

Foul drainage

Archaeology

#### 5.1 Principle of Development

The application site is located within a countryside setting and as such policy H4 (the conversion/rehabilitation of buildings in the open countryside to residential use) is of note. Policy H4 permits such development subject to various criteria.

The proposed barns are constructed from natural stone walls that are structurally sound. It is considered that the form and appearance of the buildings are suitable for a residential conversion and the replacement of roof timbers or posts is not considered to constitute substantial reconstruction in accordance with criteria (e) and (c) of policy H4. The roof extension proposed on Barn 2 to change the subservient pig sty area from a mono-pitch with walled enclosure to a gable end extension is considered modest and does not detract from the character and traditional appearance of the main barn element in accordance with criteria (a), (b), (d) and (f). The Community Council have commented regarding work to Barn 2, however no new addition was obviously apparent at the site visit.

The proposal utilises the existing form, bulk and design of the building, and respects the rural character and design of the buildings.

The proposed curtilage and access are within the existing access/yard area, are in scale and sympathy with the surrounding landscape and do not require the provision of unsightly infrastructure and ancillary buildings.

A ‘business re-use’ statement has been provided and it is agreed that there would be a limited demand for a business use in this area. As the barns are suitable buildings in form for a residential conversion the proposal meets the requirements of criterion (g) of policy H4.

Given the above the proposal is considered to be in accordance with policy H4 of the LDP.

## 5.2 Visual amenity impact

Policy DES1 of the Adopted Local Development Plan (LDP) refers to General Design Considerations whilst Policy LC5 is concerned with the Protection and Enhancement of Landscape Character.

The design of the barns shows a sensitive conversion that retains the original character and openings of the existing barn. Proposed materials are high quality and in-keeping with the traditional nature of the building and surrounding setting. It is proposed to enclose a modest area of the field to the rear of the barns as garden space for each dwelling. This would be enclosed in post and rail fencing supplemented by hedging, an appropriate form of enclosure for the development.

Given the above, it is considered that the proposed conversions represent an acceptable form of development and would have a limited impact upon the surrounding attractive countryside.

## 5.3 Neighbour Amenity

It is not considered that the application proposals would cause unacceptable harm to the amenities and privacy of surrounding residential properties. The nearest properties that could be affected by the proposal are the existing farmhouse and attached converted barn to the north.

The barns proposed to be converted are single storey with Barn 2's windows facing towards the farmhouse set over 24m away whilst the end elevation of Barn 3 facing these dwellings is blank. Barn 2 and 3 elevations facing one another are separated by a parking area with proposed intervening planting. As the windows are at ground floor level it is considered that this arrangement is acceptable.

## 5.4 Biodiversity

Where an application site has been assessed as being a breeding site or resting place for European Protected Species, it will usually be necessary for the developer to apply for 'derogation' (a development licence) from Natural Resources Wales. Monmouthshire County Council as Local Planning Authority is required to have regard to the Conservation of Species & Habitat Regulations 2010 (the Habitat Regulations) and to the fact that derogations are only allowed where the three tests set out in Article 16 of the Habitats Directive are met. In the present case bats are known to use the application site. The three tests are set out below together with a commentary on each.

(i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

Comment: The barns had bat roosts of low conservation significance for multiple species (Common Pipistrelle, Brown long-eared, Myotis sp, Soprano Pipistrelle).



Nesting birds were also noted in barn 3 and mitigation proposals have been outlined in Section 5 of the bat survey report including the installation of Schwegler bat boxes and tubes, raised ridge tiles and roosting opportunities in nearby trees. Lighting is an important consideration and a lighting plan is recommended.

(ii) There is no satisfactory alternative

Comment: The outbuilding is in this location therefore the proposed conversion has no alternative.

(iii) The derogation is not detrimental to the maintenance of the population of the species concerned as a favourable conservation status in their natural range.

Comment: The application has been informed by an ecological assessment (Barns 2, 3 and 4 at Five Lanes Farm, Caerwent, Monmouthshire Bat Roost Inspection (Visual) and activity survey prepared by Avalon Ecology, July 2013). Bat roosts of low conservation significance for multiple species (Common Pipistrelle, Brown long-eared, Myotis sp, Soprano Pipistrelle). Nesting birds were also noted in barn 3 and mitigation proposals have been outlined in Section 5 of the bat survey report including the installation of Schwegler bat boxes and tubes, raised ridge tiles and roosting opportunities in nearby trees. Lighting is an important consideration and a lighting plan is recommended.

Natural Resources Wales have confirmed in their letter dated 26/02/2015 that a licence will be needed and that subject to the methods and mitigation outlined in Section 5 of the report, there will not be a detriment to favourable conservation status of the species.

In the light of the circumstances outlined above which demonstrate that the three tests would be met, and having regard for the advice of NRW and the Council's own Biodiversity Officers, it is recommended that the following actions be put in place:

- compliance with the submitted mitigation/compensation
- condition requiring any external lighting to be agreed
- No work within bird nesting season unless otherwise agreed
- condition to see evidence of licence

## 5.5 Access

The properties are reached via an existing access that has been slightly repositioned for improvement as part of a previous application for the site. The Monmouthshire Parking Standards 2012 require one car parking space to be provided per bedroom per property. The proposal exceeds these requirements and therefore Highways comment that there are no highway grounds to sustain an objection to the application subject to conditions in respect of surface water drainage and retention of the parking in perpetuity.

## 5.6 Foul Drainage

The site is location within Zone 1 of the Great Spring Source Protection Zone (SPZ1) and therefore the proposed development could threaten potable water supplies. NRW initially objected to the proposal as it involves non-mains drainage that could pose an unacceptable risk of pollution to groundwater with no detail supplied to demonstrate that the risks posed to groundwater can be safely managed. A risk assessment was requested with the addition that an Environmental Permit would be required.

Since the original submission, the applicant has applied for and had approved an environmental permit for the package treatment plant and infiltration system (Permit number EPR/GB3790HZ).

The risk assessment requested by NRW in their initial objection is information that is required for the Environmental Permit application process. As the Environmental Permit has now been issued, it is considered that the proposal must have provided satisfactory details in respect of the risk to potable water and its management. NRW have been re-consulted and have confirmed that their objection to the proposal is removed as it has been demonstrated that the use of non-mains drainage at this location would not cause pollution of groundwater within the Source Protection Zone. This addresses any Community Council concerns raised.

## 5.6 Archaeology

The application site is situated west of the Roman town of Caerwent and south of the Roman Road – an area rich in archaeological deposits.

Although the archaeological work carried out for the conversion of Barn 1 found scant evidence (and what was evident was post medieval), Glamorgan Gwent Archaeological Trust (GGAT) consider that the potential for Bronze Age to Roman date archaeology to be encountered remains. Whilst GGAT do not object to the proposal they recommend the imposition of a condition to ensure that any archaeological features and finds disturbed by the works are fully investigated and recorded.

## **6.0 RECOMMENDATION: Approval**

### Conditions

1. Standard 5 year in which to commence development.
2. Barn 1 – permitted development restrictions on extensions, outbuildings, etc.
3. Barn 3 – Retention of existing walls
4. Barn 5 – No fences to be added other than those approved – permitted development restriction.
5. No works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. Reason: to safeguard species of conservation concern protected under the Wildlife and Countryside Act 1981 and in accordance with LDP policy NE1.

6. 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 installed on the building or in the curtilage until an appropriate lighting plan which includes lighting type and specification, protecting roosting and foraging/commuting habitat for bats has been agreed in writing with the LPA. Reason: To safeguard roosting and foraging/commuting habitat of Species of Conservation Concern in accordance with LDP policies NE1 and EP3.
7. The hereby permitted works shall not in any circumstances commence unless the local planning authority has been provided with either: a copy of the licence issued by Natural Resources Wales pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity / development to go ahead; or a statement in writing from the scheme ecologist to the effect that it does not consider that the specified activity/development will require a licence. Reason: to safeguard species of conservation concern protected under The Conservation of Habitats and Species Regulations 2010.
8. No development shall take place including any demolition, ground works, site clearance until a protected species (bats) method statement for works has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include, as a minimum the:
  - a) purpose and objectives for the proposed works;
  - b) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
  - c) measures to avoid killing and injuring bats during works
  - d) use of materials (such as timber, roofing membranes),
  - e) persons responsible for implementing the works;
  - f) positioning, size, type & location of bat roosting provision
  - g) positioning and size of entrances of bat mitigation;
  - h) initial aftercare and long-term maintenance;
 The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter. Reason: to safeguard species of conservation concern protected under The Conservation of Habitats and Species Regulations 2010 and in accordance with LDP policy NE1.
9. Secure the implementation of a programme of archaeological work ARC02
10. No surface water from the site shall drain onto the County Highway or into the County Highway drainage system.
11. All surface water shall be collected and disposed of within the site of the proposal.
12. The parking provision in accordance with the approved plan shall be retained for the use of parking a motor vehicle in perpetuity.
13. The proposed landscaping and enclosures shall be carried out in strict accordance with the Site Layout Plan 1197-21A.

14. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings 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, unless the Local Planning Authority gives written consent to any variation.

Informative

Refer to NRW Planning Advice Note

**DC/2015/00210**

**EXTEND EXISTING DWELLING TO FORM A NEW RESIDENTIAL DWELLING  
(61A)**

**61 PARK CRESCENT, ABERGAVENNY**

**RECOMMENDATION: APPROVE**

Case Officer: Elizabeth Bennett

Registered: 06/08//2015

**1.0 APPLICATION DETAILS**

- 1.1 This application relates to the construction of an additional property at 61 Park Crescent, Abergavenny. The additional property will be extended onto the existing bungalow to make a pair of semi-detached bungalows in a like for like manner.
- 1.2 The existing property was originally built around the 1950's and occupies a large plot in a popular area of Abergavenny. Park Crescent has a large variety of properties ranging from bungalows, large detached properties, semi-detached properties and terraced houses. The property itself is south facing with a private driveway and parking to the west with a detached garage. The additional property to the east elevation requires an additional driveway and off road parking facilities.
- 1.3 The proposed bungalow is to be bay fronted with detailed apex to the front and two dormer windows added to the roof detail to match the existing. The proposed property will consist of two bedrooms lounge, bathroom and kitchen/dining room. It is proposed that there will be one window on the side elevation but this is to be on the ground floor only.

**2.0 RELEVANT PLANNING HISTORY**

DC/2008/00470 – Single Storey Kitchen Extension – 63 Park Crescent – approved.

DC/2012/00959 – Erect a detached dwelling – Land to rear of Park Crescent – approved following Appeal

**3.0 LOCAL DEVELOPMENT PLAN POLICIES**

Strategic Policies

S1 – Spatial Distribution of New Housing Provision

S13 – Landscape, Green Infrastructure and the Natural Environment

S17 – Place Making and Design

## Development Management Policies

H1 – Residential Development in Main Towns

EP1 – Amenity and Environmental Protection

DES1 – General Design Considerations

NE1 – Nature Conservation and Development

### **4.0 REPRESENTATIONS**

#### **4.1 Consultation Responses**

Abergavenny Community Council – Approve

Councillor James George – Concerned with neighbour issues.

MCC – Highways - following several consultation discussions and an amended parking and driveway design - In response to the above comments the applicant has submitted a revised drawing. Drawing No. 15/PT/102 shows the existing access to be retained for the existing property albeit improved to create a turning area. A single access is proposed for the new dwelling together with a parking and turning area for two cars. It has been confirmed that the proposed new dwelling will have two bedrooms; therefore the provision of two car parking spaces meets the requirements set out in the Monmouthshire Parking Standards 2012.

An existing street lighting column is positioned within the adjacent footway which will be directly affected by these proposals. Following the formation of the new access to the proposed dwelling the street lighting column will become exposed to vehicular traffic accessing and existing the property. The applicant will therefore be required to reposition the street lighting column to the satisfaction of the Highway Authority.

There are no highway grounds to sustain an objection to the application subject to the following conditions being applied to any grant of planning approval:

1. No development may commence until the existing street lighting column within the adjacent footway has been relocated to the agreement and satisfaction of the County Highway Authority.
2. Each access shall be constructed of a hard permeable surface for a minimum of 5m so as to prevent any loose material being brought out onto the adjacent highway and to ensure that all surface water is disposed of within the site.
3. No surface water shall drain onto the County Highway or into the County Highway drainage system.

It should be brought to the attention of the applicant that in the event of a new or altered vehicular access being formed, the requirements of Section 184 of the Highways Act 1980 must be acknowledged and satisfied. In this respect the applicant shall apply for permission pursuant to Section 184 of the Highways Act 1980 prior to commencement of access works via MCC Highways.

Network Rail – has no observations to make.

MCC Biodiversity - following a preliminary roost assessment and bat activity surveys in May 2015 the report concludes that the dwelling does not currently support roosting bats. Therefore, I can confirm that a European Protected Species derogation licence is not required in this instance. However, as the extension will be tying in with the existing roof of the bungalow please include the bat informative on any consent as a precaution.

MCC Rights of Way - Public Path No. 22 must be kept open and free for use by the public at all times, alternatively, a stopping up order must be obtained, confirmed and implemented prior to any development affecting the Public Rights of Way taking place.

#### 4.2 Neighbour Notifications

Five neighbour addresses have been recorded, the following objections or concerns have been made to date:

- Plans show a first floor window directly overlooking our property which will significantly affect our property.
- The eastern elevation of 61a is so close to our boundary that we will suffer overshadowing.
- Surrounding houses are detached and reasonably proportioned within their plots.
- Concerns are based on public safety as the proposed development will bring an increase in traffic. Already we experience difficulty manoeuvring our vehicles on and off our driveway.
- The high speed and frequency of traffic moving along Park Crescent.
- There is still a substantial amount of land (old railway line) on site to the rear of the proposed development; we are concerned a second planning application will follow for further housing.
- It is a very busy road with vehicles weaving in and out of parked cars at all times of the day and night.
- It is worrying that any increase in parked cars will make this worse especially with so many school children using this as an access to King Henry School.
- Inappropriate infilling.
- Site is designed for a single residence adding further pressure in terms of transport, noise and road safety particularly for school children who attend King Henry's School, Cartref and Our Lady and St Michaels.
- The 'shoe horning' of additional properties in established residential streets such as Park Crescent is frustrating to the local community and unsustainable in terms of the net effect on the local residential infrastructure/amenities.

#### 4.3 Assembly Member Nick Ramsey – Supports concerns of neighbour regarding the original design having an impact on the neighbour's privacy.

## 5.0 EVALUATION

### 5.1 Siting / Design

This application relates to the construction of an additional property at 61 Park Crescent, Abergavenny. The additional property will be extended onto the existing bungalow to make a pair of two-bedroom semi-detached bungalows in a like for like manner. This would fit appropriately into the streetscene and would not look out of character or represent an over-development of the site.

The original application was to provide the new dwelling with three bedrooms, with the parking arrangement to the front of the property being a type of 'in-out' arrangement. The original proposal showed the bungalow to be immediately adjacent to the neighbouring property at 59 Park Crescent. However, following consultation and discussion with the applicant and agent the width of the property has been reduced by 1.7m. This has allowed the parking arrangement to be redesigned to allow a single access point, and a driveway width of 3m with parking and turning area for two cars. The attic bedroom has been removed giving the proposed property two bedrooms with the provision of the necessary two parking spaces, complying with the adopted Monmouthshire Parking Standards 2012.

### 5.2 Highways Concerns

Immediately adjacent to the property is a public footpath which is predominantly used by school children for access to and from King Henry School. There is also a bus stop immediately opposite the current property. Concerns have been raised with regard to the increase in traffic movement as a result of this proposal.

Park Crescent whilst being a busy thoroughfare has areas of road narrowing and areas where the road is appreciably wider. The proposed property is located in an area where the highway is relatively wide. There have been junction improvements at Llwynu Road which adjoins Park Crescent, and the pavement has been widened along the area for pedestrians with a dropped kerb and tactile pavements to assist in road crossing.

It is considered that the addition of the driveway with provision for off road parking to an adopted standard would be acceptable and is not considered to have a detrimental effect upon the high safety of the area. Moreover, the additional traffic generated by one new dwelling would be negligible compared to current traffic usage of Park Crescent.

### 5.3 Visual and Residential Amenity

In terms of the visual impact, it is considered the proposal will not have a detrimental effect upon the surrounding neighbours or the immediate area. The original property does not sit centrally within the plot and therefore allows enough space within the curtilage for the proposed property. The property, whilst being elevated from the street level is designed as a bungalow in order to limit the impact upon the street scene and match in with the existing bungalow (as well as limiting any overlooking of neighbouring properties or gardens). There would be over 20m between the from



dormer windows in the roof of the proposed new dwelling and the dwellings opposite in Park Crescent. The dwelling nearest the proposed new dwelling, no. 59 Park Crescent to the east, is a two storey dwelling and consequently the proposed new bungalow would be set below this house and would not unacceptably overshadow the adjoining property and would not be overbearing. It is noted that there are a number of semi-detached dwellings located along Park Crescent and it is therefore considered the proposal will respect the character of the existing area.

All of the neighbour objections have been carefully considered and the proposals are considered to be in accordance with policies EP1, DES1, H1 and NE1 of the Local Development Plan and are therefore considered to be acceptable.

## **6.0 RECOMMENDATION: APPROVE**

### Conditions:

- Standard five year limit in which to commence development.
- The development shall be built in accordance to any of the approved plans that are listed on the decision notice
- Remove Permitted Development Rights in order to protect any future over development of the site.
- No development may commence until the existing street lighting column within the adjacent footway has been relocated in accordance with a scheme to be submitted to and agreed by the local planning authority before any works are commenced on site.
- Each access shall be constructed of a hard permeable surface for a minimum of 5m so as to prevent any loose material being brought out onto the adjacent highway and to ensure that all surface water is disposed of within the site.
- No surface water shall drain onto the County Highway or into the County Highway drainage system.

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**DC/2015/00390 Applicant: Taylor Wimpey**

**DC/2015/00392 Applicant: Barratt / David Wilson**

**APPROVAL OF ALL MATTERS RESERVED EXCEPT FOR ACCESS (OUTLINE APPLICATION APPROVAL REFERENCE DC/2013/00368)**

**LAND AT WONASTOW ROAD, MONMOUTH**

**RECOMMENDATION: Approve**

Case Officer: Jo Draper

Date Registered: 5/5/2015

## **1.0 APPLICATION DETAILS**

- 1.1 This report relates to the residential development of a total of 340 dwellings at Wonastow Road. This comprises the residential area that was subject to the outline consent DC/2013/00368. The outline consent covers 21.4 hectares of land located to the west of Monmouth, north of Wonastow Road. This includes a residential area that was approved for up to 370 dwellings and 6.5 hectares of employment land plus associated formal and informal public open space and access. There are two developers of this residential site, Taylor Wimpey and Barratt / David Wilson. The site has been subdivided with Taylor Wimpey proposing to construct 166 dwellings on the western parcel of the site, while Barratt has proposed 174 new dwellings on the remainder with 50 and 52 affordable housing units allocated on the respective sites.
- 1.2 As both sites are served from the same access approved under DC/2015/00226, share the same services, together with areas of public open space and footpaths and are therefore considered together for the purposes of Planning Committee. These applications are also being presented to Planning Committee alongside DC/2015/00404 and DC/2015/00921 which relate to the formal discharge of planning conditions of outline permission DC/2013/00368; this includes the following: condition 5 (surface water management), 7 (pedestrian footway and cycle path to Drewen Farm), 8 (details of new or enhanced footpaths and cycle paths), 9 (Programme of archaeological works), 10 (Green Infrastructure Management Plan), 11 (Dormouse method statement), 16 (Construction Environmental Management Plan), 18 (Biodiversity monitoring strategy), 20 (Landscape Scheme) 22, (Scheme of Earthworks), 23 (Details of enclosures and phasing) and 29 (Hydraulic Assessment).
- 1.3 This development was submitted originally with a total of 350 units, 35% of which was affordable housing many of which were accommodated in blocks of flats in the central part of the site. This was presented during the first submission of the scheme, the layout was considered poor, the proposed dwellings were uninspiring driven by engineering requirements and the need to deliver affordable housing (given the number and tenure for those units). That site layout and design were considered unacceptable, whilst the affordable housing failed to provide the type of tenure of housing required. In response to officer concerns a significantly improved layout and better house design was presented, involving the overall number of dwellings being reduced to 340, providing 30% (102 units) of affordable housing. However, only 6 of the 102 affordable units are

now proposed to be accommodated in flats designed in the form of a large three storey building - the remaining units would be accommodated in one and two storey buildings, the design of which reflects the traditional, simple design that is consistent throughout the scheme.

- 1.4 The principle of development on this site has been established with the outline Planning consent DC/2013/00368. There are details that are subject to discharge of condition applications that are being addressed separately at the end of this report. The issues to consider as part of this application relate to the layout, car parking, residential and visual amenity, house types, affordable housing and the integral landscaping (both hard and soft) that falls within the respective red line boundaries for both application sites. The red line boundary for the Barratt site includes the overall public open space which comprises the attenuation ponds and boardwalks that fall within the eastern part of the site. There are a total of 22 and 20 house types for the Barratt and Taylor Wimpey site respectively. This application has been subject to significant changes and revisions from when it was originally submitted in April 2015; the original layout plan was titled Revision E, Planning Committee are being presented with a Site Layout Plan which is Revision X.
- 1.5 The proposed road layout consists of primarily a north-south spine road through the development which is identified as a 'Village Street'. At the northern end there is a further 'Village Street' which heads east forming the primary access into the area associated with land at Drewen Farm. Side roads are referred to on the plan as 'Quiet Lanes' which are of a secondary nature having variable carriageway widths and generally a footway on one side only. One of these quiet lanes also links into the land at Drewen Farm thereby providing a second access to this allocated site.
- 1.6 Green Infrastructure (GI) has been a major steer in terms of developing this site to the current layout. Significant efforts have been made to use the existing GI assets and make them work within the site to create a better layout. For example the existing mature hedgerows (allocated as strategic landscaping in the outline approval) and surface water drainage (which previously would not have been in the public realm) now have been used to provide footpath links north-south and east-west of the site, providing links between the Public Open Spaces on site and the open space to the east of the site which contains the ponds, boardwalks etc. The surface water drainage system is being considered separately as part of Condition 5 of the outline approval to be discharged below. However in brief the surface water flood management scheme is derived of a series of channels, mainly open, some of which are culverted when they traverse the highway. This drainage network transfers the surface water drainage from within and around the site to the attenuation ponds which forms the Sustainable Urban Drainage System to serve this site. These open channels and ponds form an integral part of the green infrastructure scheme. Hedgerows are now the prominent front boundary material, with trees strategically planted in the zoned areas to act as a traffic calming measure to replace bollards previously planned and to deter hazardous on street parking. A significant number of new trees, in excess of 250, have been planted throughout the site. In terms of new habitat creation, new thorny hedge buffer and shrubby infill planting, (H1 & SH1), new native and woodland matrix buffer planting, new native hedgerow planting is proposed and managed as set out in the Green Infrastructure Management Plan. The new thorny buffer hedges will be approximately 1 - 2m wide and a total length of 1172.4 linear metres of hedgerow will be created as

part of the development works. This is in addition to the ornamental hedges that demarcate the front boundaries of the majority of the site which the majority of dwellings proposed at the site would enjoy.

- 1.7 With regard to enclosures there are different types to reflect whether the boundary is within the public domain or in a less public position. As well as planting hedgerows, there would be a 0.72m high natural stone cock and hen wall that forms the boundary to the main central Public Open Space, with a higher 1.8m high version of this demarcating the rear boundary of properties that are prominent within the street scene. Elsewhere a 1.8m high brick wall is proposed along more discreet sections within the public domain where it forms the boundary to a private garden. In other spaces particularly adjoining footpaths, the boundary materials proposed are designed to prevent any sense of enclosure being created whilst still providing the required level of privacy to peoples' properties. High boundary fences are softened and screened by an outer strip of hedgerow. Other areas combine railings with a brick screen wall, avoiding narrow enclosed avenues of walls and fences which create uninviting pedestrian routes. Rear gardens not in the public domain are screened by 1.8m high panel or close boarded fence.
- 1.8 External materials proposed comprise a palette of two types of render, terracotta and cream. The render is to be broken up throughout the site by properties finished in a facing brick, the same brick is to be used on the many boundary walls within this site. A 'Terca Nutcombe Multi Stock' Brick has been proposed as the finishing brick. The roof materials proposed are a Redland Saxon Roof Tile to be used throughout the site, the applicants having justified this on the basis that The Saxon range matches the appearance of authentic quarried slate. In addition black round profile rainwater goods on a white uPVC fascia board will be consistently applied across the whole site. There have been no compromises made for the affordable housing as the 102 affordable units all matching the materials, design and form of the private dwellings on this site.
- 1.9 With regard to the house types, whilst there are a total of 42 different types of house design across this 340 unit housing site, there are prevailing characteristics that are consistent throughout. The house types are all of a simple frontage with traditional pitched roofs, the house frontages have a hierarchy of windows with a traditional six pane over a single pane window, the lintels are arched and throughout the site a large number of the dwellings on the key frontages on both the 'Village Streets' and 'Quiet Lanes' have chimneys. The layout provides a mix of house types with terraced, semi-detached and detached properties situated along the 'Village Streets', the majority of the detached units have been concentrated to the outer parts of the site. There is one three storey building that has been designed as a large dwelling that accommodates six flats
- 1.10 With regard to car parking each plot has a minimum of one space per bedroom up to a maximum of three spaces where there are three or more bedrooms (without including integral garages). Visitor spaces are to be largely accommodated on the streets.
- 1.11 This application has been submitted alongside supporting documents, which include a statement on viability with regard to the reduction in affordable housing and an environmental/sustainability survey.

**on the following strategic sites**

## **2.0 RELEVANT PLANNING HISTORY**

DC/2013/00368 Outline application for up to 370 dwellings and 6.5 hectares of employment (B1 and B8) and associated infrastructure with all matters reserved except for access.

Approved 19.12.14

DC/2015/00226 Construct a new access road and footpath improvements.

Approved 12/08/15

DC/2015/01116/NEW Silbuster Ltd: Reserved matters addressing appearance, scale layout and landscaping for part of the employment land

## **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

### Strategic Policies

The application site is allocated in the Local Development Plan as one of the four strategic mixed-use sites within Monmouthshire.

### **Strategic Policies**

#### **Policy S1 – The Spatial Distribution of New Housing Provision**

The main focus for new housing development is within or adjoining the main towns of Abergavenny, Chepstow and Monmouth.

#### **Policy S2: Housing Provision**

Provision will be made to meet a requirement for 4,500 residential units in the plan period 2011-2021

#### **Policy S3 Strategic Housing Sites**

The housing need from new housing allocations as set out in Policy S2 will largely be met on the following strategic sites which includes Monmouth – Land at Wonastow Road. Policy S3 also requires any detailed application for the strategic sites identified in this policy to include a feasibility assessment for suitable renewable energy and low or zero carbon technologies that could be incorporated into the development proposals. This should be considered at the reserved matters stage of this application.

#### **Policy S4 Affordable Housing**

#### **Policy S7 Infrastructure Provision**

#### **Policy S12 Efficient Resource Use and Flood Risk**

#### **Policy S13 Landscape, Green Infrastructure and the Natural Environment**

#### **Policy S16 Transport**

## **Policy S17 Place Making and Design**

### **Strategic Sites**

#### **Policy SAH4 – Wonastow Road, Monmouth**

### Development Management Policies

#### **Policy H1 Residential Development is in Main Towns, Severnside Settlements and Rural Secondary Settlements**

#### **Policy CRF2 Outdoor Recreation/Public Open Space/Allotment standards and provision**

#### **Policy LC5 Protection and Enhancement of Landscape Character**

#### **Policy GI1 Green Infrastructure**

#### **Policy NE1 Nature Conservation and Development**

#### **Policy EP1- Amenity and Environmental Protection**

#### **Policy MV1- Proposed Developments and Highway Considerations**

#### **Policy MV2 – Sustainable Transport Access**

#### **Policy MV3 Public Rights of Way**

#### **Policy MV4 Cycleways**

#### **Policy DES1 General Design Considerations**

#### **Policy SD2 Sustainable Construction & Energy Efficiency**

#### **Policy SD4 Sustainable Drainage**

## **4.0 REPRESENTATIONS**

### **4.1 Consultations Replies**

The Consultation responses that have been received in relation to the Planning Applications DC/2015/00404 and DC/2015/00952 are addressed individually under their respective application for a discharge of condition below.

Monmouth Town Council: refuse

1. Not enough information given
2. What percentage between B1 and B8 whether this percentage meets the LDP
3. Cannot understand insufficient information regarding drainage and the prevention of flooding
4. Concern of the safety to existing residents

5. Water flow from new industrial estate is unknown
6. Has provision been made for drainage of the Drewen Farm site when constructed?
7. Concerns as only access into the site and this is through a new industrial zone.

MCC Highways: the scheme after significant consultation and revisions now delivers a layout whereby as a whole the parking guidelines meet the requirements set out in the Council's Supplementary Planning Guidance 'Monmouthshire Parking Guidelines 2012' and 'Domestic Garages'. There are small pockets which do not fully satisfy the required level for off-site private parking, these areas have been looked at pragmatically where this is considered not to potentially compromise the highway network.

The road layout with the exception of the private forecourts has been designed to adoptable parking standards. Conditions are recommended relating to adoption/maintenance and management of streets and an estates phasing plan.

Rights of Way: the applicant's attention should be drawn to the Public Right(s) of Way No's 267 and 51 in the Community of Monmouth which runs through and abuts the development site respectively. Public Right of Way No. 51 in the Community of Monmouth abuts the field boundary and the developers proposed link is in keeping with connecting to the public right of way network. The applicants must be made aware that no materials can be stored on the Public Right of Way and that any damage to the surface as a result of the development, must be made good at their expense. It is unsure at this stage who is responsible for the hedge. If it is the developer's responsibility then it is recommended that a stock proof kissing gate is installed in the boundary. This would be in keeping with the Welsh Government and Monmouthshire's policy on least restrictive access, improving local public footpaths for various benefits such as health and transport. This would be an extremely important link to the existing public right of way network providing circular walks to the residents and an alternative to driving.

MCC Housing & Community Services: satisfied with the scheme.

#### 4.2 Neighbour Notification

Two letters have been received that raise the following points:

- A hedge onto neighbour's land is shown on the proposed plan as a footpath. This access is not acceptable, consent has not been requested, or any approval given. Any encroachment will be treated as trespass and proceedings will ensue.

A Local Business has submitted the following representations:

We own 3 units on the Wonastow Road Industrial Estate West, 2 are rented to Eagle Plant and One we run our own engineering business JO Engineering Ltd. The Eagle Plant unit's we built 10 years ago and are well aware of the building difficulties that we had, due to the land being very water logged, and had to go to great expense to put a large number of piles in the groundwork. Our unit at JO Engineering is also build on a raft design due to the land conditions. We have been in our building for approx. 20 years and in all those years every winter have seen the land behind our units badly water logged. We have also seen the rain which runs on the edge & included in our property in the winter months very close to flooding area, it does further along the Wonastow Road flood in the winter months on many occasions.



I therefore find it unthinkable for a large development to be going to the Monmouth Planning Department on a known flood area of land, and then to make this matter much worse the catchment pond is situated directly behind the Eagle Plant buildings, and the plans submitted do not show either of our buildings. I feel this is a very relevant omission as to the overall feasibility and siting of this catchment pond and plan. We have grave concerns of the design, construction and site of this catchment pond, and even more worrying if this pond fails it has the possibility of causing extreme disruption to Eagle Plant and our own engineering business, we have a number of extremely expensive and high tech CNC machinery which we could not easily move or relocate.

Our basic concerns regarding the catchment pond are:

1. The location of the attenuation pond in a fluvial and surface water flood zone. By having the pond location in a flood zone the designers are taking up some of the storage capacity of the floodplain and this will be discharged off site. Ideally the pond should be located outside of a flood zone. This should be assessed and compensation (further storage) provided if necessary.
2. The actual pond could be flooded / partially full already which will take up some of the capacity of the pond.
3. The bund around the pond will intercept overland flow of water and direct it offsite, possibly towards adjoining businesses. The potential risk should be assessed and shown to not flood or impact upon off-site locations.
4. There is a chance that the bund will be breached/overtopped directing water offsite, possibly towards adjoining businesses. This should be assessed and shown to not flood off-site locations. The bund should not be located so close to the boundary of the site or existing properties.
5. The bund is going to increase the surface water runoff. The steep angle of the bund will result in water running off towards adjoining businesses. This may not be a great deal of water but with the pond being so close to surrounding factories and the waterlogged nature of the ground it may have an impact on these businesses.
6. The pond is not going to work as designed if the pond is not lined it could be full of water or waterlogged before a rainfall event and will therefore have less storage capacity. It could potentially be overtopped and flood off site locations.
7. The size of the pond should also be much larger to store the water that already runs onto the site and is already stored on the site.
8. If the pond is lined this would affect the local groundwater levels which are already very high across the area, this could also impact off-site locations such the factory, service conduits / foundations existing drainage.
9. The Flood Consequence Assessment does not adequately assess the flood risk to the site from surface water flooding or groundwater flooding both of which are known to affect this area. The development would also increase the risk and impact of surface water flooding and groundwater flooding to off-site locations such as adjoining businesses.

#### 4.3 Other Representations

Representation received by Bovis (Interest in Drewen Farm Site)

Bovis has a land interest at Drewen Farm which adjoins the application site to the north and forms part of the Wonastow Road allocation. The details contained within the applications are fundamental to the future delivery of the remaining part of the

allocation and the contribution that the site makes to housing delivery in Monmouthshire)

The following points are raised:

1. Surface Water Drainage (addressed below under Discharge of Condition 5)
2. Foul Water Drainage (addressed below under Discharge of Condition 29)
3. Phasing (addressed below under Other Issues)
4. Layout Design: positive that the northern part of the site has now been amended to include two access points into the land at Drewen Farm with amendments to the layout and landscaping scheme providing greater flexibility for integration. It is essential that the phasing of the connecting routes positively enables the adjacent land at Drewen Farm to deliver without delay (Bovis are aware that the affordable housing plots are triggered by the s106 agreement, the layout is such that this would reasonably facilitate the access into the Drewen Farm site)
5. Road Layout: with 450 units being accessed on completion of the allocation we would suggest that the southern section of the village street is provided at a width of at least 7.6m with the northern section providing a minimum of 5.5m.
6. Engineers to check layout for compliance with local standards for both private and visitor parking; from a review of the layout it would appear that there is little, if any formal visitor parking provision which suggests that this would be incorporated on street. This may cause difficulties for passing vehicles, refuse vehicles etc. Reassurance required that the proposed road hierarchy and parking arrangements will not prejudice the future delivery of the land at Drewen Farm.

Gwent Police: To improve safety and reduce congestion the junction of Wonastow Road and the Link Road should be redesigned giving the through route for the new estate and the business estate as being via the link road which should give access to the A40 north without using Cinderhill Street.

The road network within the new estate is such that vehicle speeds are not an issue; suggest that consideration is given to a vehicle speed limit of 20mph with traffic calming features as part of the design and adequate provision made for the shared use of the road network by the pedestrian and cyclist.

#### 4.4 Local Member Representations

No representations received to date

### **5.0 EVALUATION**

As this is a reserved matters application and the principle of up to 370 houses has been established on site; the main issues that arise in the consideration of this application relates to the following:

Visual Amenity  
Green Infrastructure  
Affordable housing  
Neighbour Impact  
Ecology  
Parking and Highways  
Sustainability/ Environmental Statement

## Other Issues

### 5.1 Visual Amenity

The Inspector as part of the Local Development Plan Public Inquiry stated the following:

“The new settlement edge, which will be created along the western boundary of the site, will need careful treatment but, subject to good design and appropriate landscaping, the development will not be unsightly or any more obtrusive than other recent residential development in the town.”

This development will be visible from many surrounding viewpoints, so that it is important that the built form works visually both from outside the site looking in and from within the site looking out. There are a number of measures that have been undertaken to achieve this. The layout has sought to contain the more dense development within the central parts of the site, whilst the density reduces near to the outer edge. The house types have been changed, raising the standard of design by for instance, varying the eaves heights, dropping the houses by a few soldier courses (which lowers the dwelling and helps to create a more bespoke appearance that is exclusive to this site), and windows being tucked traditionally under the eaves that help the development ‘settle’ into the site with a lower profile form of development. Simple features like the inclusion of chimneys at strategic points, coupled with varying roof heights and a change in housing types add diversity and interest to the street scene. The road network and areas within the public realm have been enhanced with the addition of a significant number of trees as well as retention where possible of all the existing hedgerows and mature trees. This is complimented by small areas of open space dotted around the site and hedgerows that demarcate the front boundaries of properties providing a defined front space. The road networks weave through the site with varying widths and textures, and they turn the corner to further interest points. All dwellings situated on the corners of roads have two frontages so dwellings with two public elevations do not turn their back on the highway. The external materials have a warm palette albeit limited in variations to one external brick and two render colours. This will help to visually break up the development whilst at the same time the development will not appear too busy. The roof tile proposed will work with the traditional appearance of the dwellings. In terms of visual amenity the scheme is successful in achieving a high quality, attractive scheme, which in conjunction with the green infrastructure softens the overall built form and helps the development to be assimilated into the surrounding countryside.

### 5.2 Green Infrastructure

“Green infrastructure is the network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect villages, towns and cities. Individually these elements are GI assets, and the roles that these assets play are GI functions. Where appropriately planned, designed and managed, the assets and functions have the potential to deliver a wide range of benefits” (Green Infrastructure Supplementary Planning Guidance).

Green Infrastructure was intrinsic in transforming this site from the original scheme that was dominated by an engineered form and created very few links or inspiring spaces. The principles of using the existing assets as opportunities to positively enhance the scheme have now been embraced fully in the layout and management as addressed in the Reserved Matters Applications above. The existing mature trees and hedgerows have been protected and used in areas that form part of the public realm as opposed to be hidden away at the rear of private

gardens. The mature hedgerows and drainage channels run alongside these footpaths, connecting all parts of this site back to a community hub, which is the central area of Public Open Space, and across into the strategic open space. The surface water drainage viewed previously as a constraining factor of this site has become an opportunity as a large part of the strategic open space contains the attenuation ponds and boardwalks, allowing ecology to thrive in the wetland areas but providing an open space that can be enjoyed by future residents. This space will be interpreted (using on site information boards) and enhanced through a management plan that ensures the long term delivery of the green infrastructure objectives. The links within the site do not just connect inwards into informal and formal community spaces including the Public Open Spaces, Strategic Open Spaces and allotments but look outwards also, with connecting points around the site, back to Monmouth Town and to the open countryside to the north and west of the site. The existing footpath that crosses the site east to west has been retained and embraced, connecting internally with footpaths that run along the established strategic landscape belts, linking the fields to the west of the site and across to the SINC to the east. There are further footpath links to west of the site connecting in at two points to access an existing footpath that runs alongside the site boundary. The site provides connection to the north of the site by two connecting points to the Drewen Farm site and there is a footway that is now included within the red line site plan that leads from the Strategic Open Space to Wonastow Road to the east of Model Farm.

The proposed landscaping, formal and informal public open spaces, rights of way, surface water drainage are all incorporated as part of the Green Infrastructure and whilst tackled separately in the consideration of the discharge of condition 10 (addressed below) for the purposes of the Reserved Matters application, the proposal delivers a comprehensive and robust response to our Green Infrastructure Policy and SPG and will support sustainable growth, improve quality of life and place, deliver ecosystem services and tackle climate change.

### 5.3 Affordable Housing

The developers have provided a statement to justify the reduction to 30% affordable housing provision; this is given in the following statement:

*The 35% is stated in the S106 dated 19th December 2014 (extract below) with a proviso required by MCC that this may vary.....This was to take into account the specific housing needs at the time.*

*The Section 106 states.... 35% of the units constructed shall be affordable, 50% social rent, 25% Low Cost Home Ownership and 25% Intermediate. It may be necessary by negotiation and agreement between the owner and the Council to vary the provision and tenure split based on the housing need and the Council's Housing Services Section reserves the right to do so in order to meet housing need.*

*This is exactly what TW and BDW were just about able to do. A revised Affordable Housing requirement was presented by MCC, which can be delivered within the flexibility written into the S106. The social rented was increased from 50% to 83%. To be able to accommodate the required Affordable Housing mix has stretched the development to the brink of being unviable. We have improved the distribution of the Affordable Housing as required by Policy and delivered a much improved layout, dwelling design and delivered what is required in terms of house type, mix etc. All the other S106 items have remained the same.*

*The site has been acquired from South Wales Land Development Ltd at a fixed price, they are not the applicant for the Reserved Matters submission etc. The acquisition cost including the clawback payable to RIFW/WG took into account the S106 items. As above the Affordable*

*Housing as proposed by MCC in May 2015 and agreed by Barratt/David Wilson and Taylor Wimpey is based on the cost assigned to Affordable Housing when the price payable was fixed. Consequently there isn't any scope at all given all the costs and the price paid to make an off-site contribution.*

The proposal has delivered 30% affordable housing with Taylor Wimpey providing 50 and Barratt/ David Wilson providing 52 dwellings. These range from bungalows to four bedroom semi-detached dwellings, to one bedroom dwellings; 37 units are for shared ownership, 65 are social rent. There is only one block of flats proposed in this site providing six flats accommodated within a three storey building. The other flats are accommodated as 'walk up' flats in two storey buildings that blend in with the design and form of the private dwellings on site. The affordable housing is 'pepper-potted' around the site with a maximum of 14 units contained in one area. When such areas of affordable housing are in close proximity the layout has been designed so that their aspect faces away from the other affordable units and are separated by key infrastructure like roads and footpaths. The tenure, design and layout of the proposed affordable housing has changed considerably during the course of the application. In this site the affordable housing is not squeezed into the corner of the site with clear differences in housing sizes and gardens, the units are well integrated into the site, share the same materials and design, garden space and in certain cases arguably enjoy the most attractive locations on the site with five affordable units (plots 220-224) facing south and fronting directly onto the main central Public Open Space. The form, design and materials proposed for these affordable dwellings would be of a quality to afford not only one of the best positions on site (particularly for families with young children) but are deservedly located in one of the most important street vistas in the site. Affordable housing has been embraced and fully integrated into this site.

#### 5.4 Neighbour Amenity

The issue of open spaces, footpath links and landscaping, all of which add to the overall living experience and the level of amenity enjoyed by the future occupiers of the site, are considered under the Visual Amenity and Green Infrastructure paragraphs above. This section looks primarily at privacy distances between dwellings. The layout has been designed to meet in general the privacy guidelines between first floor habitable windows and the boundaries for private amenity spaces. In cases where these distances are compromised additional planting has been proposed and the orientation revised to prevent any direct overlooking. The size and position of the gardens vary, however they are proportional to the size of the dwellings that they serve and with the significant amount of strategic open space that is available, the neighbour amenity of the future occupiers of these dwellings is more than acceptable in this case.

#### 5.5 Ecology

The strategy for ecology on this site was determined as part of the Outline approval and conditioned rigorously. The details are addressed separately as part of the relevant discharge of conditions below.

#### 5.6 Highways and Parking

The highway layout has evolved from the original scheme submitted and is much improved as referred to above.

In terms of parking, certain cases large detached garages have been included within the calculation of parking needs and conditions are recommended accordingly to ensure that these parking spaces are not compromised. Integral garages however have not been included in the calculation, and are not subject to this condition. Further to this, conditions are recommended that relate to the future management, maintenance and phasing of the streets.

With regard to the speed restriction raised by Gwent Police, the change in surface material, inclusion of ‘natural’ street calming measures e.g. provision of on street tree planting, coupled with the road design will bring the speed of motorists down to an acceptable level.

As a whole the site delivers a highway network and parking provision that meets the required standards as set out in the Council’s Supplementary Planning Guidance.

### 5.7 Environmental/sustainability survey

In line with Policy S3 of the Local Development Plan a feasibility assessment of suitable renewable energy and low or zero carbon technologies that could be accommodated into the scheme has been submitted with this detailed application.

The assessment submitted as part of this application can be summarised in the following points:

- The combined effect of the costs associated with these various requirements has diminished the scope to accommodate alternative energy generation as part of the housing development. The development will comprise homes with drastically reduced energy consumption. Taylor Wimpey and Barratt David Wilson (BDW) new homes are designed with energy efficiency as a key design consideration. Good levels of insulation, quality construction on-site and high-efficiency heating systems help to cut down carbon emissions and energy consumption
- The ‘Fabric First’ principles are an approach that has been endorsed through Zero Carbon Hub reports and proposals to Government when proposing the Zero Carbon Hierarchy. Taylor Wimpey and BDW has carried out significant work ensuring their new homes are designed to be highly energy efficient by concentrating first on providing their customers with optimising built-in measures before turning to ‘bolted-on’ renewable technology. The adopted approach has the following benefits:
  - Any built-in fabric improvements last for the lifetime of the home.
  - The approach is ‘energy-blind’, and therefore not subject to external influences such as changes in Government policies, (e.g. feed-in tariff, the Renewable Heat Incentive), or fluctuations in energy pricing or availability.
  - Home owners do not have to interact with fabric improvements – they are technologically ‘light’ and require no maintenance or interface from owners to operate.
  - It tackles the highest use of energy first – space heating.

### 5.8 Other Issues Raised

This section considers the representation submitted by Bovis Homes in relation to the Drewen Farm site.

#### Phasing

There are two sources that cover outline phasing, the first is in the Section 106 Agreement in relation to affordable housing, and the second source is within the Dormouse Method Statement.

Working this forward the earliest possible time that the access required for Drewen Farm can be constructed would be during Phase 3 (September 2016 to Sep 2017) of the phasing plan of the strategic site, working on the basis that the development starts on time according to the schedule set out. To bring this connection into place any earlier will have to be through a private arrangement between the developers.

#### 5.9 Drainage

A neighbouring business has made representation regarding the surface water drainage of the site. The principle of developing the site has already been agreed, and the issues regarding the surface water drainage are addressed under the Discharge of Condition 5 below.

#### 5.10 Response to Town Council comments

With the exception of the issues raised by the Town Council regarding the employment element, which is not considered as part of this application, all other issues - namely surface water drainage and safety of existing residents - have been addressed under the reports below that consider the relevant conditions to be discharged.

#### 5.11 Conclusion

This site is the first Strategic Site to come forward as part of the Local Development Plan and brings with it many benefits: it will provide 340 homes (including 102 affordable homes) with up to a further 110 houses to come forward as a result of this development. As a result of the Section 106 agreement this development will now provide an off-site contribution for adult recreation, off-site access sustainability improvements involving the northern footway, whilst the surface water drainage system will now provide a positive improvement to the existing situation. However, this proposal has gone beyond this, in that it has responded to the constraints on site and converted them into opportunities as part of the green infrastructure proposal. The house designs go beyond the standard house type and have delivered simple, good quality traditional dwellings. The proposed scheme promotes a sense of community as all routes return to the strategic open spaces, whilst footpath linkages on the outer edges ensure that the development is strongly linked with the surrounding area and the town centre.

The Monmouthshire LDP Vision is, by 2021, to provide a place where:

1. People live in a more inclusive, cohesive, prosperous and vibrant communities, both urban and rural, where there is better access to local services, facilities and employment opportunities
2. The distinctive character of its built heritage, countryside and environmental assets has been protected and enhanced
3. People enjoy more sustainable lifestyles that give them opportunities for healthy activity, reduced reliance on the motor car and minimised impact on the global environment.

This scheme delivers through its layout and design these objectives and is recommended for approval accordingly.

## **6.0 RECOMMENDATION: APPROVE**

### Conditions

1. Development to be constructed in accordance with the Approved Plans
2. Protection of existing and proposed trees
3. Details of window detailing, headers, cills and recesses to be provided
4. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. [The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established].
5. No development shall be commenced until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed.
6. With the exception of integral garages, all garages hereby approved shall be retained for garaging purposes only.

### Note to Applicant

NOTE The applicant is advised that to discharge condition 5 that the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.



**DC/2015/00404 and DC/2015/00921 (relates specifically to archaeological Condition 9)**

**Applicant: Taylor Wimpey/ Barratt David Wilson**

**DISCHARGE OF CONDITIONS 5, 7, 8, 9, 10, 11, 16, 18, 20, 22, 23 AND 29 OF  
OUTLINE PLANNING PERMISSION DC/2013/00368**

**LAND AT WONASTOW ROAD, MONMOUTH**

Monmouth Town Council has provided the following comments relating to DC.2015/00404 in its entirety:

1. Not enough information given
2. What percentage between B1 and B8 whether this percentage meets the LDP
3. Cannot understand insufficient information regarding drainage and the prevention of flooding
4. Concern of the safety to existing residents
5. Water flow from new industrial estate is unknown
6. Has provision been made for drainage of the Drewen farm site when constructed
7. Concerns as only access into the site and this is through a new industrial zone.

The concerns of the Town Council are addressed as part of the discharge of Condition 5 - Surface Water below:

**Discharge of Condition 5 (Surface Water Drainage)**

*“No development shall commence on site until a detailed surface water management scheme, which shall include the programme for its implementation, has been submitted to and agreed in writing by the Local Planning Authority; the detailed surface water management scheme shall reflect the information as set out in the submitted drainage strategy (Drainage Strategy (FMW Consultancy) July 2014). The development shall be carried out in accordance with the agreed details.”*

Surface water drainage details have been submitted in the form of the following documents:

- (i) Drainage Concept Masterplan
- (ii) Supplementary Report Drainage

Consultation Responses

Natural Resources Wales: No objection to the partial discharge of Condition 5. Condition 5 relates to the whole of the site both residential and business. Only surface water details in relation to the residential part of the site have been submitted to us. Therefore, we advise that the condition is only partially discharged and that additional surface water drainage details for the business/industrial area are submitted to facilitate full discharge of the condition.

We have received the Report of Surface Water Drainage Supplementary Report, dated July 2015, Revision 0, which has provided additional details on the proposed attenuation and discharge rates requested in our letter of 19 June 2015.

Additional comments given:

We are satisfied that the details in the aforementioned report are sufficient to show that the surface water drainage strategy can adequately control surface water runoff from the residential element of the development site and channel the wider catchment runoff through the development. Calculations show that surface water discharge from the site can be controlled to greenfield rate. The calculations demonstrate that the increased attenuation offered at the site can reduce downstream flows up to the 1 in 100 storm event offering a betterment to the current situation.

No modification, culverting or infilling of any ditches, reens or watercourses within the area of the NRW internal drainage district (IDD), including any discharge to ordinary watercourses or supporting attenuation, shall be undertaken without a written Land Drainage Consent from NRW.

We would highlight that the surface water drainage from the adjacent LDP allocated housing site at Derwen Farm has not been considered within the calculations for the run-off from the Wonastow Road site.

RPS (on behalf of Bovis): it is critical that the drainage proposed does not prejudice the ability to deliver the remaining housing allocation within the Drewen Farm site

In the light of the drainage information recently submitted to the Council to discharge conditions on the outline consent, Bovis Homes has appointed a specialist consultant WYG to undertake a review of the proposed strategy and the constraints/opportunities for land of this for the land at Drewen Farm.

The recommendations of WYG include that, if a shared attenuation pond cannot be confirmed then the option to discharge into the Wonastow Road site at the existing greenfield runoff rate could be an option. WYG advise that this would require the provision of attenuation within the Drewen Farm site in order to control the run off at pre-development 'greenfield' run off rates, which would then discharge at a natural flow rate across the Wonastow site. WYG advised that allowance has been made for greenfield run off from Drewen farm site within the attenuation basin at the Wonastow Road site. Request that this remains the case.

Also advised that any connection into Wonastow Road system would require the agreement of the adjoining developers /landowner, whilst technical details to be agreed at a later stage in conjunction with NRW.

In the interest of the wider allocation it is appropriate for the Local Planning Authority to ensure the following:

1. That connection into the Wonastow Road system from Drewen Farm will be facilitated and supported by the applicants/landowner; and
2. That the detailed design will as part of the technical approval with the NRW be appropriate to accommodate the needs of Drewen Farm site and other potential future development.

### Evaluation

There has been significant negotiation with the existing applicants and NRW regarding this issue. Originally the drainage plan did not indicate any connection to the Drewen Farm site, but this was changed following negotiation with the applicants. The drainage plan now shows

a connection point to the site. The applicants have stated that the drainage infrastructure is designed to take the surface water drainage from this site at no more than greenfield rate. The main issue to address at this stage is whether there is potential for Drewen Farm to be served without compromising the drainage strategy that Wonastow Road is based on. The applicant has recently submitted further information that demonstrates that the existing surface water drainage for Drewen Farm does not drain through the application site. It is understood that it discharges into the Wonastow Brook near the junction of Wonastow Road and Wonastow West Industrial Estate by means of a culvert. It is clear now that in consultation with the land drainage officer in Natural Resources Wales that there are now at least two options that are available for the drainage of Drewen Farm.

1. Drewen Farm accommodates additional attenuation on site, which in theory this site can accommodate (as this is a large site for what will be a maximum of 110 houses), with the maximum outfall being no more than a greenfield rate, the developers of Drewen Farm to make modifications as required to the discharge from the pond to meet the requirements of the NRW. The modification would just be to allow an increased discharge from the pond, this could be done a number of ways, to make sure that a controlled volume of water is entering Wonastow Brook.
2. To discharge at a controlled rate along the existing route outside of the current application site so it enters the brook at a different point with a controlled rate of discharge.

Which option is taken will be determined by the detailed drainage strategy to be undertaken by the developers of the Drewen Farm site. It would be unreasonable to expect the applicants of the current site to undertake further work to accommodate the drainage requirements of this adjacent allocated site. What is relevant from the information provided is firstly that the development of the Wonastow Road site does not compromise the feasibility of the Drewen Farm site coming forward in terms of surface water drainage, and secondly the surface water drainage requirements of the Drewen Farm site do not undermine the betterment offered as result of the current scheme.

**Recommendation: Partially Discharge Condition** (N.B. the condition could only be fully discharged on receipt of drainage proposals for the employment element of the overall site).

#### **Condition 7 Pedestrian Footway and Cycleway to Drewen Farm**

*“The proposed detailed layout shall make provision for a pedestrian footway and cycle path link to the north of the site to link with the Drewen Farm site and a timetable for its implementation”.*

This is now included in the layout plan and the phasing plan that has been provided which delivers the site shows these links coming into place in 2018-2020. The details are acceptable and the condition can be discharged accordingly.

**Recommendation: Discharge Condition**

#### **Condition 8 Details of Footpaths and Cycleways**

*“Details of all new or enhanced footpaths and cyclepaths within the site shall be submitted to and agreed by the Local Planning Authority within the reserved matters submission; the*

*details as approved shall be carried out in accordance with a timetable to be agreed with the Local Planning Authority before works commence on site”*

### Evaluation

These details have been provided as an integral part of the layout, the red line has also been altered to include the footpath that connects the residential site via the strategic open space to Wonastow Road to the east of Model Farm. The plan provides details of the siting, alignment, construction/finish and future management details for the footpath. It has been proposed that the footpath is delivered prior to the occupation of the first dwelling. This is acceptable.

### **Recommendation: Discharge Condition**

#### **Condition 9: Programme of Archaeological Work**

“A programme of archaeological work shall be submitted to the Local Planning Authority and the approved scheme shall be implemented prior to and during construction, as identified in the approved programme.”

A Written Scheme of Investigation for a programme of archaeological work by Monmouth Archaeology was received 24<sup>th</sup> July 2015.

### Consultation Response

Gwent Glamorgan Archaeological Trust: We do not recommend the discharge of the condition until the final report on the archaeological work has been submitted and approved (i.e. passing our QA system which ensures it has all the relevant information to be accepted by the Historic Environment Record for deposition therein). However, the WSI can allow for the condition to be partially discharged at this stage.

### **Recommendation: Partial Discharge of Condition**

#### **Condition 10: Green Infrastructure Management Plan**

*“A Green Infrastructure Management Plan shall be submitted with the Reserved Matters application, and be approved in writing by the Local Planning Authority prior to the commencement of the development. The content of the Management Plan shall include the following;*

- a) Description and evaluation of Green Infrastructure assets to be managed.*
- b) Trends and constraints on site that might influence management.*
- c) Aims and objectives of management.*
- d) Appropriate management options for achieving aims and objectives.*
- e) Prescriptions for management actions.*
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty-year period).*
- g) Details of the body or organization responsible for implementation of the plan.*
- h) Ongoing monitoring and remedial measures.*

*The Management Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the*

*results from monitoring show that conservation aims and objectives of the Green Infrastructure Management Plan are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning Green Infrastructure objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.”*

The following documents have been submitted as part of this application:

Green Infrastructure Management Plan Revision C.

Drawing no. 1349901/P/GA/002 Rev F: Green Infrastructure Plan Sheet A and, Drawing no. 1349901/P/GA/002 Rev F: Green Infrastructure Plan Sheet B.

- Drawing no. 1349903/P/GA/001 Rev H: Green Infrastructure Masterplan - ACCESS
- Drawing no. 1349901/P/PL/010 Rev B: Western Land Parcel Soft Landscape Plan
- Drawing no. 1349901/P/PL/003 rev F: Eastern Land Parcel Soft Landscape Plan

### Consultation Response

Natural Resources Wales: We welcome the general principles within the revised Green Infrastructure Management Plan. We note that it is to act as a guide to management operations and be a ‘living document’, updated during the life of the development following review. However, prior to the discharge of this condition, we advise that your Authority seeks clarification/amendments to the certain points within the revised Green Infrastructure Management Plan.

At the point of writing, these amendments were being discussed with a view to resolving all outstanding issues and reporting the latest NRW comments to Planning Committee as late correspondence.

There are still details that require submission to enable this condition to be fully discharged, this includes details of the play area, allotments and interpretation of the open space, and together with this an addendum will be required to the management plan. The management plan will need to be revised to include these details within the schedule. It is recommended that when the final details are submitted, if acceptable, that these are presented to the Council’s Delegated Panel to allow this condition to be discharged fully. The outstanding details required by NRW are being changed ahead of Planning Committee with NRW’s response being presented as Late Correspondence.

### **Condition 11 Dormice Method Statement**

*“No development shall take place including ground works or site clearance until a Dormouse method statement has been submitted to and approved in writing by the local planning authority. The content of the method statement shall build upon the principles set out in the submitted dormouse mitigation strategy (dated 13 May 2014 by Soltys Brewster, Ref E1347401/R02) and include:*

- a) Purpose and objectives for the proposed works in relation to protection of dormouse and provision of dormouse mitigation and compensation;*
- b) Detailed designs and working methods necessary to achieve stated objectives;*
- c) Extent and location of proposed works shown on appropriate scale maps and plans;*
- d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;*
- e) Measures to avoid killing and injuring dormice during works,*

- f) *Persons responsible for implementing the works;*
- g) *Initial aftercare and long-term maintenance (linked to Green Infrastructure Management Plan);*

*The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter. Any deviation from the Method Statement shall be agreed in writing with the Local Planning Authority prior to the commencement of that deviation.”*

Document received to discharge this condition is the DORMOUSE METHOD STATEMENT’. Dated 9 July 2015 by Soltys Brewster Ecology.

### Consultation Response

Natural Resources Wales: Further Information is requested for clarification and is being reported as Late Correspondence at Planning Committee.

### **Condition 16 Construction Environment Management Plan**

*“No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall as a minimum cover operations that could be detrimental to:*

1. *Watercourses and water bodies*
2. *Trees and Hedgerows*
3. *Dormouse*
4. *Bats*
5. *Amphibians*
6. *Badgers and Hedgehogs*
7. *Nesting birds including barn owl*
8. *Retained grassland habitats including the Site of Importance for Nature Conservation*

*The CEMP: Biodiversity shall include detail of the following;*

- a) *Risk assessment of potentially damaging construction activities.*
- b) *Identification of “biodiversity protection zones”.*
- c) *Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (to be provided as a set of method statements).*
- d) *The location and timing of sensitive works to avoid harm to biodiversity features.*
- e) *The times during construction when specialist ecologists need to be present on site to oversee works.*
- f) *Responsible persons and lines of communication.*
- g) *The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) *Use of protective fences, exclusion barriers and warning signs.*
- i) *Monitoring of implementation of the CEMP*

*The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.”*

A Construction Environment Management Plan was submitted as part of this planning application.

### Consultation Responses:

Monmouthshire County Council Ecologist:

Based on the existing proposal, the CEMP is sufficient to discharge the planning condition.

RPS on behalf of Bovis: The CEMP identifies a phasing schedule for delivery, the delivery of the upper half of the site which contains the access roads to land at Drewen farm. The two access routes fall within phases 5 and 6 of the phasing plan, with an anticipated timing of December 2018- march 2020 and January 2020-December 2020. Our concern is that the delivery of development on land at Drewen farm could be prejudiced by the timings associated with the routes from the pending applications and it is the interest of the Local Planning Authority to ensure that this is not the case.

### **Recommendation: Partial Discharge of Condition**

#### **Condition 18 Biodiversity Monitoring Strategy**

*No development shall take place, including demolition, ground works and vegetation clearance, until a biodiversity monitoring strategy has been submitted to, and approved in writing by, the Local Planning Authority. The purpose of the strategy shall be to*

- 1. Monitor the effectiveness of mitigation for dormouse*
- 2. Monitor the effectiveness of mitigation for bats*
- 3. And if necessary, monitor the effectiveness of mitigation for barn owl*

*The content of the Strategy shall include the following.*

- a) Aims and objectives of monitoring to match the stated purpose.*
- b) Identification of adequate baseline conditions prior to the start of development.*
- c) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.*
- d) Methods for data gathering and analysis.*
- e) Location of monitoring.*
- f) Timing and duration of monitoring.*
- g) Responsible persons and lines of communication.*
- h) Review, and where appropriate, publication of results and outcomes.*

*A report describing the results of monitoring shall be submitted to the local planning authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the local planning authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The monitoring strategy shall be implemented in accordance with the approved details.*

Document received to discharge this condition is the Dormouse Method Statement'. Dated 9 July 2015 by Soltys Brewster Ecology.

The information relevant to Dormouse has been submitted as part of the Dormouse Method Statement. The other elements will be delivered on the employment site. A partial discharge is recommended.

### **Recommendation: Partial Discharge of Condition**

#### **Condition 20 Landscape Plans**

*“No development shall take place until full detailed landscape plans have been submitted to and approved in writing by the Local Planning Authority. These details should reflect the information as set out in the Green Infrastructure Plan (1349901-Pre GA 17 Rev G Strategic Landscape and Ecology Framework Mitigation Plan) and Strategic Masterplan (Illustrative Masterplan Rev H). Details shall include:*

- Strengthening of planting 5-10m along the eastern boundary as indicated on the Councils GI plan and extending this to meet the playing fields to seek to offset the visual intrusion of the industrial estate into the residential amenity area.*
- Strengthening of the avenue of trees through the industrial estate.*
- A wooded buffer between the industrial estate and housing estate strengthening the proposed avenue of trees*
- proposed finished levels or contours;*
- car park layouts*
- minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.)*
- Incorporation of further tree and shrub planting as part of the detailed plan proposals.*
- Other vehicular and pedestrian access and circulation areas;*
- retained historic or other landscape features and proposals for maintenance and restoration, where relevant.*
- Hard and Soft landscape details to include: boundary and surface materials, planting plans, specifications including cultivation and other operations associated with plant and grass establishment, schedules of plants, noting species, sizes, numbers and densities.*
- Water Features ie any proposed SUDs scheme*
- Hard and soft landscape details relating to Informal and Public open space areas.*
- Hard and Soft Landscape details relating to the proposed allotment areas.”*

The plans submitted to discharge this condition are:

- Drawing no. 1349901/P/GA/002 Rev F: Green Infrastructure Plan Sheet A and,
- Drawing no. 1349901/P/GA/002 Rev F: Green Infrastructure Plan Sheet B.
- Drawing no. 1349903/P/GA/001 Rev H: Green Infrastructure Masterplan - ACCESS
- Drawing no. 1349901/P/PL/010 Rev B: Western Land Parcel Soft Landscape Plan
- Drawing no. 1349901/P/PL/003 rev F: Eastern Land Parcel Soft Landscape Plan

### Evaluation

This condition covers a wide spectrum of issues, some are partly covered by other conditions, namely green infrastructure and surface water drainage and are assessed in the report under the Reserved Matters application and the relevant discharge of Planning Conditions. The only outstanding points relate to the landscaping on the employment site; the details that have been submitted for this are acceptable and therefore this application can be partially discharged.

### **Recommendation: Partial Discharge of Condition**

### **Condition 22 Details of Earthworks and Timetable for Implementation**

*Before any works commence on site, details of earthworks and a timetable for implementation shall be submitted to and approved by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed,*



*showing the relationship of proposed mounding to existing vegetation and surrounding landform. (These details shall be in accordance with requirements of the GI plan 1349901-Pre GA 17 Rev G Strategic Landscape and Ecology Framework Mitigation Plan). All works approved shall be implemented in accordance with the approved timetable.*

### Evaluation

Revised Plans have been submitted with the drainage details which show the level of bunds and extent of earthworks required, they are currently under review and the comments of the Monmouthshire County Council Landscape Officer and Ecologist will be reported as Late Correspondence at Planning Committee with a view to the discharge of this Planning Condition.

### **Condition 23 Boundary Materials and Timetable for Implementation**

*“Before any works commence on site, a plan indicating the positions, design, materials and type of boundary treatment to be erected along primary routes shall be submitted to and approved by the Local Planning Authority. This boundary treatment shall be implemented in accordance with an agreed timetable set out on the agreed boundary treatment plan.”*

The document submitted for this is: Enclosure Layout Rev C Phasing outlined in Dormouse Method Statement.

### Evaluation

The details of the boundary materials are addressed fully in the Reserved Matters application, the phasing has been confirmed by the applicants that the boundary materials will be delivered at the same time as the housing is delivered according to the phasing plan. This is acceptable and it is recommended that the condition is discharged accordingly.

### **Recommendation: Discharge Condition**

#### **29. Hydraulic modelling assessment**

Prior to work commencing on site a hydraulic modelling assessment shall be undertaken by the developer in liaison with Dwr Cymru Welsh Water to establish the following:

- (i) Point of discharge of the new foul drainage system together with any necessary associated foul sewerage infrastructure works
- (ii) To assess the effect the proposed development will have on the existing water supply network, together with any associated infrastructure works.

### Consultation Responses:

Dwr Cymru Welsh Water: The detail of the condition has been approved as the Hydraulic Modelling Assessment has been satisfactorily undertaken. Welsh Water have confirmed that they are undertaking ongoing works in respect of the requisition for this site and the requirement to implement will still stand and developers are still required to adhere to this condition as both outline and reserved matters should be read in conjunction.

RPS (Bovis) DCWW should ensure that in carrying out their legal duties that the development of Wonastow Road will not compromise the ability of the Bovis site to discharge foul drainage.

Evaluation:

Welsh Water has confirmed that they have taken into account a development of 450 houses which includes the Drewen Farm allocation also.

**Recommendation: Condition Discharged**

**DC/2015/00405**

**DEMOLITION OF EXISTING GARAGE/OUTBUILDING AND PROPOSED NEW DETACHED DWELLING INCLUDING PARKING ON PLOT AND SERVICES**

**LAND BETWEEN 11 & 12 THE COURTYARD, PLAS DERWEN VIEW, ABERGAVENNY**

**RECOMMENDATION: APPROVE**

Case Officer: Kate Bingham

Date Registered: 27/04/2015

**1.0 APPLICATION DETAILS**

This is a full application for a new dwelling on the site of a former garage/storage building. The site lies within the former grounds of Plas Derwen House, which is now a pub and restaurant with guest accommodation in the former stables building immediately north of the application site.

The site is accessed via an existing private lane between nos. 11 & 12 The Courtyard which leads to a cul-de-sac that currently serves two other properties known as 1 & 2 Plas Derwen Gardens. The application site includes both sides of this lane although the lane will be kept open with continuing rights of access to the existing properties it serves.

The site is within a Conservation Area although none of the surrounding buildings are listed. The site is not within a flood plain.

**2.0 RELEVANT PLANNING HISTORY**

None.

**3.0 LOCAL DEVELOPMENT PLAN POLICIES**

Strategic Policies

- S1 – Spatial Distribution of New Housing Provision
- S13 – Landscape, Green Infrastructure and the Natural Environment
- S16 - Transport
- S17 – Place Making and Design

Development Management Policies

- H1 – Residential Development in Main Towns
- HE1 – Development in Conservation Areas
- EP1 – Amenity and Environmental Protection
- DES1 – General Design Considerations
- MV1 – Development and Highway Considerations
- NE1 – Nature Conservation and Development

## 4.0 REPRESENTATIONS

### 4.1 Consultations Replies

Abergavenny Town Council – recommends approval.

Dwr Cymru – Welsh Water – no objections subject to standard conditions.

MCC Highways - The proposal is to replace a garage with dwelling, new parking area whilst retaining access to the rear of the barn for Plas Derwen, rear access for number 11 and rear vehicular access for 1 and 2 Plas Derwen Gardens.

The single passing bay is proposed to be well within the site and of no benefit to the rear of number 11. Its position immediately adjacent to the proposed new dwelling is likely to be used as an extra parking place and not as a passing place. This will be detrimental to the existing users of this private track and unless conditioned to be retained as a passing place and for no other purpose, it will not be beneficial for the site users. The passing place should therefore either be positioned further towards the point of access or as an additional passing place provision for access to four parking areas, with a condition to be retained as a passing area only.

**NB. The location of the passing bay has been amended as recommended.**

MCC Biodiversity & Ecology – No objections subject to conditions and informatives.

MCC Tree Officer – No objections subject to conditions. The information contained within the Tree Survey and Arboricultural Impact Assessment dated 18<sup>th</sup> February 2015 to be sufficiently complete for me to make comment.

I note from the Tree Survey that trees on adjacent properties namely a Cherry Plum, Weeping Willow and Sycamore are on land that is 1 metre below the level of the application site and furthermore are separated from it by a stone wall. Whilst I cannot rule out the possibility that roots from any of the trees may be growing into the proposed site, it is unlikely, due to the presence of the wall and the difference in ground levels that any actually are.

Whilst the loss of any tree is regrettable, the four relatively insignificant trees i.e. 3 domestic Apples and 1 Birch which are intended for removal, can be mitigated by additional tree planting post development. I am also satisfied that the trees marked 1 and 2 in the Tree Survey i.e. a Spruce and Whitebeam may be incorporated into the scheme and protected with appropriate fencing. I am therefore happy to support this application with conditions

SEWBREC Search Results – Various species of bat recorded foraging/commuting within the vicinity of the site.

### 4.2 Neighbour Notification

Representations received from six neighbours. Object on the following grounds;

- Small dwelling on a restricted plot does not make a positive contribution to the local area which is characterised by three and four bedroom houses and bungalows with gardens to the front and rear.
- There is not space on the public highway at The Courtyard for visitor parking.
- Increased risk of damage to garden fence of no.12 due to additional use of lane.
- Concern that the proposed development will increase access difficulty to Plas Derwen Gardens for emergency vehicles; especially fire engines.
- Additional domestic waste as a result of the proposed new property as bags/bins have to be left on public highway adjacent to no.12 The Courtyard.
- Passing bay not wide enough to allow two larger vehicles to pass.
- Access to nos. 1 & 2 Plas Derwen Gardens will be blocked if any vehicles stop on the lane outside the proposed new dwelling and there is insufficient parking and turning.
- Concern that potential drainage changes may adversely affect local properties.
- Soakaways in this area have not proved very successful and have struggled to cope with heavy rain.
- Overlooking from the proposed first floor lounge of no. 2 Plas Derwen Gardens.
- Foul drainage pipe and surface water drainage pipe are incorrectly shown on the plans – actually pass through the end of the gardens of 11 and 12 The Courtyard and could be damaged during construction work.
- Will there be conditions of access and duration of construction work?

## **5.0 EVALUATION**

### **5.1 Principle of Development**

The application site is within the development boundary of Abergavenny where new residential development is acceptable in principle under Local Development Plan Strategic Policy S1 subject to detailed planning considerations.

### **5.2 Amendments**

After discussions with planning officers, a first floor balcony on the eastern elevation has been removed from the scheme and a double garage has also been omitted. The passing bay has also been re-sited following observations from Highways and discussions with local residents who share the access.

### **5.3 Visual Amenity and Impact on the Conservation Area**

The dwelling proposed is a contemporarily designed one and a half storey dwelling with accommodation in the roof featuring a slate roof and aluminium windows with clean lines. The site is surrounded by a mix of house types and the Plas Derwen Inn and associated accommodation. Materials are generally render, brick, slates and concrete tiles with timber or uPVC windows/ doors. The more modern finish proposed with high quality materials is therefore acceptable in this setting and the use of sedum for the flat roofed element is welcomed. The dwelling has only two bedrooms shown on the floor plan and is considered to be modest in scale and in

keeping with the relatively small plot on which it is proposed. The arrangement of having the parking, turning and garden area on the other side of a private track, although unusual, is not unacceptable given the light traffic using the private lane and the proximity of the amenity space to the dwelling it would serve. It is considered that the proposed new dwelling and associated works are in keeping with the surrounding area in terms of design and scale and would not harm the character or appearance of the Conservation Area.

#### 5.4 Residential Amenity

The plot is considered to be large enough to accommodate the proposed dwelling which is relatively modest in scale without appearing overbearing to any neighbouring properties or being too close to the boundary with any neighbouring dwelling.

With the omission of the first floor terrace, there are no windows at first floor level on the eastern elevation that could overlook the existing dwellings and gardens on The Courtyard. Only roof lights are proposed in the upper storey of the northern elevation that overlooks the visitor accommodation and car park of the Plas Derwen Inn. The existing trees on the western boundary that are protected via the fact that they are in a conservation area will protect privacy of the dwellings on Plas Derwen Gardens.

If the application is approved then it is suggested that Permitted Development Rights are removed to prevent any alterations to the dwelling that could harm local residential amenity such as additional windows that could overlook neighbouring properties.

#### 5.5 Access and Parking

The proposed dwelling would have two bedrooms and therefore only two parking spaces are required in order for the development to meet adopted parking standards. However, there will be space for at least one other car to be able to park and turn off the road while still allowing adequate space for a passing bay. The passing bay should be conditioned to be retained as such in that it is important for safe and convenient access not just to the proposed new dwelling but to the existing dwellings on Plas Derwen Gardens. The passing bay, parking and turning areas would have a permeable surface to minimise surface water run-off.

As the boundary between the access lane and the private areas belonging to the dwelling will be soft landscaping it is considered that access for emergency vehicles will still be possible. The removal of permitted development rights for enclosures will ensure that the lane is not fenced off in the future.

#### 5.5 Trees

The trees on adjacent properties namely a Cherry Plum, Weeping Willow and Sycamore are on land that is a metre below the level of the application site and furthermore are separated from it by a stone wall. It is therefore unlikely, due to the presence of the wall and the difference in ground levels that any roots are actually growing into the application site and the trees will therefore not be harmed by the

proposed development. Two existing trees on the south-western corner of the site (a Spruce and Whitebeam) are also proposed to be retained and be incorporated into the scheme. The retention of the trees not only benefits the site in terms of green infrastructure and visual amenity, but also helps maintain the existing privacy enjoyed by nos. 1 & 2 Plas Derwen Gardens

### 5.5 Biodiversity Considerations

Following a preliminary roost assessment, a report submitted in support of the application concluded that the dilapidated storage shed that was (until recently) present on the site, did not contain bat roosting evidence and provided negligible bat roosting potential. The Council's Biodiversity & Ecology Officer is satisfied with these findings and agrees that further bat surveys were not required in this instance and the bat report's suggestions to incorporate additional bat roosting features within the proposed dwelling is welcomed. As records of bats have been recorded in the local area (SEWBRc, 2015) and the site is located adjacent to suitable bat feeding habitat i.e. mature gardens that connect to open countryside, the scheme presents an ideal opportunity for biodiversity enhancements for bats. Therefore a biodiversity enhancement condition for bats has been included below.

A method statement for reptiles (Richard Watkins, June 2015) was also submitted with the application. This identified suitable potential reptile habitat within the development area. Due to the size of the site and its relative isolation from other reptile habitat in the local area however, it is agreed that a full reptile survey is not required in this instance. However, as all reptiles are protected from killing and injury under the Wildlife and Countryside Act 1981 (as amended) a British Standard (BS 42020:2013) compliance condition has been included below.

### 5.6 Other Issues Raised

Concerns about potential damage to existing foul and surface water pipes are not shared by Dwr Cymru Welsh Water and in any event, would be controlled under separate legislation.

Hours and duration of construction work is more effectively controlled by Environmental Health legislation rather than a planning condition.

It is considered unlikely that the use of the access lane in association with the proposed new dwelling will significantly increase the potential for damage to the existing adjacent garden fence.

## 6.0 **RECOMMENDATION: APPROVE**

### Conditions:

1	This development shall be begun within 5 years from the date of this permission.
2	The development shall be carried out in accordance with the list of approved plans set out in the table below.
3	Prior to the commencement of any works associated with the

	development hereby approved, a plan showing details of the provision of roosts and a means of access for bats into the new dwelling(s) shall be submitted to the local authority for approval. The approved details shall be implemented before the new dwelling hereby approved is first occupied.
4	All ecological measures and/or works shall be carried out in accordance with the details contained in the Method Statement for Potential Reptile Presence report undertaken by Richard Watkins dated June 2015 as already submitted with the planning application and agreed in principle with the local planning authority.
5	Retained trees as shown on Drawing No. 14/447/01 of the Tree Survey shall be protected with rigid, immovable fencing such as Heras or similar in accordance with Detailed Drawing No 1363/PLN/04 Rev D. The fencing shall remain in place during the course of the development and may only be temporarily removed with the express written permission of the Local Planning Authority if required for access purposes.
6	Prior to the development commencing the applicant is required to submit a scheme of landscaping which shall include details of tree species and sizes to mitigate tree loss.
7	All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings 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, unless the Local Planning Authority gives written consent to any variation.
8	The area labelled as a passing bay on plan ref 1363 PLN 03 REV H shall be retained solely for vehicles to pass and for no other purpose including parking or any other purpose ancillary to the enjoyment of the dwellinghouse.
9	Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.
10	No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.
11	Foul water and surface water discharges shall be drained separately from the site.
12	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995, as amended (or any order revoking and re-enacting that Order with or without modification) no development within Parts 1 and 2 of Schedule 2 to the Order, shall be carried out on land to which this permission relates, without express planning permission having first been obtained from the Local Planning Authority.



**DC/2015/00833**

## **PROVISION OF ADDITIONAL 6M HIGH LIGHT COLUMNS AROUND THE SITE**

**CHEPSTOW COMPREHENSIVE SCHOOL, WELSH STREET, CHEPSTOW NP16 5LR**

### **RECOMMENDATION: APPROVE**

Case Officer: David Wong  
Date Registered: 30/07/2015

#### **1.0 APPLICATION DETAILS**

The Chepstow Leisure Centre is co-located on the same site as the Chepstow Comprehensive School. According to the submitted Design and Access Statement, the Council have legal obligations under the Disability Discrimination provisions of the Equality Act 2010, to improve access for all site users. Therefore, this application seeks planning permission for an improved lighting scheme to serve the car parking area of the facility.

As part of the lighting scheme, the application includes a re-route / improvement of the pedestrian paths through the site, provision of additional disabled parking bays and traffic calming measures. It is useful to note that the only element that requires planning permission is the lighting columns (as they exceed 4m in height) because the remainder of the works are permitted development under Class A, Schedule 2, Part 12 and Part 13 of the Town and Country Planning (General Permitted Development) Order 1995.

#### **2.0 RELEVANT PLANNING HISTORY**

No recent relevant planning history

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

##### Strategic Policies

**S13**

**S17**

##### Development Management Policies

**EP1**

**DES1**

## **4.0 REPRESENTATIONS**

### **4.1 Consultations Replies**

Chepstow Town Council – recommend refusal as the Town Council is unable to assess the likely physical and visual impact of the new lighting scheme on the immediate and adjacent areas owing to the lack of information to indicate the proposed location and number of new lighting columns.

SEWBREC Search Results – There are some ecological records within close proximity of the site.

Natural Resources Wales – No ecological information has been submitted with the application. We advise you consult your authority's ecologist with regard to deciding whether bat presence/ likely absence should be established through surveys prior to determination of the planning application. Notwithstanding the above, we note that the site is located in close proximity to the Wye Valley Woodlands SSSI and SAC. The proposed lights appear to be down lights and therefore unlikely to interfere with bats' use of the woodlands.

MCC Biodiversity and Ecology Officer – The original lighting plans showed greater levels of illumination onto vegetation along the eastern boundary. Following our comments the choice of luminaires has been changed along the eastern edge of the boundary, reducing light spill off site. A Habitats Regulations Assessment has been undertaken to assess the potential impacts of the scheme on bats. There will be no significant effect on the Interest Features of any site. The scheme does not need to be the subject of an Appropriate Assessment.

MCC Highways Officer – No adverse comment to this application.

MCC Environmental Health Officer – No comments received.

MCC Public Right of Ways Officer – There are no formal public paths at this site so the scheme is not of consequence as far as the Highway Act is concerned. There is however a permissive path which carries the promoted and well used Wye valley walk that runs behind the leisure centre. If this is to be made unavailable we would like to know so we can advertise the closure, make sure path users are safe and provide an alternative alignment if possible.

### **4.2 Neighbour Notification**

At the time of writing this report (09:14, 25/09/2015), there are two online objections received.

- 1) Objection from Suffolk House (formerly Springfield) – Initially we were mildly opposed to the installation of new luminaires adjacent to Chepstow Leisure Centre, but thought security of our back garden would be improved.

Our back fence line until yesterday was screened by a virtually impenetrable hedge of mature plum trees and other shrubs, which provided privacy and a high level of security to our property. This hedge was growing from rough ground just beyond our border.

However, yesterday (19/09/2015) half of the trees were cut down by workmen presumably preparing for the installation of new luminaires the subject of the planning application. The line of sight to the Leisure Centre from our garden is now unimpeded other than by our own wooden fence. Physical security of our back garden is now compromised.

The plans for the scheme lead me to believe that the second part of this vandalism may happen soon, and the second half of the trees will be cut down. These are mature trees from the original orchard that provided security for our property.

We note that this planning application specifies that no trees would be cleared in order to complete the works!

We also note that this application has not yet been determined and was not approved by Chepstow Town Council.

Although the damage has already been done, a meeting with Mr Wong is urgently needed so that we can discuss how Monmouthshire County Council can make good the damage caused to our security. In the event that MCC cannot provide a solution then monetary compensation sufficient for the purchase of new mature trees to screen our property will be needed and will be claimed against MCC. We are extremely concerned about this application, which covers the installation of new 6m lamp standards around the Chepstow Leisure Centre area. We understand it is part of a far larger scheme which includes the provision of new disabled parking spaces just outside the rear fence of our property.

Apparently the scheme involves the installation of new disabled parking bays, although as MCC did not need to apply for planning permission for these bays, no local residents were consulted or informed. Hardly what one could call best practice.

As no planning permission was needed to carry out this work, which involves the clearing of mature trees and shrubs at the rear of our property, the building of a new dwarf wall and a 2 metre high wooden fence, we have had no opportunity to comment.

The result of this work will mean loss of privacy to us and compromise the security at the rear of our house. The aspect from our back garden and rear windows will look directly onto the ugly building of the Leisure Centre. The luminaires proposed for lighting the disabled parking spaces will tower over our rear fence and visually intrude over the garden so that the view from the house will be that of a football stadium!

I am afraid that provision of parking spaces is a fait accompli as some of the screening trees and shrubs have already been removed.

With regard to the lighting, a more acceptable solution for us would be to re-design the lighting scheme. If the luminaires (bulkhead type) were mounted on the Leisure Centre side at a height which did not come up over the top of our fence then our objections will have been met.

It is our intention to claim compensation from MCC for loss of privacy. An apology for the way in which this whole scheme has been handled in terms of consultation and information is expected.

- 2) Objection from Moreton – We strongly object to this application. We believe this application has been fraudulently submitted. The application is for 6 lighting columns to be installed at Chepstow School yet all plans refer to Chepstow Leisure Centre. On the application plans, the plans clearly show 3 new parking bays at the rear of Suffolk House (Springfield) and Moreton. The 'lighting application' states there will be no felling or removal of trees, yet to our dismay we discover that 30 year old plum trees and other mature shrubs have been ripped out and excavation works commenced.

There now appears to be a 1m difference between the ground level of our property and the council land. This could impact on the safety and stability of our fence.

Please advise us of the following:

Please provide us with the original planning application details for the development of the car parking bays.

Please provide us with the relevant party wall documentation that shows you intended to work within 3m of the boundary of our property and provide engineering drawings detailing how the level difference between the two boundaries will be stabilised.

We suggest that the works are ceased immediately, until these issues have been resolved to ALL parties' satisfaction including our neighbours.

- 3) The neighbour at Southam had expressed concern over potential light spillage from some of the lights. However, the scheme has been revised and they believed that their concerns have been addressed satisfactorily.

## **5.0 EVALUATION**

### **5.1 The principle of the proposed development**

The Chepstow Comprehensive School and Leisure Centre support many local functions i.e. the election count centre for the area, concerts, the Monmouthshire Sports Awards and so on. Therefore, there is clearly a need to provide adequate and safe access for all of the users of the facility. Criterion a) of Policy DES1 of the Monmouthshire Local Development Plan (LDP) states that development proposals will be required ensure a safe, secure, pleasant and convenient environment that is accessible to all members of the community, supports the principles of community

safety and encourages walking and cycling. It is noted that the existing lighting and pedestrian access arrangement is in need of improvement and the thrust of this proposal is in accordance with criterion a) of Policy DES1. Therefore, there is no objection to the principle of this application.

## 5.2 Design Amendments/ Neighbour Amenity

- 5.2.1 The lighting scheme has been amended twice as a response to the neighbour objections and the latest revised scheme indicates that the two lights (labelled as LL-FP) along the back of Moreton and Suffolk House (aka Springfield) and the one (labelled as KK) by that immediate crossing, have been altered. The overall height of these three lights will be 2.5m above ground level. The agent advised that they are designed to avoid disturbance to the neighbours by setting them below the existing fence line. As part of the lighting scheme, the application includes a re-routing / improvement of the pedestrian paths through the site, additional disabled parking bays and traffic calming measures. As referred to above, it is useful to note that the only element that requires planning permission is the lighting columns (as they exceed 4m in height) as the rest of the works are permitted development under Class A, Schedule 2, Part 12 and Part 13 of the Town and Country Planning (General Permitted Development) Order 1995.
- 5.2.2 The neighbour at the dwelling, Southam, had commented that, previously, there was an issue with regard to light spill (from the horizontal lighting) into their sitting room which was satisfactorily resolved. Therefore, they are particularly worried about the horizontal lights which will be bolted on to the side of the leisure centre or on the proposed light columns. Further discussions have been held with the agent and the application has been amended so that the lights which will be bolted on to the side of the leisure centre will have the vertical head design that faces downward instead of the horizontal light spread. The latest revised scheme indicates that the three new lights nearest this neighbour (labelled as LL-FP & KK) have been amended but the light source from these lights are not restricted to the horizontal spread, as shown on the first amended version. However, the height of these three lights will be lower, at 2.5m above the ground, not 6m as initially proposed. In addition, the existing rear garden fence (estimated to be 2.6m above road level) and the trees along the back of Southam provide a reasonable screen from the lights. Therefore, the potential light spillage towards the neighbouring properties would be controlled and is considered to be a better arrangement than the previous versions.
- 5.2.3 There is an objection from Suffolk House (formerly Springfield). They objected to the fact that their back fence line, until the day before they wrote in, was screened by a thick hedge of mature plum trees and other shrubs, which provided privacy and a high level of security to their property. They considered that as a section of the trees have been cut down, the physical security of their back garden is now compromised (and the Leisure Centre is visible from their back garden).
- 5.2.4 During a recent site visit, it was noted that some of the trees on site had already been felled (i.e. the area behind the garden of Suffolk House and Moreton) and the work related to the provision of the additional disabled parking spaces is underway. Having checked this with the Council's Tree Officer, it was advised that the existing trees are not protected by a Tree Preservation Order and the site is not within the Chepstow

Conservation Area. Therefore, permission is not required to fell those trees. In relation to the disabled parking spaces, the Chepstow Leisure Centre are exercising their rights under the General Permitted Development Order. Therefore, there has been no breach of planning control in this instance.

- 5.2.5 The neighbour at Suffolk House had stressed that the luminaires proposed for lighting the disabled parking spaces will be above their rear fence and visually intrusive in relation to their property. However, they consider a more acceptable solution would be to re-design the lighting scheme. If the luminaires (bulkhead type) were mounted on the Leisure Centre site at a height which did not come up over the top of the fence then their objections would be withdrawn. The agent was informed of the neighbour's suggestion to revise the scheme and the current scheme has been submitted in response to this neighbour's concerns. As referred to above, the latest revised scheme indicates that the three new lights nearest this neighbour (labelled as LL-FP & KK) have been amended i.e. the height of those lights will be a maximum of 2.5m above the ground, not 6m as previously proposed.
- 5.2.6 The agent has amended the scheme in order to avoid disturbance to the neighbours by setting them below the existing fence line. As a result, the existing fence line will provide screening to these three new lights. It is acknowledged that the main purpose of these new lighting columns is to fulfil the Council's legal obligations under the Disability Discrimination provisions of the Equality Act 2010. These three new lights would be around 24-26m away from the neighbours. It is considered that there is a substantial distance between these lights and the neighbouring dwellings and the overall height of these lights have been reduced to 2.5m above ground. Furthermore, these lights are to serve an existing facility, together with the Council's legal obligation to comply with the Disability Discrimination provisions of the Equality Act 2010. Therefore, this application is considered acceptable.
- 5.2.7 The neighbour at Suffolk House also objected to the loss of privacy. However, it is considered that there is no loss of privacy as there would be no overlooking caused by the removal of the vegetation to provide the disabled parking spaces. In addition, there is a sufficient separation distance (some 46m) between this property and the Leisure Centre building. Having spoken to this neighbour, it is understood that the loss of privacy relates to the rear garden and windows looking directly onto the building of the Leisure Centre, instead of the (felled) section of trees. It is appreciated that the Leisure Centre is now visible from the garden of this neighbour but the loss of a view is not a planning material consideration. In addition, permission is not required for the removal of the existing trees within the car parking facility.
- 5.2.8 A discussion was also held with the agent and the School/Leisure Centre with regard to the need to set a time condition to control the lights. However, due to the fact that the School/Leisure Centre holds a range of different local functions such as election counts, concerts, and so on, it would be therefore unreasonable and impractical to impose such a condition. However, they advised that light sensors could be used and the lights would only come on at dusk and would (usually) turn off at around 10:45/11pm, re-lighting at around 5:30am and turning off at dawn. It is considered that the School and Leisure Centre have offered a reasonable approach to control these lights.

5.2.9 There is an objection from the householder at Moreton. They objected to that fact that the plans clearly show three new parking bays at the rear of Suffolk House (Springfield) and Moreton but the application states there will be no felling or removal of trees, and the existing mature plumb trees and other mature shrubs have recently been removed and excavation works commenced. Also, they believed that the excavation works would affect the safety and stability of their fence. As referred to above, the Council's Tree Officer advised that the existing trees are not protected by a Tree Preservation Order and the site is not within the Chepstow Conservation Area. Therefore, permission is not required to fell those trees. In relation to the disabled parking spaces, the Chepstow Leisure Centre are exercising their rights under the General Permitted Development Order. Therefore, there has been no breach of planning control in this instance. Any impact of works on the integrity of the neighbour's fence would be a civil matter for the developer and neighbour to resolve.

### 5.3 The tree removal

Having checked with the Council's Tree Officer, he advised that the existing trees are not protected by a Tree Preservation Order and the site is not within the Chepstow Conservation Area. Therefore, permission is not required to fell those trees. Therefore, there is no breach of planning control in this instance.

### 5.4 Ecology

The Council's Ecologist has requested changes to some of the light columns along the woodland to the immediate east, which is part of the Wye Valley Woodlands Special Area of Conservation (SAC). The lights along the woodland have now been altered to reduce light spillage towards the SAC. Furthermore, a Habitats Regulations Assessment has been undertaken to assess the potential impacts of the scheme on bats. It is considered that there will be no significant effect on the 'Interest Features' of any site. Given the above, it is considered that the proposal has responded appropriately and addressed the concerns raised by the neighbours and the Council's Ecologist.

### 5.5 Highways consideration

The Council's Highways Department have been consulted and they have offered no adverse comment to this application.

### 5.6 Response to the Representations of the Town Council

The Town Council recommended to refuse this application as they have commented that are unable to assess the likely physical and visual impact of the new lighting scheme on the immediate and adjacent areas owing to the lack of information to indicate the proposed location and number of new lighting columns.

The submitted drawing specified the actual design (there are five different types of light proposed) and the locations of the lights. In addition, the heights that the proposed lights would be fixed to the building are noted in the text panel on the submitted drawing. Although, it indicated that there are a total of 33 lights being proposed, 15 of them are direct replacement / improvement of the existing lights.

In terms of the physical and visual impact of the new lighting scheme, due to the fact that site is backed by existing properties, mature hedgerows and the adjoining woodland, the impact of these lights is well contained within the site. In addition, the Council's Ecologist has visited the site and confirmed that the choice of luminaires has been changed along the eastern edge of the boundary, reducing light spillage off site. Furthermore, the resulting scheme is not an alien feature at the site as there are lighting columns that already exist at the car park. Given the above, it is considered that this application should be supported.

#### 5.7 Other matters

It is the intention of the neighbour at Suffolk House to claim monetary compensation from MCC for loss of privacy as an apology for the way in which this whole scheme has been handled in terms of consultation (i.e. the removal of the trees and the work related to the provision of the disabled parking spaces at the back of their garden fence). This is not in itself a material consideration.

The neighbours consider that due to a section of the trees having been cut down, the physical security of their back garden is now compromised. However, there is no evidence to suggest that the security of this property will be adversely affected by the loss of the existing trees along the rear garden fence. Indeed, from an urban design perspective, an improved lighting scheme would generally improve house security as the area will be better lit to deter intruders.

Having spoken to the neighbour at Suffolk House, they understood that planning permission is not required for the removal of the trees and the disabled parking spaces within the Council's land. However, being a neighbour, they would have liked to have been informed at the outset, when the School/Leisure Centre had decided that these disabled parking spaces would be provided at the rear of their garden area. It is generally good practice for the developer to inform the neighbours prior to the commencement of any development on site - however, it is not a legal obligation.

The neighbour from Moreton had requested details of the existing car parking bays and the relevant party wall documentation as well as the identity of the person in charge and who monitors the work. As a planning application, the School/Leisure Centre have provided sufficient information and drawings to inform the planning decision. Thus, the neighbour has been advised to contact the School/Leisure Centre to discuss these non-material issues. Finally, a dispute over the landownership of the land is a civil matter between land owners and is not a planning material consideration.

## **6 RECOMMENDATION: APPROVE**

### Conditions/Reasons

5 years to commence development.

Development shall be carried out in accordance with the approved plans.



**DC/2015/00854**

## **PROPOSED REPLACEMENT DWELLING**

**FERN LEA, TRELLECH CROSS, TRELLECH NP25 4PX**

### **RECOMMENDATION: APPROVE**

Case Officer: Craig O'Connor  
Date Registered: 16<sup>th</sup> July 2015

#### **1.0 APPLICATION DETAILS**

- 1.1 The application proposes to replace the existing dwelling at the site with a new four bedroom, two-storey building that has been influenced by late Georgian or early-Victorian details and finishes. The proposed new dwelling would be sited in the same location as the existing property. The site is in the open countryside and has an area measuring approximately 1.3 hectares. The existing dwelling at the site is large and to the north of the property there are associated outbuildings and barns. The site falls from the east to the west and is surrounded by woodland to the east and south. The property is accessed via an existing private track and the site is bounded by mature hedgerows.
- 1.2 The proposed new dwelling would be sited in the same location as the existing property at the site. It would have a footprint measuring 170m<sup>2</sup> and it would have a hipped roof that would measure 5.5m to the eaves and 7.9m to the ridge. There would be a single storey element on the south elevation and at the rear there would be a projecting two storey gable. The dwelling would also have two external chimneys. The proposals include the construction of a retaining wall at the rear of the dwelling and associated hard landscaping proposals around the dwelling, including the provision of additional parking. The proposed materials would include natural slate for the roof, metal rainwater goods, roughcast render for the external walls and timber for the openings. The proposed dwelling would utilise the existing vehicular access to the site.

#### **2.0 RELEVANT PLANNING HISTORY**

No relevant planning history

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

##### Strategic Policies

- S1 – The Spatial distribution of new Housing Provision
- S13 – Landscape, Green Infrastructure and the Natural Environment
- S17 – Place Making and Design

##### Development Management Policies

- H5 – Replacement dwellings in the open countryside

DES1 – General Design Considerations  
EP1 – Amenity and Environmental Protection  
LC4- Wye Valley Area of Outstanding Natural Beauty  
NE1 – Nature Conservation and development

#### **4.0 REPRESENTATIONS**

##### **4.1 Consultations Replies**

Trellech United Community Council – recommended Refusal

- An unacceptable replacement: very visible from road, and character/appearance does not fit the Wye Valley. It is an out of character, bland, monolithic block and represents a wasted opportunity for good design.
- 30% increase in size too much.

Natural Resources Wales – no objection to the proposals subject to conditions to ensure bat mitigation measures are imposed at the site.

Glamorgan Gwent Archaeological Trust – no adverse comments to the proposals; please add informative.

Dwr Cymru Welsh Water – no comments given the applicant intends utilising a septic tank facility

Biodiversity Officer – no adverse comments subject to conditions

##### **4.2 Neighbour Notification**

No response to date

##### **4.3 Other Representations**

The applicant's architects have provided a response to objections raised by the Community Council.

#### **5.0 EVALUATION**

##### **5.1 Principle of development**

- 5.1.1 The principle of replacing the existing dwelling is considered to be acceptable and in accordance with Policy H5 of the Local Development Plan (LDP). Within this Policy it is deemed acceptable to replace traditional dwellings providing that the existing dwelling is not significantly important to the visual and intrinsic character of the landscape. The existing dwelling at the site has a traditional form although the historic development of the property outlines that the existing large dwelling was originally a small cottage. The existing building is a hybrid that has developed over time. In addition, given the isolated location of the building, the topography of the surrounding area and the amount of screening provided by the surrounding woodland it is not considered that the dwelling is significantly important to the visual intrinsic

character of the landscape to warrant refusing consent for a replacement dwelling. The principle of replacing the existing dwelling at the site is acceptable and considered to be in accordance with Policy H5 of the LDP.

- 5.1.2 Policy H5 outlines that the size of a replacement dwelling needs to be similar to the existing property at the site. In this respect, it is considered reasonable to take into account the size of extension that might be permissible under Policy H6 in considering the acceptable size of any replacement dwelling. The Supplementary Planning Guidance Note for Policies H5 and H6 Replacement dwellings & extensions to dwellings in the countryside (September, 2014) states that for existing “dwellings over 750 cubic metres in volume a percentage increase of more than 30% will not normally be allowed and the larger the building the lesser the percentage increase that is likely to be acceptable.” The existing dwelling is approximately 817m<sup>3</sup>. The resultant property would be 1062m<sup>3</sup> which represents a 30% increase in volume. The site is large and it is considered to be capable of accommodating a large property without harming the landscape character of the area. The dwelling would be sited in the same location as the existing property and grouped with existing barns and outbuildings at the site. The building would be well screened by the existing woodland that largely surrounds the site and given the topography of the area the resultant building would not be an adversely dominant structure and would not be detrimental to the rural landscape. The resultant property is considered to be an acceptable increase in volume for this particular site. The dwelling, while large, would sit comfortably in this context. The proposed replacement dwelling is considered to be in accordance with the objectives of Policy H5 which aim to ensure that replacement dwellings do not detract from the special qualities of the open countryside in Monmouthshire.

## 5.2 Visual impact

- 5.2.1 The proposed dwelling would be sited in the same location as the existing property and it would have a ridge height that would be 200mm lower than the existing dwelling. The proposed size of the resultant property is considered to be acceptable (as outlined in section 5.2) and in accordance with Policy H5 of the LDP which aims to protect the character and appearance of the rural landscape. The proposal would be a traditional two storey four-bedroomed property and its design, including a shallow hipped slate roof, has been influenced by late Georgian/late Victorian detailing and finishes. The dwelling would be constructed with traditional materials and would have a traditional appearance that would harmonise with surrounding properties in the Trellech area. The resultant dwelling is considered to have a similar visual impact to the existing property. The site is largely surrounded by woodland and has a large mature garden that is bounded by mature high hedgerow. The proposed dwelling would be well screened and would integrate well with the landscape. The dwelling would respect the existing form, scale, siting, massing, materials and layout of its setting and would not harm the characteristics of the rural landscape in accordance with Policies H5, EP1 and DES1 of the LDP.
- 5.2.2 The dwelling would not have an adverse impact on the character and appearance of the landscape and would not harm the natural beauty of the Wye Valley Area of Outstanding Natural Beauty (AONB) in accordance with Policy LC4 of Monmouthshire Local Development Plan (LDP).

### 5.3 Residential amenity

- 5.3.1 The proposed replacement dwelling would not harm any other party's residential amenity. The site is isolated in the open countryside and the dwelling would not directly overlook any party and it would not obstruct any party's access to natural light. There have been no objections to the proposals. The replacement dwelling is considered to be in accordance with Policy EP1 of Monmouthshire's LDP which protects the amenity of neighbouring parties.
- 5.3.2 The proposed dwelling would utilise the existing vehicular access point. The proposed site plan outlines that the driveway is to be widened and the visibility splay to the south which is in the applicants ownership is to be improved. The proposed development would improve visibility from this existing access and therefore the development would improve highway safety.

### 5.4 Wildlife interests

- 5.4.1 The proposals include the submission of an ecological survey that outlined that there were bat species using the building. The Council's Biodiversity Officer and Natural Resources Wales have reviewed the information and are satisfied that the development would not have an unacceptable impact on wildlife interests subject to mitigation being implemented on site via conditions and providing that the applicants obtain a licence. The proposed development would have an acceptable impact on wildlife interests and would be in accordance with Policy NE1 of the LDP.
- 5.4.2 The Local Planning Authority "*must have regard to the requirements of the Habitats Directive.....in the exercise of their functions*" (Reg. 9(5) Conservation Regulations 2010). This was reinforced by case law (Wooley vs Cheshire East Borough Council, May 2009) that established that Local Planning Authority's must *engage* with the Habitats Directive and this means that they must:

Consider whether a European Protected Species (EPS) offence under the Conservation of Habitats and Species Regulations 2010 (Cons Regulations 2010) is likely to be committed by the development proposal.

A protected species report has been produced and submitted with this application which identifies the presence of a bat species using the site. The applicant is seeking permission to demolish and replace the dwelling; however the applicants have proposed mitigation measures to ensure that the proposals do not harm wildlife interests.

The application must be subject to the three tests of derogation as described by Article 16 of the Habitats Directive 92/43/EEC and implemented by the Conservation Regulations 2010. The Local Planning Authority must consider whether the three derogation tests will be met and so whether the Welsh Government is likely to grant a licence.

With regard to the three tests these are as follows:

1. The proposal must be for the purposes of preserving public health or public safety or other imperative reasons of overriding public interest including those of social or

economic nature and beneficial consequences of primary importance for the environment.

2. There is no satisfactory alternative.

3. The action authorised will not be detrimental to the maintenance of the population of the species at a favourable status in their natural range.

In relation to the above points, these are addressed in turn in relation to this application.

#### Test 1

The proposal must be for the purposes of preserving public health or public safety or other imperative reasons of overriding public interest including those of social or economic nature and beneficial consequences of primary importance for the environment.

It is considered that the proposed replacement dwelling would not harm wildlife interests subject to the mitigation measures proposed and it would ensure that a sustainable dwelling is sited at the site that is fit for purpose.

#### Test 2

This test is concerned with whether the scheme as submitted is the only satisfactory option and that there are no alternatives available. Looking at all the options available, these fall into four main groups: (i) to develop an alternative part of the site, (ii) to do nothing, (iii) to demolish the existing building and construct a new building, or (iv) to allow this proposal.

Given the context of the site, the first option would not be appropriate as the proposed development would replace the existing dwelling at the site that is not fit for purpose, there is no other alternative part of the site to develop and the dwelling would have to be demolished to comply with Planning Policies.

With regard to the 'doing nothing' option, whilst in the short term at least, doing nothing would preserve the present bat roosts in situ, but ultimately if the dwelling is left to deteriorate further would not result in harming the conservation status of bat species. This option is inappropriate as the development could take place without harming wildlife interests.

The third and fourth option would correspond with the existing building being demolished and a replacement dwelling being constructed at the site with consent for the development being granted. This is an acceptable option for the Local Planning Authority. The proposals aim to develop a modern sustainable property at the site and provide mitigation measures to ensure the habitats of the European Protected Species (EPS) are protected at the site. It is considered that this proposed option would be the most appropriate for the site in terms of protection of the EPS and developing the potential of the site.

#### Test 3

The final test of the Regulations is concerned with the mitigation and maintenance of the population of the species at a favourable status in their natural range. The scheme submitted provides an ecological survey which highlights the location of the identified roosts in the building. The applicant has offered clear details of how they intend to mitigate for the impact that the proposals will have on the bat population. It is considered that the proposals would not harm bat species at the site.

The proposal does meet the tests and the view is taken that the Welsh Government would grant a licence. The Council's Biodiversity Officer and Natural Resources Wales have reviewed the proposals and are satisfied that subject to appropriately

worded conditions and informative the proposed development would have an acceptable impact on wildlife interests. The Local Planning Authority therefore may legally give consent for the proposals subject to these conditions.

#### 5.4 Response to Community Council

- 5.4.1 The applicant has provided a response to the objections raised by the applicants and outlines properties that are of similar design within the local vicinity and outlines how the resultant dwelling would not be harmful to the Wye Valley AONB. As outlined in Section 5.1 the proposed scale of the resultant dwelling is considered to be acceptable for this particular site given the existing screening of the surrounding woodland, the size of the site and topography of the landscape. The resultant dwelling would harmonise with the site and would not be harmful to the character and appearance of the rural landscape. The architect has evidenced that there are properties within the Trellech area that have similar design features and it is considered that the proposed Georgian/late Victorian design approach would be acceptable for Monmouthshire's rural landscape. The proposed development is considered to respect the setting of the area and would not have an adverse impact on the Wye Valley AONB.

#### 5.5 Conclusion

The proposed replacement dwelling is considered to preserve the character and appearance of the rural landscape and would not have a detrimental impact on the natural beauty of the Wye Valley AONB. The proposed development would be in accordance with the relevant policies in the LDP and is recommended for approval.

### **6.0 RECOMMENDATION: APPROVE**

#### Condition

1. The development shall commence within five years from the date of this consent.
2. The development shall be carried out in strict accordance with the approved plans.
3. The scheme should be implemented in accordance with Section 6 'Method Statement' of the report 'Bat and Roof Nesting Bird Survey at Fernlea, Trelleck Cross, Trelleck, Monmouthshire', by Steve Wadley, dated 7th July 2015.
4. The hereby permitted works shall not in any circumstances commence unless the local planning authority has been provided with either:
  - a) a licence issued by Natural Resources Wales pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations (Amendment) 2012 authorising the specified activity/development to go ahead; or
  - b) a statement in writing from a suitably experienced ecological consultant; to the effect that it does not consider that the specified activity/development will require a licence.
5. 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 installed on the buildings until an appropriate lighting

plan which includes low level lighting and allows dark corridors for bats has been produced and agreed in writing with the Local Planning Authority.

6. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no enlargements, improvements or other alterations to the dwellinghouse or any outbuildings shall be erected or constructed without the prior written approval of the Local Planning Authority.
7. Samples of the proposed external finishes shall be agreed with the Local Planning Authority in writing before works commence 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.
8. All rainwater goods shall be of cast metal and matt painted and remain as such in perpetuity.
9. Prior to the commencement of development details of the proposed windows and doors to a minimum scale of 1:20 including elevations, vertical and horizontal sections with larger scale details to sufficiently describe the proposed units shall be submitted to and approved in writing by the Local Planning Authority. The development shall be conducted in strict accordance with these details.

#### Informative

Please note that Bats are protected under The Conservation of Species and Habitats Regulations 2010 and the Wildlife and Countryside Act 1981. This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. We advise that the applicant seeks a European Protected Species licence from NRW under Regulation 53(2)e of the Conservation of Habitats and Species (Amendment) Regulations 2012 before any works on site commence that may impact upon bats. Please note that the granting of planning permission does not negate the need to obtain a licence. If bats are found during the course of works, all works must cease and the Natural Resources Wales contacted immediately (NRW) (02920 772400).

Glamorgan Gwent Archaeological Trust's record is not definitive in the area of the proposal and features may be disturbed during the course of the work. In this event, please contact the Trust on 01792 655208.

Please be aware of Natural Resources Wales' Guidance Note.

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